

**Town of Ancram Planning Board
Meeting Minutes - June 5, 2008**

Present:

Jamie Purinton, Chair
James Stickle
Dennis Sigler
Donald MacLean
Barbara Docktor
Madeleine Israel
Colleen Lutz

Absent:

Terry Boyles

Also Present:

Edwin and Elaine Wiggers
Carol Kraft
Robert Matthews
Mark Graminski, Westfall LLC
Brian Billings, Westfall LLC
Scott Weaver, Westfall LLC
John Marvin, Attorney
Mr. and Mrs. Nickerson of Westfall Rd.

The Chair called the meeting to order at 7:32 PM, and Board members reviewed the previous meeting's minutes and discussed changes. Mr. Sigler made a motion to approve the minutes subject to agreed-upon adjustments. Ms. Docktor seconded the motion and the minutes were thus conditionally approved.

Wiggers Lot Line Adjustment Two lots: 197.-1-1-24; 197.1-1-19

Edwin and Elaine Wiggers requested a standard lot line adjustment to combine their two lots. Mr. Wiggers said one lot is vacant and one has a house on it, and recently the vacant lot was deemed buildable and was assessed at an increased value, so he would prefer to join the two. The Chair said this would improve the situation for all parties, and the same action had been granted nearby before. Mr. Maclean said the Board could waive the subdivision process and require a copy of the new deed showing the new single lot, as the Town Attorney had informed the Board it has the right to do. The Chair asked Mr. and Mrs. Wiggers to submit a new deed to the County Department of Real Property, and to file a copy of the new deed with the Board.

ACTIONS:

Mr. Maclean made a motion to waive the subdivision process to combine the two lots. Mr. Sigler seconded the motion. The motion passed unanimously. The Chair then made a motion for conditional final approval subject to the presentation of the new deed filed with the County and the completed lot line adjustment application. Ms. Docktor seconded the motion. Members unanimously approved the motion.

Westfall Road LLC Sketch Plan Minor* Subdivision 196.00-01-59

Mark Graminski, Brian Billings and Scott Weaver of Westfall LLC presented a new proposal reducing the former application to a two-lot subdivision with lot line alteration.

Mr. Graminski explained that access to Lots 1 and 2 would be a common driveway entrance to the bridge located on the southern third of the property to provide access across the stream. He said former Lot 3 would become part and parcel with the lands of Mr. Schnaper. He further said the application was modified to simplify it and minimize infrastructure costs, and that there may or may not be future subdivisions.

The following details were established about the new proposal and the ensuing process:

- Under the new application, the subdivision should be classified as minor.*
- There are no State wetlands on the property, and the stream is classified C; any disturbance in the stream would not require DEC notification or approval.
- The 30-foot bridge would function as a privately owned common driveway.
- The LLC will provide a bridge maintenance guarantee with inspection provisions and coordinate with related agencies to accommodate emergency and standard construction vehicles.
- So as not to restrict future subdivision, the LLC will not specify “no future subdivisions” on the map.
- The LLC will go through a title search (since 1974) to show the Board how the parcel has altered since.
- At the Town Board meeting, the Planning Board asked the Town for its official opinion of how to handle the road’s condition and the Town Board said that the Town would be responsible for a Town-owned road.
- The Town Engineer will review the SEQRA application.

Regarding the bridge as a common driveway:

- In the past, the Board has dealt with common driveways in one of two ways: 1) a homeowners’ association is created and the driveway is treated as a separate parcel; or, 2) one driveway owner is deeded with right of way over the other.
- Parcel 1 would then have right of way over Parcel 2 and that would limit future subdivision activity for one parcel.
- The Open Development Areas Law which the Town passed a few years ago, under which three- to five-lot subdivisions were approved based on fifty-foot rights of way, states that one parcel can be accessed by fifty-foot right of way over another parcel; anything beyond that needs a special open area development design approved by the Town, or a homeowners’ association must be created.
- If you can only have one lot crossing over another, an owners’ development association (ODA) can be established.

ACTION:

Mr. Stickle made a motion to approve the new sketch plan. Ms. Israel seconded the motion. The Board voted unanimously in favor, with the Chair stating that one septic must be removed from the sketch plan and the wetlands must be delineated on the map.

Mr. Graminski said the LLC would submit bridge and shared driveway plan details and specifications, including grading. The more detailed package would be ready two weeks before the next meeting and would be submitted directly to the Town Engineer and to the Chair. The Chair said the Town Engineer would be asked to attend the next meeting.

Mrs. Nickerson, a resident of Westfall Road, asked when phone lines and power lines will be discussed. The Chair said the location of utilities is part of the sketch plan and the

final map, so the Town Engineer and the Board will see any potential issues. The Chair said that utilities are something the Board would like to see. Although showing utilities is not required for a minor subdivision, they must be shown for a major subdivision and in this case showing them is important since it may affect the road.

Kraft Lot Line Adjustment Two Lots: 197.1-1-22; 197.1-1-23

In a case very much like that of Wiggers, above, Carol Kraft filed an application with the Board for a lot line adjustment/subdivision that would combine her two parcels.

ACTION:

Mr. Sigler motioned to grant conditional final approval to Ms. Kraft for a lot line adjustment, providing she submit her new deed reflecting one parcel. Ms. Israel seconded the motion and it was unanimously approved.

Ms. Kraft was advised to have an attorney write up a new single-lot deed, file it with the County, and submit it to the Board. Her application and map were filed with the Board.

Matthews Minor subdivision Map 206.00 Parcel 39

Robert Matthews owns a paintball facility on his property and there is a road running through part of the property. He explained that he has been asked by the Town to subdivide so that it could purchase the property. He brought a map and a sketch plan proposal. The Board informed him of the process and he received an application with instructions.

Mr. Sigler said a subdivision can only occur if the Town agrees to make his road a Town road, and that the Board could grant sketch plan approval to subdivide it under the condition that the Town buys the road. Mr. Maclean said that if the Town didn't buy it, the Board wouldn't let Mr. Matthews subdivide it because of right of way issues. Mr. Sigler said allowing the subdivision and the Town's purchase of the road would solve everyone's problems. The Chair said she would confer with the Chair of the ZBA on the use issue. No further action was taken at this time.

Ms. Israel made a motion to adjourn the meeting, which was seconded by Ms. Docktor. All were in favor and the meeting was adjourned at 9:21 PM.

Suzanne Bressler, Clerk