



Town of Denning - Planning Board Meeting

January 13, 2011

Meetings of the Planning Board were started at 7 PM. First the Public Hearing followed by the regular Planning Board Meeting.

Members of the Planning Board present are Mr. Landon, Mrs. Ackerley, Mr. Sibiga, and Mr. Bobik. Absent members are Mrs. Snyder, Mr. Krickhahn and Mr. Van Aken.

Members of the public present are Mrs. Jean Switzler, Mr. Harry Cummings, Mr. Cliff Asdal, Mr. Ben Snyder, Councilman Mike Dean, and Mr. Jerry Huncosky of Frost Valley YMCA.

Public Hearing on Logging Permit SBL 33-1-30, 33-1-33, and 34-1-5 (Frost Valley YMCA property)

The Public Hearing for the issuing of a special permit for logging was called to order at 7 p.m. by Chairman Carl Landon.

There were no public comments presented to the planning board and after some discussion on the particulars of the logging operation in Frost Valley, we had a motion to approve the special permit by Mr. Sibiga, seconded by Mrs. Ackerly, all in favor. The public hearing was brought to a close.

Regular Planning Board Meeting

The Planning Board Meeting was called to Order by Chairman Carl Landon at 7:15 pm.

New Business (will look at a new permit logging while the forester is present)

A new logging special permit application was presented to the Planning Board by the Forester Mr. Cliff Asdal on SBL 42-1-27.3 / 27.112 / 27.111 / 27.2 / 27.12 located on Frost Valley Road, owner of record Laura Brock Smith.

Property is under the 480A Forest Tax Law and the timber harvest is a requirement of that Law. Number of acres to be harvested approximately 140, number of trees to be harvested around 1045, and number of board feet to be harvested approximately 182,054.

The logging operation will go on for a year and Mr. Cliff Asdal presented a well documented plan. After review and discussion we find the logging operation to be acceptable. We scheduled a Public Hearing for next months meeting February 10th to start at 7 pm.

There are actually two adjacent properties being logged and we gave them the go ahead to start the lesser one, as well as setting up the landings for both. The larger logging operation will start after the public hearing and upon approval of the special permit.

Regular Business

Chairman Carl Landon read last month minutes from the public hearing on the Old Farm Subdivision and the regular planning meeting.

Mr. Jerry Huncosky of Frost Valley YMCA wanted to clarify the "Right to Use" the current access road through the Ellsworth property mentioned in the minutes. He stated that his agreement with Mr. Ellsworth was that he has the right to cross over that land and that he can't widen the road and doesn't have a 50 foot right of way through that property but wanted to clarify that he doesn't agree that it can't be maintained.

Mr. Landon asked is this in reference to the statement at the public hearing, *Mr. Huncosky said it was noted as "right to use the private road" in the deed and the proposed new road should eliminate the need to use it.*

Mr. Huncosky stated that was correct and it should eliminate the need to use it however it will be used at least initially and until we have it clear as to whether we can maintain the road.

Mr. Landon stated that the subdivision will be based on the use of the new private road and right of way as proposed on the subdivision map but will note in his comments in the minutes.

No other comments on the minutes from last month's meetings and Mr. Sibiga motioned to accept the minutes as read, Mr. Bobik seconded, all in favor.

New Business (lot line adjustment)

Mrs. Jean Switzler and Mr. Harry Cummings came before the board and presented a preliminary plan for a lot line adjustment. We looked at the maps from the 2 adjoining lots Mr. Cummings and Mrs. Switzlers brought to the meeting.

Mrs. Switzler will be transferring the property below Red Hill Road to Mr. Cummings by moving the property boundaries. They will survey the center of the road and make that the property boundary. Have the surveyor calculate the property being transferred for future reference (like tax assessments). File an amended deed with Ulster County. This does not require a public hearing, as it's not a subdivision.

The agreed to line adjustment between property owners, both present at the Planning Board meeting, will move the property line of Harry Cummings SBL 50.2-3-18 from the south side to the center of Red Hill Road increasing acreage of said lot while decreasing acreage of Jean Switzlers property SBL 50.2-3-9 by an equal amount leaving lot 50.2-3-9 no acreage beyond the center of Red Hill Road to the south.

Motion to accept the lot line adjustment as proposed was made by Mr. Bobik and seconded by Mrs. Ackerley, all in favor.

Old Business (final - Old Farm Subdivision - SBL 50.2-2-1 Frost Valley YMCA)

Reviewed SEQR (type 1) and had a negative determination with no need for an Environmental Impact Statement. Last month we did an Environmental Assessment Review.

All the requirements we had for Frost Valley were met with the removal of any and all debris from the old farm buildings, survey of the new road and turn arounds, final map signatures and filing.

Also reviewed comments from Ulster County Planning Board. With the Land Use Exemptions the Planning Board filed with UCPB we were not required to refer this subdivision.

Frost Valley paid the subdivision fees tonight via 2 check for \$65 and \$200.

Frost Valley will file the subdivision maps with Ulster County within 60 days from tonight and Ulster County will assign new SBL's.

Frost Valley will consider a lot line adjustment in the future with Michael Heron in the future for one of the lots along Dinch Road bringing the property line to the center of the road.

The "Old Farm Subdivision" was approved by Resolution #2011-01 by the Planning Board. (attached)

Next we discussed the need for SEQR funds in future projects and perhaps our next learning seminar should be on SEQR. Training should be 8 one half hour sessions instead of 4 continuous hours.

Then we discussed the need for an Ulster County Planning Board Representative.

Mr. Ackerley motioned to adjourn at 9:00 pm. Mrs. Bobik seconded. All in favor.

Next meeting is scheduled for February 10, 2011.

Respectfully submitted,
Carl Landon

Town of Denning Planning Board - Resolution #2011-01

January 13, 2011

Old Farm Subdivision - SBL 50.2-2-1 - Approval of Final Plat.

Whereas, the preliminary plat titled "Old Farm Subdivision" was approved in December 2010 and no modifications were added; and

Whereas, the owner met all our requirements and freely allowed our access to said property for our inspection and modification, and with their voluntary removal of any and all debris from the old farm buildings and farming equipment leaving a clean lot; and

Whereas, SEQR type 1 was filed and an Environmental Assessment Review was complete with a negative declaration; and

Whereas, the referral to Ulster County Planning Board was satisfied; and the public as well as adjacent property owners were notified and a Public Hearing was conducted, and all public comments were considered and clearly stated; and

Whereas, a new private access road was surveyed including turnarounds and rights of way along that road, were clearly stated for access to the new formed lots; and utilities may exist on their current course or access the new right of way if needed; and

Whereas, the proposed subdivision meets our current Zoning Law and the Town of Denning Planning Board has the authority to approve this subdivision in accordance with NYS Town Law and Local Law;

Now, **Therefore, be it Resolved**, that the Planning Board of the Town of Denning does hereby approve this subdivision without any other condition, leaving the responsibility of filing maps and deeds with the Ulster County Clerks office up to the owner within 60 days, creating 4 new lots in Section 50.2 Block 2 on the Town Tax Maps.



Board Members Vote: Carl Landon, Chair (Aye); Joe Sibiga (Aye); Mary Ackerley (Aye); Billy Van Aken (not present); Stephen Bobik (Aye); Paul Krickhahn (not present); Jennie Snyder (not present).

Passed by majority vote of the Planning Board. January 13, 2011.