

**PLANNING BOARD  
TOWN OF ANCRAM  
JANUARY 3, 2008**

Present: Donald MacLean, Chair Jamie Purinton, Vice Chair Terry Boyles Larry Eckler Madeleine Israel Dennis Sigler	Absent: Barbara Docktor One vacant seat	Also Present: Andrew Weisel Mark Reed Jim Stickle Colleen Lutz Michael Citrin Abraham Kells Robert Roberts, Student observer
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The meeting was called to order at 7:30 p.m.  
 Minutes of the meeting of December 6, 2007 were approved on the motion of Mr. Boyles, seconded by Ms. Purinton.

**Weisel                    Minor Subdivision Conditional Final                    214.1-33**

Public Hearing for this subdivision was held in December 2007. The applicant was given instructions to return in January with a new subdivision map with notations (see minutes of December) and a driveway access permit.

It had come to the attention of the Board that the property is listed on the tax rolls in the name of Lorrie Snyder who is the wife of Mr. Weisel. The applicant had been notified to present an affidavit to represent her before the Board. He presented this to the Board.

The Board had also contacted the State DOT and found that a driveway plan from 1990 was no longer valid. They are valid for only one year and some specs have changed. The applicant was advised to reapply for a driveway permit. He said that he has spoken with the DOT and that they have asked for copies of the 1990 engineering drawings which had been designed for a driveway to serve three lots proposed at that time. Since then, Mr. Weisel has decided to only subdivide into two lots with the driveway serving only one of those.

Mr. MacLean reminded Mr. Boyles that he had recused himself at the last meeting at the request of an abutting property owner.

Board members visited the site on an individual basis in preparation for this meeting to evaluate whether the new driveway would impact the drainage on a neighboring property. Mr. MacLean asked members to comment on their visit or their opinion concerning this possible problem. Mr. Boyles participated as an interested party who could give information based on his work on the property.

Mrs. Israel said she could see no reason for water from the new driveway cut to impact the Spadaccini property.

Mr. Boyles said that he had not added gravel to the new driveway cut and that, previously, he had installed a French drain on the Spadaccini property to divert water which was coming off a hill behind that property. In addition, he has put a swale on the old Weisel driveway to divert water there.

Ms. Purinton said that the Spadaccini residence sits low so that what happens with the new driveway could possibly worsen the drainage condition or, given certain construction techniques, could help alleviate the drainage condition. She said that such construction would be a neighborly thing to do.

Mr. Sigler said that all of this should be part of the application for a building permit and the responsibility of the Building Inspector at that time.

Mr. MacLean said that the Planning Board can ask for engineering fees to inspect a driveway and that the Board has some responsibility to take such problems into consideration.

Mr. Eckler said that the trailer is downhill so water could run down, but that it doesn't look like it would be further aggravated by the new driveway cut.

Mr. MacLean said that there is a potential for a problem because water already runs down Route 82 and he would like to see some kind of engineering that would address this potential problem. He noted that the 1991 engineering drawings presented by Mr. Weisel appeared to address such a problem.

Mrs. Israel said that the problem should be addressed at such time as the property is sold and a driveway is to be completed.

Mr. MacLean said that if the Board sees something to be looked at, it has that responsibility.

Mr. Boyles said that he thought that some kind of swale should be built to deter water from rushing through a culvert under a new driveway.

Ms. Purinton said that the Board should decide whether all of this should be considered in the subdivision process and before the application for a building permit or after..

Mr. MacLean said that he would be willing to accept an engineering drawing equivalent to the one from 1991. If the State DOT accepts the old drawing, that would be okay with him or he would like to see a new engineering design that extends for the same distance onto the property from the road entrance.

The Board then looked at the other requirement for notations on the new map. The applicant had been asked to include two notations, one for no further subdivision of Parcel 2 and another that any further subdivision of Parcel 1 would be considered major.

The map did not show the restriction on further subdivision of Parcel 1.

Mr. Sigler made a motion for Conditional Final Approval with authorization for the Board Chair to stamp the maps when conditions are met.

Conditions to be met:

1. Driveway access permit as authorized by the State DOT.
2. Note on map that further subdivision of Parcel 1 be considered major.
3. Note on map that there is to be no further subdivision of Parcel 2.
4. Payment of a fee of \$125.

Mr. MacLean added clarification that the driveway permit should include engineering drawings similar to those of CF Wheeler Engineers done in 1991, either by acceptance of the old drawings or new drawings that cover as large an area of the driveway entrance. He added that Mr. Weisel might want to point out to the DOT that the current plan is for only one new lot, not the three proposed in 1991. Ms. Purinton asked that Mr. Weisel explain to DOT that the drawings need to consider the affect on abutting neighbors in addition to protection of the State Highway land. Also, Ms. Purinton said she had described this situation to DOT on the phone.

The motion was seconded by Mr. Eckler. Carried by five affirmative votes. Mr. Boyles, recused.

The applicant will mail in a check for \$125.

Public hearing had been held for this application in December 2007. Sketch plan and SEQR were completed, but Mr. Reed did not have his final plat. He has a problem with the surveyor going out of business and still does not have the map. The Board discussed the options open to him and decided that they would be willing to hold a special meeting if he was able to bring in the maps earlier than the regularly scheduled meeting.

Ms. Purinton asked him again about a small stream on the property for which she would like the 150 foot required setback shown on the map. Mr. Reed told her that the stream to which she was referring was not part of this lot line adjustment, but is on another lot.

### **Prospective Board Members**

Mr. Stickles had spoken with the Board at a previous meeting and was interested to learn why he had heard no response to his interest in serving on the Board.

Mr. MacLean told him that it was the hope of the Board and the Town Board that a pool of candidates for the Planning or Zoning Boards could be established. He added that appointments are usually made at the Organizational Meeting of the Town Board in January.

Mrs. Lutz expressed her interest in serving on the Board, noting her experience and training in environmental science and her work with maps at the ECO Institute in Millbrook.

Mr. Citrin also expressed interest in serving on the Board. As a retired owner of an advertising agency, he has the time and interest to offer to the Town.

Mr. Kells attended the meeting to present a question about the run-down buildings in the center of town and possible demolition of such structures. He wondered if the Planning Board made recommendations to the Town Board concerning such situations. He was told that they do not, but the Comprehensive Plan Committee is addressing such issues. Also, this type of action falls under the jurisdiction of the Zoning Enforcement Officer.

Mr. Sigler had attended an eight-hour course offered by Pace University. He said that there had been discussion of the problem of members recusing themselves from actions of the Board in towns as small as Ancram where so many board members may be involved in work on properties. He said that the general conclusion had been that a Board member should be asked if he has a problem remaining impartial, and, if not, a member would not need to recuse himself.

Mrs. Israel noted that the situation might be different if a Board member is asked to do so by an interested party as was the case at the December meeting.

Mr. Sigler also said that there was discussion at the workshop indicating that a town is supposed to have an ethics committee.

The Planning Board usually has an organizational meeting in January, but decided to postpone it until after the January meeting of the Town Board when it will make the appointment of the Chair of the Planning Board.

Adjournment at 8:55 on the motion of Mr. Boyles, seconded by Mrs. Israel.

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Joan S. Roberts, Clerk