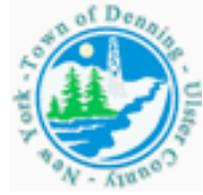


# Town of Denning - Planning Board Meeting

January 10, 2008



## Planning Board Regular Meeting

The meeting of the Town of Denning Planning Board was called to order by Chairman Alden Thayer at 7:30 PM. Members present were Mr. Thayer, Mr. Brooks, Mr. Van Aken, Mr. Landon, Mr. Krickhahn, Mr. Larison, and Mr. Bobik. Also in attendance was Paul Krickhn Jr. with regard to his logging in the Frost Valley area.

Mr. Thayer read the minutes from the last meeting of December 20 th. Motion to accept the minutes as read was made by Mr. Larison, seconded by Mr. Bobik, all in favor.

### Introductory Business:

Mr Thayer stated that he had received a call from Judge Follender informing us to watch out for Burt Maxim "bad egg" and he's not to do work in the Town. Also, they spoke about some logging questions we had at our last meeting. Judge Follender said with regard to enforceable infractions of the logging law we can't require a bond (surety) on county or state road access, only town roads. We looked and noted: in our law section 12 sub-section A number 5 refers to town roads.

### Old Business:

With this new information and from the advice from Judge Follender, Mr. Thayer decided not to accept a bond from Paul Krickhahn Jr. for his logging job since access was on the county road. Mr Thayer suggested that the revised version of the Timber Harvest Law should have more specific language with regard to surety and its intended purpose.

Discussion followed: It has been suggested that logging trucks cause more damage than other trucks. This is not likely a proven fact and we need to work on this surety issue.

Mr. Thayer also spoke to Supervisor Bruning and said that he suggested any logger sign a written statement that they will be liable for damage done to the town infrastructure.

Mr. Thayer spoke to Denise Boyle from the Ulster County Planning Board and he agrees with Judge Follender. They also spoke about Section 8 in the Timber Harvest Law and he said that it could be enforced by SEQRA. Denise Boyle said we can put a surety bond based on Section 8 and that the logger will have to live up to this law. Mr. Thayer suggested that this puts the Logging Law into a new perspective.

Mr. Landon asked if there was any history of damage done to the town infrastructure, and if not, are we stressing this surety bond with too much emphasis?

Discussion followed and went on to other similar topics. Mr. Larison suggested the planting of Bristling Locus to help prevent soil erosion, etc...

Mr Thayer once again brought our attention back to the surety bond and suggested that it could be tied to SEQRA. Mr. Landon asked if this surety requirement existed in the past? Mr Thayer, not according to section 4.2.6.4 of our zoning.

Mr. Larison gave Mr. Thayer a Forestry Guide – Municipal Officials Guide to Forestry.

Back to surety, Paul Krickahan Jr. said that logging requirements set forth in Section 8 of our Timber Harvest Law was great reference for the loggers. He also suggested that the surety could be in the form of a fee. Mr. Landon said that it could be part of the so called "white board fee" proposed in the revised Timber Harvest Law, to be refunded when the logging job was finished.

Mr. Thayer agreed. Mr Larison asked Where is the "white board"? Mr.Thayer commented that Mr Bruning said he would get one and it can be placed in the Planning Board office at the Town Hall.

Paul Krickhahn Jr. suggested, charge \$100 fee and put it into a special account. Mr. Thayer, good idea. Mr. Landon suggested a graduated fee, \$50 for small jobs and \$100 for larger ones. Mr. Larison explained it better as a law. Mr. Brooks suggested, no fee for notification, only for commercial logging. More discussion followed.

Mr. Thayer, next meeting we need to decide (with regard to the Timber Harvest Law revision) a cutoff on notification vs. commercial board feet as well as a schedule of fees and their disposition.

Mr. Larison, fees for logging permit is appropriate as opposed to surety. Also, in part, a completion fee to be returned after the logging job is completed (marked off the "white board"). Mr. Thayer, for permitted logging jobs.

Mr. Thayer will talk to Mr. Bruning about creating a new account for the logging fee retention.

Next meeting finish a draft Timber Harvest Law with all the revisions we have proposed in the past few months. Mr. Landon suggested that we revise the Logging Application to be more specific and require that it be filled out completely.

Paul Krickahan Jr. finished filling the missing information on his logging application and satisfied the requirements of the logging permit process. We thanked him for his valuable input and suggestions from his perspective as a logger in the Town of Denning.

Mr Thayer will talk to the Town Board and find out if there is any history or incidents of damage caused by logging operations in the past. He will also ask them about account for permit fees.

Mr Bobik asked what if anything was decided with regard to our being represented at the Ulster County Planning Board meetings. Are we taking turns? Do we have a rep? Mr. Thayer suggested this is something to decide next meeting.

Mr. Larison motions to adjourn at 9:07 PM and Mr. Van Aken seconded, all in favor.

The next meeting will be held on February 14, 2008.

Respectfully submitted,  
Carl Landon