

PLANNING BOARD
TOWN OF STUYVESANT
STUYVESANT, NEW YORK 12173

MINUTES OF APRIL 25, 2011

* Approved at 5/23/11 meeting

MEMBERS PRESENT:

Mr. Gale Bury, Chairman
Ms. Marilyn Burch
Ms. Charlene Leach
Ms. Patricia Casey
Mr. Harold Leiser
Mr. Tom Shanahan
Mr. Sean Cummings

MEMBERS ABSENT:

OTHERS PRESENT:

Tal Rappleyea, Town Attorney
Raymond Jurkowski, Morris Associates
David Everett, Esq. (special counsel for the town on the dog camp for Mr. Pflaum)
Peter Lynch, Esq.
Peter VanAlstyne

Chairman Bury called the meeting to order at 7:03 p.m. with the Pledge of Allegiance to the Flag.

1. Patricia Casey requested the minutes reflect that the approval for the Bed & Breakfast was conditioned on strict adherence to the zoning laws as stated during last month's meeting. A motion was made by Harold Leiser and seconded by Marilyn Burch to accept the minutes of the March 28, 2011 meeting with the addition noted above. All members voted in favor.
2. Minor Subdivision Application: Therese Kornbluh, 401 Ridge Road located in the Town of Stuyvesant, NY proposes to subdivide 2.79 acres with an existing house from about a 15 acre parcel. Peter Van Alstyne appeared on behalf of the applicant. She proposes using density averaging as outlined in the zoning ordinance for creating the subdivision. A motion was made by Tom Shanahan and seconded by Harold Leiser to accept the subdivision application and set a public hearing for Monday, May 23, 2011 at 7:00 pm. All members voted in favor.

3. Minor Subdivision Application: Tom Gersch for the Estate of David Bult, 255 Ridge Road located in the Town of Stuyvesant, NY proposes to subdivide three 5 acre lots from a 150 +/- acre parcel. Peter Van Alstyne appeared on behalf of the applicant. A motion was made by Sean Cummings and seconded by Harold Leiser to accept the subdivision application and set a public hearing for Monday, May 23, 2011 at 7:00 pm. All members voted in favor.
4. Minor Subdivision Application: Robert & Wayne Austin, County Route 46 located in the Town of Stuyvesant, NY proposes to subdivide approximately 155 acres into two lots. Peter Van Alstyne appeared on behalf of the applicants. A motion was made by Harold Leiser and seconded by Charlene Leach to accept the subdivision application and set a public hearing for Monday, May 23, 2011 at 7:00 pm. All members voted in favor.
5. Minor Subdivision Application: Albany Engineering Corp., for property located on Hudson Ave., also known as County Route 25 in the Town of Stuyvesant. The applicant is represented by R. Sardo Land Surveying. Applicant proposes a boundary line alteration taking 0.097 acres from an existing parcel of approximately 38.1 acres and adding it to an existing 0.136 acre parcel. A motion was made by Harold Leiser and seconded by Tom Shanahan to accept the subdivision application and set a public hearing for Monday, May 23, 2011 at 7:00 pm. All members voted in favor.
6. Tal Rappleyea excused himself from the meeting due to a conflict with matter before the Board involving the Glencadia Dog Camp by Mr. Pflaum. Attorney David Everett replaced Mr. Rappleyea as the attorney who would be representing the town on this matter before the Planning Board.
7. The matter continued before the Planning Board involving the Glencadia Dog Camp operated by William Pflaum, 3 Rybka Road, Stuyvesant Falls, NY. Mr. Pflaum was unable to attend. Mr. Pflaum's attorney, Mr. Lynch appeared on his behalf. David Everett indicated he had continued to work on a resolution to this matter. He sent a letter to Mr. Lynch dated April 4, 2011 with the NYSDEC document titled "Assessing and Mitigating Noise Impacts". Mr. Everett's letter outlined recommended perimeters going forward including testing. Mr. Lynch indicated they decided to go ahead with a noise test with Mr. Andria at Acoustic Dimensions. He received a preliminary report today but has not received the final report. He will have the final report from Mr. Andria on or before May 15, 2011. Mr. Lynch states 31 dogs were outside at the time of the test. Chairman Bury asked why the Planning Board's request that the town engineer be involved in the testing process was not adhered to by Mr. Pflaum. Mr. Lynch stated he did it to expedite the resolution of this matter. The board members questioned why the town engineer could not have been called to see if he was available to be involved in the process as requested. Mr. Lynch stated the report will be available for review when it becomes available. The board asked if the town engineer can contact Mr. Andria at this time to discuss the report but Mr. Lynch objected. The

DEC noise guidelines and their relevance were discussed between the board members, Mr. Jurkowski and Mr. Everett. Mr. Lynch stated the DEC guidelines provide some beneficial information. Patricia Casey asked about the insurance policy for the business. Mr. Lynch stated it would be submitted when they submit their final packet including the sound test. Mr. Jurkowski will provide the Planning Board with an estimate for an escrow account. A motion was made by Patricia Casey and seconded by Tom Shanahan to require an escrow account for this matter. All members voted in favor. The board decided to continue the public hearing once the board has received all the documents and information available for the public to review.

The next meeting was scheduled for Monday, May 23, 2011 at 7:00 pm. A motion to adjourn the meeting was made by Harold Leiser and seconded by Tom Shanahan. All members voted in favor.

Respectfully submitted,

Shirley Narzynski
Planning Board Secretary