

# TOWN OF ROSENDALE PLANNING BOARD

## DRAFT MINUTES

THURSDAY, JUNE 11<sup>TH</sup>, 2020  
RONDOUT MUNICIPAL CENTER  
1915 LUCAS AVE.  
COTTEKILL, NY 12419

**\*This virtual meeting was held by using a conference system called BlueJeans.**

Chairman Billy Liggan called the meeting to order with the Pledge of Allegiance at 7:05 pm.

### ROLL CALL

Billy Liggan, Chairman	Present
Joseph Havranek, Vice Chairman	Present
Jere Brown	Present
John Ivankovic	Present
Nick Mercurio	Present
Randi Morf	Present
Jim Luckner	Present
Andrew Casey (Alternate)	Present
Dave Plante, Bergmann Associates Consultant	Present
Councilman John Hughes, Town Board Liaison	Present
Brisa Casas, Clerk	Present

There is no representative from the Rosendale Environmental Commission present.

### MINUTES:

Motion made by Randi Morf, seconded by Jere Brown, to accept the minutes from May 14<sup>th</sup>, 2020 with the following amendments:

Page 2, Line 7 – Add – “and Part III”

Roll Vote: Chairman Billy Liggan – Yes, Vice Chairman Joseph Havranek – Yes, Jere Brown – Yes, John Ivankovic – Yes, Nick Mercurio – Yes, Randi Morf – Yes, Jim Luckner – Yes

Motion carried.

PUBLIC HEARING:

Application: #2020-2-Major Subdivision

SBL: 62.2-7-9.710

Location: 290 Hickory Bush Road

Applicant: Stone Ridge Country Properties

Nadine Carney is present on behalf of this application.

Chairman Billy Liggan reads out loud, reviews and deliberates with the board Part II & Part III of the Environmental Assessment Form (EAF)

Motion made by John Ivankovic, seconded by Jere Brown, for a negative declaration of SEQRA determination of significance.

Roll Vote: Chairman Billy Liggan – Yes, Vice Chairman Joseph Havranek – Yes, Jere Brown – Yes, John Ivankovic – Yes, Nick Mercurio – Yes, Randi Morf – Yes, Jim Luckner – Yes

Motion carried.

Motion made by Jim Luckner, seconded by Randi Morf, to open the public hearing at 7:11pm.

Roll Vote: Chairman Billy Liggan – Yes, Vice Chairman Joseph Havranek – Yes, Jere Brown – Yes, John Ivankovic – Yes, Nick Mercurio – Yes, Randi Morf – Yes, Jim Luckner – Yes

Motion carried.

Nadine gives a brief overview of the proposed four (4) lot subdivision on an existing 170-acre at 290 Hickory Bush Road. Three of the lots will be for residential use and the fourth lot will remain vacant land.

Review of Ulster County Planning Board Comments:

- From the comments made by the Ulster County Planning Board it appears they were under the impression the road would be dedicated to the Town, however the property owner is keeping it a private road.
- *Floodplain – Required Modification As indicated in the Memo from Bergmann Associates, and the UCPB concurs, the 100-year floodplain will be mapped and shown on the final subdivision plat.*

- Health Department - Based on the materials provided, it appears that the applicant will be requiring the installation of a new septic system and wells to serve the proposed single-family homes.

*Required Modification - The applicant will need to obtain the necessary permits from the Ulster County Department of Health as a requirement of site plan approval.*

- Fawn Meadow Road - It is unclear as to whether Fawn Meadow Road will be kept as a private or if it will be dedicated to the Town.

*Required Modification - The UCPB concurs with Bergmann associates. If the road is to be kept private, the necessary road maintenance agreement and easements will need to be established. If an offer of cession is made, the road will need to be built to Town design standards in consultation with the Town Highway Superintendent.*

- Fire District - The proposed subdivision has been submitted to the local fire district for review and is awaiting comment.

*Required Modification - Review of the local fire districts ability to access and have sufficient room to turnaround on the properties/local road/individual driveways should be confirmed as a condition of approval.*

- Lot 3 (western portion) - Lot three is a split lot with a 0.59-acre portion appearing to be left undeveloped on the western portion of the subdivision along the lake frontage.

*Required Modification - The UCPB recommends that a map note be placed on the final plat indicating that should not be considered a natural subdivision and be disallowed from any further future subdivision.*

#### Review of Bergmann Memo:

- Bergmann's engineer has reviewed the Stormwater Pollution Prevention Plan (SWPPP)
- The map notes on Sheet S-1 indicate that the FEMA floodplain is depicted on the drawing, however the Zone A floodplain boundary does not appear to be mapped. This should be added to the final plat in accordance with §60-20(A)(1)(f) of the Rosendale Town Code
- While Fawn Meadow Road is primarily an existing road, it is recommended that a road profile detail be added to the detail sheets in the drawing set for the final plat to document compliance with Town of Rosendale roadway standards, in accordance with §60-20(A)(3) of the Rosendale Town Code.
- Copies of the deed descriptions of each of the new lots should be provided to the Planning Board when the Final Plat is submitted, in accordance with §60-20(C) of the Rosendale Town Code
- The Applicant should provide a draft Road Maintenance Agreement/easement language for Fawn Meadow Road for review by the Town Attorney, in accordance with §60-29 of the Rosendale Town Code.
- It is recommended that the Planning Board waive the requirement for Preliminary Plat review and proceed directly into Final Plat review as allowed for under §60-10(B) of the Rosendale Town

Code.

The following is also discussed about the application:

- It might be helpful for the common mailbox area to be included in the deed description with the new proposed lots.
- Should the application be referred to the Bloomington Fire Department for comments?
- Nadine - They are existing private roads, no new roads are proposed therefore she request the referral not be necessary.
- FEMA floodplain information was updated on the plat.

Public Comment:

Councilman John Hughes – He drove around on the property and was unable to locate road signs for Fawn Meadow, it will be important to have road signs for emergency vehicles (fire department, police, EMT) and for the post office to locate the proposed dwellings.

Nadine responds that it's a very good point for future emergency response. There should already be existing signs but she will inform the property owner that they must be visible and if damaged or covered by foliage that they are fixed/cleaned up. She will also amend the subdivision plat to show the locations of the required road signs. However, the mailboxes will be located in a common area near the entrance to the property on Hickory Bush Road. This is a requirement from the US Postal Service.

Motion made by Nick Mercurio, seconded by Randi Morf, to close the public hearing at 7:27pm.

Roll Vote: Chairman Billy Liggan – Yes, Vice Chairman Joseph Havranek – Yes, Jere Brown – Yes, John Ivankovic – Yes, Nick Mercurio – Yes, Randi Morf – Yes, Jim Luckner – Yes

Motion carried.

Motion made by Vice Chairman Joseph Havranek, seconded by John Ivankovic, to override the Ulster County Planning Board comment regarding Fire District since the road is existing and will remain private. The proposed driveways will meet the standards/requirements set forth by the Town of Rosendale Highway Department.

Roll Vote: Chairman Billy Liggan – Yes, Vice Chairman Joseph Havranek – Yes, Jere Brown – Yes, John Ivankovic – Yes, Nick Mercurio – Yes, Randi Morf – Yes, Jim Luckner – Yes

Motion carried.

Motion made by Randi Morf, seconded by Jere Brown, to override the Ulster County Planning Board comment regarding Fawn Meadow Road. The road will be kept private and will not be dedicated to the town.

Roll Vote: Chairman Billy Liggan – Yes, Vice Chairman Joseph Havranek – Yes, Jere Brown –

Yes, John Ivankovic – Yes, Nick Mercurio – Yes, Randi Morf – Yes, Jim Luckner – Yes

Motion carried.

Motion made by Jere Brown, seconded by Nick Mercurio, to accept the Ulster County Planning Board comments regarding Floodplain, Health Department and Lot #3.

Roll Vote: Chairman Billy Liggan – Yes, Vice Chairman Joseph Havranek – Yes, Jere Brown – Yes, John Ivankovic – Yes, Nick Mercurio – Yes, Randi Morf – Yes, Jim Luckner – Yes

Motion carried.

Motion made by Vice Chairman Joseph Havranek, seconded by Randi Morf, to approve application #2020-2-Major Subdivision- Lands of Stone Ridge Country Properties with the following conditions:

1. Ulster County Health Department permits are obtained for the new proposed septic systems and wells.
2. A Road Maintenance Agreement is drafted and a copy of it is reviewed and approved by the Town of Rosendale Attorney, Marylou Christiana.
3. The locations of the road signs are demarcated on the Final Plat.
4. Copies of the deed description are provided with the Final Plat.
5. All fees are paid in full.

Roll Vote: Chairman Billy Liggan – Yes, Vice Chairman Joseph Havranek – Yes, Jere Brown – Yes, John Ivankovic – Yes, Nick Mercurio – Yes, Randi Morf – Yes, Jim Luckner – Yes

Motion carried.

## NEW BUSINESS:

Application: #2020-3-Minor Subdivision

SBL: 70.1-2-33.200

Location: 79 Bruceville Road

Applicant: David Gonzalez

Heather Gabriel is present on behalf of this application.

The following is discussed about the application:

- The applicant is proposing to divide a 7.7-acre parcel into “Lot 1” (5.6 acres) and “Lot 2” (2.1 acres).
- Lot 1 will have the existing single-family residential home with private water and septic. Lot 2 will be vacant land.
- Zone district R-1 with no municipal sewer or water.

- Driveway – Is it within the 100-year floodplain?
- Heather responds that she is able to place the driveway out of the 100-year floodplain.

Review of Bergmann Memo:

- It is recommended that a conceptual house footprint, well and septic system for Lot 2 be delineated on the final plat, pursuant to §60-20(A)(3) of the Rosendale Town Code.
- It is recommended that the final plat include an inset map showing the parcel's general location with respect to the greater area, pursuant to §60-8(C)(1) of the Rosendale Town Code.
- Copies of the completed deed descriptions for both Lot 1 and Lot 2 should be provided to the Planning Board as a potential condition of approval, pursuant to §6020(C) of the Rosendale Town Code.
- When submitted, the Final Plat should be clearly demarcated as the "Final Plat."
- Pursuant to §60-8(D) of the Rosendale Town Code, a public hearing must be held on the project within 62 days of the official date of application.
- If the applicant can confirm that no structures or driveways are proposed on Lot 2 in the 100-year floodplain and can demarcate that on the Final Plat, referral to the Ulster County Planning Board is not required.

The applicant is asked to make updates/revisions to the plat and to submit the requested documents.

Motion made by Nick Mercurio, seconded by John Ivankovic, to classify this application as an Unlisted Action pursuant to SEQRA, to declare its intent to act as SEQRA lead agency and to conduct an uncoordinated SEQRA review.

Roll Vote: Chairman Billy Liggan – Yes, Vice Chairman Joseph Havranek – Yes, Jere Brown – Yes, John Ivankovic – Yes, Nick Mercurio – Yes, Randi Morf – Yes, Jim Luckner – Yes

Motion carried.

Motion made by John Ivankovic, seconded by Randi Morf, to set a public hearing for application #2020-3 on July 9<sup>th</sup> 2020.

Roll Vote: Chairman Billy Liggan – Yes, Vice Chairman Joseph Havranek – Yes, Jere Brown – Yes, John Ivankovic – Yes, Nick Mercurio – Yes, Randi Morf – Yes, Jim Luckner – Yes

Motion carried.

Application: #2020-4 (#2017-6) Lot Line Adjustment

SBL:

Location: 224 Maple Avenue (Calcagno) and 228 Maple Avenue (Many)

Applicant: Calcagno/High Falls Logging

Benny Calcagno is present on behalf of this application.

The following is discussed about the application:

- Benny explains to the board that this Lot Lone Adjustment was reviewed and approved by the Planning Board in 2017 (application #2017-6) However, he was unable to file the plat with the Ulster County Clerk's Office within the 62 days filing period. This new application (#2020-4) is the same request with no changes to the proposed transfer of land.
- A public hearing was held for application #2017-6; no public comment was made.

Review of Bergmann Memo:

- The Calcagno's currently own a 0.43± acre parcel. They are proposing to receive a transfer of 0.05± acres from the parcel owned by High Falls Logging, the neighboring landowner. High Falls Logging owns a 1.10± acre parcel, which will decrease to 1.05± acres if the lot line adjustment is approved. The Calcagno property will increase from 0.43± acres to 0.47± acres.
- This application received approval from the Rosendale Planning Board in 2017, however, the final plats were not filed with the office of the Ulster County Clerk in accordance with the regulatory timeframes stipulated. As such, a new application has been filed.
- Both parcels are located in the R-2 zoning district without sewer and water, which requires a minimum lot size of 1.0 acre. While the Calcagno lot is currently undersized, it is being brought into greater conformance with the minimum lot size (0.75 acre) in the R2 district with water but not sewer as a result of the proposed lot line adjustment.
- It is recommended that the Applicant provide a plat marked "final plat" in copies (paper & mylar)

Motion made by Nick Mercurio, seconded by Vice Chairman Joseph Havranek, to classify the project as a Type II action pursuant to SEQRA, Part 617.5(c)(12).

Roll Vote: Chairman Billy Liggan – Yes, Vice Chairman Joseph Havranek – Yes, Jere Brown – Yes, John Ivankovic – Yes, Nick Mercurio – Yes, Randi Morf – Yes, Jim Luckner – Yes

Motion carried.

Motion made by Vice Chairman Joseph Havranek, seconded by Randi Morf, to waive the public hearing for this application.

Roll Vote: Chairman Billy Liggan – Yes, Vice Chairman Joseph Havranek – Yes, Jere Brown – Yes, John Ivankovic – Yes, Nick Mercurio – Yes, Randi Morf – Yes, Jim Luckner – Yes

Motion carried.

Motion made by Vice Chairman Joseph Havranek, seconded by Nick Mercurio, to approve

application #2020-4-Lot Line Adjustment with the following conditions:

1. The Final Plat is updated and provided to the Planning Board for signatures (1 mylar copy and at least 3 paper copies)
2. The Final Plat is filed within 62 days with the Ulster County Clerk's Office.
3. All fees are paid in full.

Roll Vote: Chairman Billy Liggan – Yes, Vice Chairman Joseph Havranek – Yes, Jere Brown – Yes, John Ivankovic – Yes, Nick Mercurio – Yes, Randi Morf – Yes, Jim Luckner – Yes

Motion carried.

### ADJOURNMENT:

Motion made by Randi Morf, seconded by Vice Chairman Joseph Havranek, to adjourn at 8:11 pm.

Roll Vote: Chairman Billy Liggan – Yes, Vice Chairman Joseph Havranek – Yes, Jere Brown – Yes, John Ivankovic – Yes, Nick Mercurio – Yes, Randi Morf – Yes, Jim Luckner – Yes

Motion carried

Respectfully submitted,  
Brisa Casas  
Planning Board Clerk