

Town of Denning - Planning Board Meeting

February 14, 2008



Planning Board Regular Meeting

The meeting of the Town of Denning Planning Board was called to order by Chairman Alden Thayer at 7:32 PM. Members present were Mr. Thayer, Mr. Brooks, Mr. Van Aken, Mr. Landon, Mr. Krickhahn, Mr. Larison, and Mr. Bobik.

Mr. Thayer read the minutes from the last meeting of January 10th. Minor spelling changes were Locust and Denis Boyle. Motion to accept the minutes as read was made by Mr. Krickhahn, seconded by Mr. Van Aken, all in favor.

New Business:

Mr. Thayer read two new Logging permit applications. The first, at 1880 Denning Road by Mike Dean – the Steve O'Dell property, 6.42 acres, falling into the notification category. The second on property in Frost Valley SBL 33-1-32 "model forest" submitted by Benjamin Snyder who is taking over Mike Larison's position at Frost Valley YMCA. This is 24.5 acres, hardwood. Mr. Thayer stated that no permit was required as this is an ongoing operation under their forest management plan submitted a few years ago. We discussed the fact that these two logging jobs would be good candidates for the "white board" even though they are just notifications.

Old Business revisited:

More discussion on the revisions of the Timber Harvesting Law.

Mr. Thayer read from the Shandaken Logging Law, similar to ours, and noted that they have no clear cutting except home sites. Also no cutting of live trees 8 inches during commercial cutting. Mr. Larison stated that this is a bad idea to leave old diseased trees. Mr. Krickhahn said that it shouldn't be considered for our law.

Mr. Larison stated that one of the purposes of our towns Timber Harvest Law is to consider sustainable forest management. We all agreed that this is one of the laws intent and not to consider the Shandaken Laws contradictions to this goal.

There is a good reference to SEQRA in regards to enforcement that should be considered.

Mr. Van Aken mentioned that the NYC DEP is slashing trees when marking property lines after surveys are complete. Mr. Thayer will discuss this issue with them and ask if there is a better way to mark the boundaries. It was also brought to our attention that they mark (slash) the trees on bordering properties especially triangulating the property corners on the surveys.

Mr. Thayer said he was still working on the final revisions to the Timber Harvest Law and should be finished by next planning board meeting.

There is the outstanding questions, one of which is enforcement of the Law. Who is qualified, who has the time and expertise? Mr. Thayer asked Mr. Larison if he would be able to fill that roll especially now that he is retiring from Frost Valley YMCA. We could have a supportive contracted roll written into the Law in the enforcement language. Mr. Thayer thinks that whoever is enforcing the law needs to know, understand forest management and logging operations. Mr. Larison said he would consider the job if it becomes available.

Mr. Brooks asked, who will pay this fee for the contracted consultant “with regard to the enforcement” and will it be part of the application fee? Mr Thayer suggested the \$100 fee should suffice. Mr Landon suggested that it was not enough to cover all the cost of making multiple visits to the logging sites in the beginning and at the end. Especially if revisits are needed due to some violation.

Mr Van Aken spoke about considering tax breaks when logging properties with sustainable forest management. Mr Larison said that while you have a forest management plan there is no short term capital gains. Mr. Van Aken asked, why should the Frost Valley YMCA be exempt cutting 150,000 board feet as referenced in the current logging operation and not all private land owners. Mr. Larison suggested that anyone with a forest management plan. Mr Brooks asked if this will be changed in the revised Timber Harvest Law.

Mr. Larison, (more discussion about fee's) should the logging fee be around \$250? Mr Thayer, maybe a little more as there may be many trips to the logging site and other cost to the town can be included.

Mr. Brooks asked Mr. Thayer if he talked to the town board about the contract logging consultant position to help the town make determinations about logging jobs. Mr. Thayer said yes and it doesn't seem to be a problem.

Mr. Landon (about fee's again) suggested \$300 with an unused \$100 returned when the logging job is complete. Mr. Larison suggested we look at levels again (notification vs. permitted) before we decide on who pays fees and how much. Mr. Landon said that was a good idea as the notification doesn't require a fee and how will you pay for the consultant to check on those jobs.

Discussion followed about the refinements of the Timber Harvest Law including levels when the law applies:

- no notification - 3 acres or less being logged, or 10 cords of firewood or less
- notification required - 3 to 10 acres logging, or up to 100 cords of firewood
- logging permit required - over 10 acres logging, or 100 cords of firewood or more

Lengthy discussion followed. Mr Larison suggested that 200 cords of firewood in timber stand improvements is acceptable.

Finally we decided:

- No acreage requirements, 50 cords of firewood and 25000 board feet of saw logs – no notification. Fee: none.
- Notification for 200 cords of firewood or up to 50,000 board feet of saw logs. Fee: \$50 with \$50 refundable.
- Permit required for over 50,000 board feet. Fee: \$250 with \$100 refundable.

Mr Thayer also suggested that requiring owners signature is absolute to protect their property. Mr Thayer will type up the revisions and present them to the planning board at next months meeting.

Mr. Larison motions to adjourn at 9:30 PM and Mr. Brooks seconded, all in favor.

The next meeting will be held on March 13, 2008 we plan on discussing “wind generator” and “broadband networking”

Respectfully submitted,
Carl Landon