

ANCRAM PLANNING BOARD

DRAFT MEETING MINUTES

December 6th 2012

Board Members Present: John Ingram (Chair), Joseph Crocco, Dennis Sigler, Robert Roche (Alt), Erin Robertson, James Stickle, Jamie Purinton, Colleen Lutz (clerk)

Board Members Absent: Terry Boyles

Additional Present: Wesley Chase, Anne Carriere, Marissa Cody, Christine Mathers, Ken Faroni, Stephen Bunsdchuh, Bill Stratton, Ron Steed, Marc Bailey, John Lyons Esq., Leah Wilcox, Nancy Williams, Dennis Williams, Jay Trapp, Dennis Wedlick

On December 6th, 2012 the monthly meeting of the Town of Ancram Planning Board was called to order at 7:35 PM by Chair John Ingram. The previous meeting's minutes were read and accepted. Erin Robertson motioned to accept the minutes and James Stickle seconded the motion, the Board unanimously agreed.

Agenda Items:

O & G Mine- Special Use Permit Renewal Tax ID 208.-1-14.106 and 207.-1-24

Mr. Ken Faroni appeared before the Board as a representative of the O&G Mine located on Boston Corners Road and NYS Route 22 in the town of Ancram. He stated that the DEC has requested an increase in performance bonds with the Town of Ancram as well as the NYSDEC. He requested to read a letter drafted by the attorney for O&G mine stating the companies' objections to the requests of the Board to have the parcel resurveyed.

The Chair stated that the survey needs to be done to clarify the setbacks especially when it comes to the reclamation design and process. He suggested that the public hearing be continued and the letter be submitted to the Planning Board's counsel. He requested \$1000.00 in escrow from the applicant.

Mr. Faroni stated that the issue of ownership keeps coming up every time a renewal is due. In November 2007 Mr. Steed and the O&G engineer's met on the site to go over the stockpile positions and all parties agreed on the setbacks. Mr. Faroni also stated that there was no written claim or Court matter from Mr. Steed about the property in question.

Mr. Steed stated that he felt he did not need to claim his property, his title states he owns it.

Mr. Sigler made a motion to continue the public hearing, Ms. Purinton seconded the motion and all members of the Board were in favor.

The O&G mine hearing will be continued on January 3rd, 2012.

CLC/Gilmore-

Tax ID 215.01-1-38.2

Tax Id # 215.01.-1-41.12

Mr. Wesley Chase and Ms. Marissa Cody (CLC) submitted maps for the next phase of the Round Ball project. The planning board attorney, John Lyons was present to help represent the board. Part one is considered a lot line adjustment as Ms. Elizabeth Gilmore is seeking to add 30 acres of parcel ID #215.01-1-38.2 to parcel 215.01-1-15.11 which is currently owned by the CLC. The end result is two parcels, one owned by Ms. Gilmore (64.38 acres) and one owned by the CLC (135.62 acres).

The second part is lot line adjustment is to be added to the CLC/Baxt parcel to create a continuous parcel. This 60 acre donation which is composed of:

Parcel A 12.47 acres

Parcel B 41.45 acres

Parcel C 1.82 acres

Parcel D 3.69 acres

These will be added with the 223.65 acre parcel donated by Saida Baxt to the CLC. After this addition, the new lot created will be 283.08 acres and be attached to the Round Ball Conservancy owned by the CLC.

The Chair opened the public hearing for comments and questions.

Ms. Anne Carriere, Nancy and Dennis Williams asked about the locations of their parcels as relative to the proposed new trail system. Ms. Cody stated that she was not sure of the exact location of the new trails but indicated where they might be located.

Mr. Williams asked why the lot line adjustment that connects the Baxt parcel was not rounded off. Mr. Chase stated that if the parcel was rounded off it might curtail current agricultural use of the property.

Ms. Mathers asked about the hunting regulations on the parcel.

Ms. Cody stated that she expected that there will be a contract with only a couple hunters to patrol the property. They must contract with the CLC and landowner to be allowed to hunt on the property.

With no further questions or comments from the public, The Chair closed the public hearing. The motion was made by Mr. Sigler, seconded by Ms. Purinton and carried unanimously by the Board.

A motion was made by Mr. Sigler to enter a Declaration of Lead Agency and enter a Negative Declaration to the SEQRA. The motion was seconded by Ms. Purinton and the Board unanimously approved, Terry Boyles was absent.

A motion was made by Mr. Sigler and seconded by Ms. Purinton to approve the lot line adjustments. The Board unanimously approved, Terry Boyles was absent.

Mr. Lyons Esq. handed out the draft resolutions to the members of the Board. He stated that he will enter the formal plat numbers and amend the documents for final approval.

**Ian Hague- Minor Subdivision (lot line adjustment) and ASPR
Tax ID #'s 213.00.-1-34.211, 213.00.-1-34.22, 213.00.-1-34.212**

Mr. Stickles and Ms. Purinton recused themselves from this application.

Mr. Marc Bailey of Dennis Wedlick Architects appeared to represent the applicant, Ian Hague. He gave a brief overview of the property and submitted driveway plans as well as a site plan for the property. He stated that the owner would like to consolidate parcels 2 and 3 into one.

Mr. Bailey submitted the wetland delineation maps for the property. He noted that the wetland crossed up high on the property in 0.1 acre in size.

Mr. Ingram asked when the ACO (Army Corps of Engineers) must be notified of work done within the buffers of the wetland. Mr. Jay Trap, who worked with the delineation, stated that the ACO must be notified if the wetland is over 0.1 acres.

Ms. Robertson asked what the driveway will be composed of.

Mr. Trap and Mr. Bailey stated that the driveway most likely would be composed of item 4 gravel.

Ms. Robertson asked if the driveway could go around the wetland.

Mr. Bailey stated that the topography is not well suited for going around the wetland.

Mr. Ingram asked if the driveway could be modified slightly, moved up, so that it could go away from the wetland a little more.

Mr. Bailey inspected the plans and stated that he thought he could adjust the driveway to help mitigate impacts to the wetland.

Mr. Crocco stated that if there is more than 1 acre of disturbance on the property a SWIPP must be prepared and on file with the DEC.

Mr. Crocco asked if the driveway was constructed in compliance with the fire code. Mr. Trap stated that it complies with NYS fire code.

The Chair stated that this lot configuration would need an easement for the driveway as it is designed. The applicant agreed.

Mr. Crocco also asked about the construction of the pad for the barn. He noted it was large.

Mr. Bailey stated that it was constructed in a manner so that it can be accessed from the bottom and the top.

Mr. Sigler suggested that the Town's engineer look over the plans and give input. The Board agreed.

The Chair opened the public hearing for the lot line adjustment. There being no questions or comments from the public, Mr. Crocco made a motion to close the public hearing for the lot line adjustment (consolidation). Mr. Sigler seconded the motion and the Board unanimously voted in favor, Terry Boyles was absent.

Mr. Sigler made a motion to enter a Negative Declaration for SEQRA and to join the two lots (2 and 3) together. Mr. Crocco seconded the motion, all members of the Board agreed, Terry Boyles was absent.

The Chair stated the applicant should amend the driveway in the narrow portion of the wetland and file the sediment erosion control with the DEC for the next meeting. The applicant agreed.

Ancram Fire District

The Chair submitted the survey map for the Board to reference as he described the action. The fire district currently owns two parcels, one where the current fire house is located and one where the deli (Firehouse Deli) resided. The District is requesting to consolidate the parcels into one, as it plans to expand the fire house in the near future. Mr. Lyons Esq. stated that the lots can be merged with the County and Assessors office without action from the Town Planning Board. The Board members agreed and the record was so noted.

ZBA Referral-Vonderheide Area Variance

The clerk described the parcel located at 39 Shore Drive in the Town of Ancram. She stated that the applicant is seeking a 4 FT front yard variance. They seek to attach an accessory structure to the primary residence through an addition. The Chair stated that

the application does not seem to make the lot less conforming, but cautioned that the Board is making its recommendation based on a sketch, not a registered survey. There is an assumption the distances are accurate.

Additional Business

Mr. Lyons stated that he would like to go over the state regulations as they pertain to gravel mining.

Mr. Ingram explained that survey was requested because there is a question about the boundaries.

Ms. Purinton questioned why the survey was necessary as it will not alter the current mining plan.

Mr. Stickles questioned what Mr. Steed's claim actually was.

Mr. Lyons stated that he will look into what the town can regulate. He also noted that the survey submitted by Mr. Steed does not have a seal and also has disclaimers on it.

There being no more business to attend to, a motion to adjourn was made by Bob Roche Boyles and seconded by Jim Stickles. The Board unanimously voted in favor and the meeting was adjourned at 9:15 PM.

Respectfully Submitted
Colleen Lutz
Planning Clerk
Town of Ancram