

Philipstown Planning Board
Meeting Minutes
January 21, 2010

The Philipstown Planning Board held its regular monthly meeting on Thursday, January 21, 2010 at the VFW Hall on Kemble Avenue in Cold Spring, New York. The meeting was opened at 7:30 p.m.

Present: Anthony Merante, Chairman
Kim Conner
Michael Gibbons
Kerry Meehan
Steven Gaba, Counsel
Ron Gainer, Planner

Absent: Josephine Doherty
Pat Sexton

Minutes

- November 19, 2009

Mr. Gibbons referred to page 21, 3rd line down. He asked that the word “god” be changed to “guard”. Mr. Gibbons made a motion to adopt the minutes as amended. Ms. Conner seconded the motion. The vote was as follows:

Anthony Merante	-	In favor
Kim Conner	-	In favor
Josephine Doherty	-	Absent
Michael Gibbons	-	In favor
Kerry Meehan	-	In favor
Pat Sexton	-	Absent

Public Hearing

Scanga Realty, LLC (Lot #4) and Scanga Realty, LLC (Lot #5)

Mr. Merante stated that the Board would open the public hearing. He said that the applicants went before the ZBA because they needed a variance on Lot 4 and for a variety of reasons, they didn't get it at the last Zoning Board meeting. Mr. Merante said that the applicant's engineer sent the Planning Board a letter requesting that the public hearing be adjourned. He said that they would open the public hearings and then adjourn them until next month. Mr. Merante said that the Board would not take comments because the applicant/representatives were not present. He asked Mr. Gaba if he had any comments.

Mr. Gaba said that he thought that was appropriate. He said that if someone had come to the meeting tonight who could not make it for the next meeting, the Board might want to allow them to comment.

Mr. Merante asked if the Board had any comment.

There was no comment.

Mr. Merante opened the public hearing and asked for a motion to adjourn.

Ms. Conner made a motion to adjourn the public hearing until February 25, 2010. Mr. Meehan seconded the motion. The vote was as follows:

Anthony Merante	-	In favor
Kim Conner	-	In favor
Josephine Doherty	-	Absent
Michael Gibbons	-	In favor
Kerry Meehan	-	In favor
Pat Sexton	-	Absent

Garrison Station Plaza – Application for site plan approval – 7 Garrison Landing, Garrison: EAF/Part 3

Mr. Merante stated that from what he'd been advised, new information had been submitted to the State Historic Preservation Office.

Mr. Gainer said that as the Board was aware, it's a Type One action, a Coordinated Review is mandatory and he believed that was accomplished back in September. SHIPPO commented back in October and requested additional information on the building itself. Mr. Gainer said that very recently that information was provided to the Town and it's been forwarded to SHIPPO, but they obviously didn't have an opportunity to comment tonight. He said that they haven't asked to comment in advance of the February 25th meeting, so it's expected that at that time, the Board would be in a position to consider approving SEQRA and considering an action on the site plan application itself.

Mr. Watson said that Part 3 of the EAF had been submitted. He said that he was sure Mr. Gainer was reviewing and commenting on it, and will hopefully have that taken care of by the next meeting. Mr. Watson said that he thought they also needed a further extension until the next meeting, so he would verbally give that to the Board and would supply that in writing.

Mary Ellen Finger – Application for five-lot subdivision – Horsemen's Trail: Request to approve maintenance agreement

Mr. Merante said that the Board just received a letter from Mr. Gaba.

Mr. Gaba said that one required that a note be put on the plat indicating that any development of lots would be subject to an easement and maintenance agreement – both for the roads and to the drainage improvements. He said that the Resolution of approval had contemplated a Homeowner's Association or a similar organization in order to be able to enforce the obligation to pay for upkeep of roads and the drainage improvements on the property. Instead of forming an HOA, the applicants put together a declaration which includes among other things, a right to lien the property in the event that the various lots don't pay their fair share and it has a provision in it, which is a pretty

powerful enforcement mechanism, so he's satisfied. Mr. Gaba suggested the Board find that the conditions have been met.

Mr. Gainer said that the statutory requirements have been satisfied on the plat. The legal issues have been resolved with the agreement. He said that there is the other statutory requirement that recreation fees be paid.

Mr. Watson said that he had Dr. Finger's check ready to submit.

Mr. Gibbons made a motion to approve the maintenance agreement. Mr. Meehan seconded the motion. The vote was as follows:

Anthony Merante	-	In favor
Kim Conner	-	In favor
Josephine Doherty	-	Absent
Michael Gibbons	-	In favor
Kerry Meehan	-	In favor
Pat Sexton	-	Absent

Santucci – Mountain Trace Subdivision – Approval of four lot and five lot subdivision – Canopus Hollow/Sprout Brook Road, Town of Philipstown: Submission and discussion

Mr. Merante stated that it was not a public hearing, but was a continuation of the submission of new materials. He said that there was a public hearing that was adjourned a couple of years ago until the applicant asked that the application be re-activated. Mr. Merante said that it had never been shut down.

Mr. Santucci agreed and said that it had never been shut down and they decided to continue it. He said that they had submitted a whole set of prints for the four and five lot and the EAF's. Mr. Santucci said that he guessed the next thing would be to schedule a site visit.

Mr. Gainer said that the applicant is attempting to re-activate the subdivision application that the Board had heard several years ago. He said that the applicant filed suitable plans, a slope analysis and environmental documents for the Board's review. Mr. Gainer said that he would suggest scheduling the site visit so that the Board can evaluate it on-site and be prepared to give guidance to the applicant.

Mr. Gibbons asked if it was and/or a five lot subdivision, and if the Board was looking at two different applications or one application.

Mr. Gaba said one application involving alternate sets of plans. He said that one is a four-lot and the other is a five-lot.

Mr. Gibbons said that in the time that he's been on the Board, you are either looking at a four lot or a five lot, and not looking at the way the wind blows.

Mr. Gaba said that actually, if they have to go through an environmental impact statement, they're going to be required to provide the Board with alternative sets of plans, so that if a five lot proposal has too many impacts, those impacts can be mitigated by going to a four-lot. He said that it is not uncommon to have alternate sets of plan submitted.

Ms. Santucci stated that it was also Mr. Gainer's suggestion to submit both alternatives. She said that they also had a color rendering that they sort of forgot they had and will get that to the Board.

Mr. Gainer said that the Santuccis had come to visit with the Chairman and him he thought last Fall, late Summer, to seek guidance on how to resurrect their project. The public hearings go back to 2005 or 2006, when the latest public hearing held was adjourned and they did not come back. Mr. Gainer said that the latest project that was in front of the prior Planning Board was the four lot project. When he sought to seek guidance as to how to resurrect it, Mr. Gainer suggested he submit the current plans to the Board and he then requested the ability to file for the original five-lot project because he felt there were no different environmental impacts and Mr. Gainer said that if that were appropriate in his mind, he could go ahead - the Board would still make that decision as to what's most appropriate for the project. Mr. Gainer said that is how the Board got the two submittals in.

Mr. Meehan asked if the CAC did a site visit on this project.

Mr. Gainer said that they would make the referral.

Mr. Gibbons said that they may have already written a report.

Mr. Gainer said that the Board would let them know this has been resurrected.

Mr. Gibbons asked if compared to the plans presented to the Board a couple of years ago, there were any alterations the applicant was making in the proposal this time around. He asked if the layout was the same, the road the same, etc.

Mr. Santucci said yes.

Mr. Gibbons said so everything is the same in that regard.

Ms. Santucci said that the last submission of any changes that were made was the meeting they were at on March 24, 2005. She said that as of that point, no.

Mr. Santucci said that Mr. Gibbons and Ms. Doherty were there when they looked at...there is no other way to get up to the property. He said that he knew it was slopey, but it can be done. Mr. Santucci said that he'd like the Board to take a look at both plans.

Mr. Gibbons said that during the time frame they've been away and knowing that one of the obstacles the Board really counted on was the road...(did not finish sentence).

Mr. Santucci said yes, he knew.

Mr. Gibbons said, and he's made no alternative...(did not finish sentence).

Mr. Santucci said that there is nothing. He said that he did not believe there was any thing else.

Ms. Santucci said that that it was even discussed she believed by somebody from Bibbo Associates who also agreed that there really was not an alternative entrance.

Mr. Meehan said that they had an alternative opportunity, but it would have caused more disturbance.

Mr. Santucci asked where.

Mr. Gibbons said that even the reports indicate that there was a 2002 and 2005 study.

Mr. Santucci asked if he was talking about coming in from the rock cut on the other side.

Mr. Gibbons said that he was just indicating that there are two alternatives and one is less invasive than the other and guessed the first one was actually within the wetlands.

Mr. Santucci said that it is in the buffer.

Mr. Gibbons said that the alternative was what they came up with outside of the buffer.

Mr. Santucci said yes, which is a rock cut – a really deep cut on the other side, which he thought would look ridiculous. He said that he was certainly open to discussion.

Mr. Merante said that he thought when the Board does the site visit, if they keep the alternative access road/driveway in mind, it would be an eye opener...they'd do one and do the other and see. He said that he thought it would bring each of them around to a point of decision-making, because Mr. Gainer and he walked the one when they were down there. He said that they went to the one that was shown on the plans, but did not go to the other, because he did not know where it was. Mr. Merante said that he thought the Board needed to look at both possible entryways.

Ms. Conner said that given that the documents are pretty old – stormwater management plan (2005), etc., she asked if there would be a need to revisit that.

Mr. Gainer said that he anticipated that it would be most fruitful to see the project/property.

Mr. Gibbons said that Ms. Conner makes a good point and asked if it would now kick in stormwater management.

Mr. Gainer said that it would be more on the level of details. He said that he did not see that as overarching/was going to affect it.

Mr. Merante said that's another issue they'll have to comply with. He said that as Mr. Gainer said, it's not an overarching to the entire project. Mr. Merante said that it would have to be addressed.

The Board agreed to meet to inspect the site on Sunday, January 31, 2010 at 9:30 a.m.

Juan Montoya – Approval of two-lot subdivision – 236 Old Albany Post Road, Garrison: Discussion of site walk comments and request for public hearing

Mr. Watson said that the Board had its site visit probably five or six weeks ago. He said that they had made several changes to the map. First of all, when they made the application, they had three separate pieces of property owned - one, by Mr. Montoya and two, by the design corporation. Mr. Watson said that the parcels have since been merged into one parcel. He said that they had told the Board that was going to happen, so they made changes to reflect that. Mr. Watson said that Mr. Gainer had a comment letter last time, suggesting that the proposed driveway be located through an existing opening. He said that they've done that and other than that, not much had changed with the piece of property. Mr. Watson said that the issue was raised at the last meeting about the fact that there is a second dwelling on the main parcel and the legality of that. He said that he's had discussions and emails throughout the day with Mr. Gainer and Mr. Gaba about that. Mr. Watson said that he spoke with his client about that and is still of the opinion that they can have a guest quarters on this piece of property. He said that the second building is permissible and in fact, the Board has approved subdivisions like that. Mr. Watson said that the one he could uncover in the little time he had was Randi's View (Roland Padilla) where he had guest quarters above his garage. Mr. Watson said that he knew that there was at least one building being built right now and could probably find for the Board several buildings in Town where guest quarters or servants quarters exist.

Mr. Merante asked if you had a garage, it's just normally an accessory building and have a residence on top of it, it was the same thing they have here – a separate and distinct house.

Mr. Watson said that he personally doesn't see it as different and did not really know how it came about. He said that he thought the whole idea of having your servants in a separate building and allowing that on a piece of property probably came from the original zoning – back when we still had the Osborne's who had their main house and then their servant's quarters somewhere else on the property. Mr. Watson said that his guess was that it was a compromise to accommodate those larger pieces of property and there were several at the time. He said that there were lots of examples where people have their caretaker or maid on a piece of property, and he guessed a lot of them were on

top of garages. He said that the question is still out there. Mr. Watson said that the Board has seen the property and he thought they were ready for a public hearing.

Ms. Conner asked Mr. Watson if he said something about the house being attached to the second piece – not to the piece that it's attached to now.

Mr. Watson said that if he did, he misspoke. He said that they have one piece now with the house that Mr. Montoya lives in and the house that the VanAssaults live in. Mr. Watson said that Mr. VanAssault works for Mr. Montoya, has been a long going relationship, and is going to continue. So when it's divided, the piece that's going to be divided off is what he had outlined in the map in red. That will be a vacant piece on which another building/residence will be constructed. Mr. Watson said that he did explain to Mr. Montoya...he discussed the option of the third subdivision...create a legal lot around the existing house and the consequence of not doing that was that you couldn't rent or sell it – or anything, and it would be subject to being used as a multiple building, single family residential unit and he made that decision consciously. Mr. Watson said that he would prefer that because he thinks the situation is going to continue.

Mr. Gibbons said that he did not have any problem with the idea of the double dwelling on a single property. He said that he knows of several estates around here where he believes that to be the case. Mr. Gibbons said that if he recalled correctly when they were re-doing the Master Plan, the idea was if you had ten acres, that you could do something like that and he thought it was in the guidelines that they could even do this.

Mr. Watson said that the proposed zoning actually will allow for a second dwelling, which means it could be rented, etc. He said that it facilitates the upkeep of a piece of property because you've got somebody there who's probably getting free rent as part of his compensation and with this particular piece, it's wonderful the way it has been maintained.

Mr. Gaba said that the Board may remember at last month's meeting they discussed how because of the way the language in the present zoning code is crafted, one dwelling per lot is permitted, but not two dwellings and they were prepared to recommend that it be referred to the ZBA for either an interpretation or variance, and then they remembered there seemed to be guest houses – possibly caretaker's cottages, servants quarters having been previously approved. He said that it rang a bell with him and Ms. Doherty and seemed to be the recollection he was going to look into what the code said. Mr. Gaba said that they looked into what the code says and it does not specifically recognize caretakers quarters, guest houses or servants quarters as separate permitted uses. It does say that accessory uses ordinarily customary to permitted uses are allowed. Mr. Gaba said that's a pretty broad term and is going to depend a lot on what the local mores are as to what's allowed. He said that it so happens that you can point to prior applications where you had a big estate, and there was a separate accessory use and building for a caretaker's cottage. Mr. Gaba said that doesn't mean that just because you've done it in the past that you have to accept it as an interpretation going forward, but by the same token it does give you grounds to say, "this is the traditional interpretation of the code

recognized by the town and we're going to go with it". He said that it is the Board's prerogative to either say yes, we acknowledge and want to go forward with it and it doesn't have to go to the zoning board, or can say they are not sure and would like an interpretation.

Mr. Merante said that the Board had just received an email late today. He said that someone said that Mr. Watson found it in the definitions and he asked that Mr. Watson explain it.

Mr. Watson said that there are two definitions that come into play. The definition of a dwelling unit is a building or buildings designed for the accommodation of a single family. He said that Mr. Gainer commented when they spoke earlier today. They defined "family". Mr. Watson said that it says, "a group of people not necessarily related, operating as a single family including guests and domestic servants". So, if you look at those two in common, it falls together and it makes sense – and so you have your chauffeur and maid living in the guest quarters.

Ms. Conner made a motion that the Board schedule a public hearing on this application for February 25, 2010. Mr. Meehan seconded the motion. The vote was as follows:

Anthony Merante	-	In favor
Kim Conner	-	In favor
Josephine Doherty	-	Absent
Michael Gibbons	-	In favor
Kerry Meehan	-	In favor
Pat Sexton	-	Absent

Richard Timmons – Approval of two-lot subdivision – 520 Lane Gate Road, Cold Spring: New submission

Mr. Noviello introduced himself and Mr. Timmons. He said that they have a lot on the north side of 301. Mr. Noviello said that originally they had looked at doing four lots there and after they laid it out, they realized it would fit much better with three lots. He said that they had received Mr. Gainer's letter today and agrees to comply with all of his requests. Mr. Noviello said that this is one existing house centered on the property now and it isn't convenient for the subdivision, so they intend to take that house down and put three new houses up. He said that there is an existing driveway, which will be used for one of the lots. Mr. Noviello said that there would be a new driveway on the east side of the site heading back toward the other two lots.

Mr. Merante asked if there was a stone wall along the proposed driveway.

Mr. Noviello said yes, there's a partial stone wall on the east property.

Mr. Gainer said that the Board has the technical review from his office. He said that the plans are somewhat incomplete but suitable for site inspection. They've identified plan enhancements, which is what the code requires. Mr. Gainer said that the application

currently doesn't have an EAF submitted as well. He said that they think it might be appropriate to schedule a site visit to understand the intent of the project.

Mr. Noviello said that Mr. Gainer made a comment with regard to the grading. He said that the only grading they're consistently doing is along the southeast corner.

Mr. Meehan asked what the setback was.

Mr. Noviello said that he believed the front was forty, the side and the rear is twenty.

Mr. Meehan asked if that was for wells too.

Mr. Noviello said no – the wells would be ten feet from the property line. He said that the limit for the Health Department is ten feet from the property line.

Mr. Meehan asked if there were houses on the adjoining properties.

Mr. Noviello said that there's a house on the property to the east. He said that they're showing their well/septic.

Mr. Meehan asked if he showed the one on the west side – going into Cold Spring.

Mr. Noviello said that he did not believe there was a house there.

Mr. Merante asked if it was just a piece of the entire lot, which was broken off. He said that it goes right down to the brook. Mr. Merante said that he couldn't tell from the plan how close the property line came to Foundry Brook

Mr. Noviello said that he said that he tried to show all the water courses. He said that he thought they were fairly close on the northwest side.

Mr. Merante said they're right up to it.

Mr. Noviello said that they are not showing any improvements near there.

Mr. Gibbons referred to Lot 3 and asked how they were proposing a double width driveway between Lot 3 and the other house in the back.

Mr. Noviello said that in that area, they only wanted to have one road cut. He pointed out the actual parking lot. He said that he thought DOT would ask them for the one road as opposed to two.

Mr. Gibbons said that is why he was saying why not have the one, have the maintenance agreement and then just veer off. He said that he knew it was only twelve feet, but it is more land disturbance that they're creating.

Mr. Noviello said that he guessed they were trying to weigh the land disturbance against the pavers.

The Board agreed to meet on Sunday, February 7, 2010 at 9:30 a.m. to inspect the site.

Elizabeth Healy – Approval of two-lot subdivision – 520 Lane Gate Road, Cold Spring: New submission

Mr. Watson said that Ms. Healy owns the parcel that contains 79 acres. It has a cottage on it and it is subject to a conservation easement. Mr. Watson said that she, in planning her estate, wanted to make the cottage and two acres available to one of her children. The remaining property she is going to put into a trust. It is not going to be built on. Mr. Watson said that Mr. Gainer correctly noted in his memo to the Board that the conservation easement that has been placed on the property allows some building on Mrs. Healy's estate, but in fact, this piece of property (pointed out) was originally larger and the corner piece that was sold out...the house allotted to this particular piece of property (pointed out) has been built and they have supplied a copy of the conservation easement. Mr. Watson said that the whole purpose of this is to not burden her child who would own the cottage parcel with the tax burden of the land. He said that they really don't have a building lot. Mr. Watson said that they took the area and blew it up so they could show their six thousand square feet of buildable area, their frontage, etc. He said that the curious thing about this particular parcel is that the existing septic system is across the street. So they've included an easement so that septic system can remain, and so that will be conveyed with the property they are showing the Board. Mr. Watson said that there really is zero activity being planned here. He said that Mr. Gainer's memo talked about referrals to the County and they have no problem with that. Mr. Watson said that he did not think the Health Department had any jurisdiction in this particular matter. He said that they were hopeful the Board would set a public hearing for next month.

Ms. Gainer said that his suggestion is just to visit the property and understand what's out there. He said that he'd like to better understand the issue of the sanitary system on the other side of the street.

Mr. Merante asked if they were just scheduling a site visit and were not ready to do a public hearing.

Mr. Gainer said that he was not opposed to a public hearing, as the impacts are minimal.

Mr. Merante said that maybe the Board should do the site visit first and then schedule it.

Mr. Gaba said that the Board could do both. He said that they could schedule the site visit between now and the next meeting.

The Board agreed to visit the site on Sunday, February 7, 2010 after the Timmons site visit is done.

Mr. Gaba said that if he understood it correctly, he was looking at the Hudson Highland Land Trust Conservation Easement. He said that on page two it says, “the property may be subdivided into no more than thirteen residential building lots. Structures on such lots shall be constructed only within building envelopes labeled one through eight on Exhibit B”. Mr.Gaba said that he turned to the end of Exhibit B and it’s got one through eight listed and looked like number eight is the building envelope they’re talking about.

Mr. Chmar said that there have been two amendments.

Mr. Watson said that he would get them to Mr. Gaba.

Mr. Gaba said that he was going to suggest the Board get a letter from Hudson Highland Land Trust saying that there would be a building envelope, etc., and it would save a lot of time and effort.

Mr. Chmar said that they’re absolutely right – there is nothing on the east side of Lane Gate Road that could be built now anywhere in this area. He said that there’s one building lot left on the west side of Lane Gate that’s out of the (did not finish sentence).

Mr. Gaba asked that he just provide something for the record – that they’re not giving a subdivision in violation. He said that the other was just more of a suggestion. Mr. Gaba said that they have their septic lines running underneath Lane Gate Road. He said that he did not know if they needed a road opening permit from the town or exactly what they had to do, but they don’t want it to be the case that some time in the future, they go up the road and the pipes are suddenly severed because nobody knows they’re there.

Mr. Watson said that the pipes are there today.

Mr. Gaba said that they want to make sure that’s on record.

Mr. Watson said that they would certainly put that on record and look into it. He said that he didn’t know and it’s been there quite a while.

Mr. Meehan made a motion that the Board schedule a public hearing on February 25, 2010. Ms. Conner seconded the motion. The vote was as follows:

Anthony Merante	-	In favor
Kim Conner	-	In favor
Josephine Doherty	-	Absent
Michael Gibbons	-	In favor
Kerry Meehan	-	In favor
Pat Sexton	-	Absent

MetroPCS New York, LLC – Site Plan application 20-60 Manitou Station Road, Garrison: Resolution

Mr. First stated that from what he had heard early today, one of the Planning Board Member’s husband’s is working as an attorney on a contract basis on litigation matters

regarding the application. He said that it is his opinion that it's a very remote relationship between this application and the land use application and what Ms. Conner's husband is doing as far as the property. Mr. First said that he would defer to Mr. Gaba's opinion.

Mr. Gaba said that it was his understanding that Ms. Conner feels that she can be independent and unbiased, but they wanted to disclose that relationship.

The applicant said that he was comfortable with the Board proceeding tonight.

Mr. Merante stated that a Resolution was prepared and he asked if Mr. Gainer would summarize.

Mr. Gainer read the Resolution aloud.

Mr. Gibbons made a motion to adopt the Resolution (copy attached). Ms. Conner seconded the motion. The vote was as follows:

Anthony Merante	-	In favor
Kim Conner	-	In favor
Josephine Doherty	-	Absent
Michael Gibbons	-	In favor
Kerry Meehan	-	In favor
Pat Sexton	-	Absent

Mr. Meehan said that he did not know how often the Building Inspector looks at the towers, but the guys that want room on the tower are before the Zoning Board and Planning Board all the time. He said that he did not know what their contract is between the owner and the applicant, but he would think they should have as much stake in the game as the tower owner. Mr. Meehan said that after all, they're making money off of it. If shrubs should be replaced, they should be able to tell them.

Mr. Gaba said, and they're doing that. He said that they're replacing two of them.

Mr. Meehan said that the Board should be able to tell these guys to paint, etc.

Mr. Merante said that it is whatever the ordinance says.

Local Law amending Chapter 175, Section 32H, Accessory Buildings: Memo from Tina Merando requesting Planning Board review/comments

Mr. Merante said that this had been before the Planning Board and the Town Board. He said that he had not had time to look at the revision, as he received it late.

Mr. Gibbons said that the letters at the Town dropped it down to the largest lot being R-40, so right now it covers R-10, R-20 and R40, but nothing larger than that. He said that his only question would be to Mr. Watson because he was there the other night and indicated the language should be changed and is he satisfied with the change in the language.

Mr. Watson said that he and Mr. Doyle talked about it the next day. He said that it was faulty and could be interpreted to mean right up to the line. Mr. Watson said that it is his fault it is back to the Planning Board because he raised the issue. He said that they worked it out.

Mr. Merante said o.k., so in residence districts R-10, R-20, R-40, but “no closer than five feet” as opposed to “within five feet”.

Mr. Gaba said that if everybody was happy with the five feet, he saw no reason why the Board couldn't authorize the Chairman to send a letter to the Town Board reporting that the Planning Board has reviewed it and recommends favorably on it.

Ms. Conner made a motion that the Chairman sign the letter and forward it to the Town Board. Mr. Meehan seconded the motion. The vote was as follows:

Anthony Merante	-	In favor
Kim Conner	-	In favor
Josephine Doherty	-	Absent
Michael Gibbons	-	In favor
Kerry Meehan	-	In favor
Pat Sexton	-	Absent

Old Business/New Business

- “Outstanding” applications before the Planning Board

Mr. Gibbons said that he was aware of at least one application that was over two years old and is coming back to the Planning Board. He suggested that a letter be sent to the applicant indicating they either proceed or their application would be pulled.

Mr. Merante stated that he had asked the Clerk to look through past applications and record any outstanding ones so that a letter could be sent to the applicant asking them to either continue with the Planning Board or they would have to reapply. He asked that Mr. Gaba get the language together.

Mr. Gaba said that the appropriate thing to do is to put together a Resolution proposing a policy/procedure. He said that he could do it and then send it to the Town and they have to give it its blessing to make it official. Mr. Gaba said that once that's in place, the Planning Board could determine how ever many months it believes is appropriate, when someone hits that mark, send a letter to advise them that the application must be withdrawn, etc.

Mr. Merante asked Mr. Gaba to draw something up for the Planning Board.

Mr. Gibbons said that the ZBA has this implemented and asked if there was already a mechanism for the Planning Board to be able to do it without re-designing and going to the Town Board.

Mr. Merante said that he kind of doubted it. He said that he spoken with the Chairman on it, but that he would check with him so that they don't need to "reinvent the wheel" if he's already done it.

- Elimination of needless paperwork

Ms. Montgomery said that that there is a great need to eliminate paperwork. She suggested the Planning Board members receive the minutes electronically as opposed to making numerous copies. Ms. Montgomery also said that she has spoken with a lot of the applicants, who have been asked to provide sixteen to nineteen copies of submittals to the Board and asked if the Planning Board could receive that electronically. She said that her thought was to have one master file at the Town Hall (or perhaps two), Mr. Gainer would get a copy, Mr. Merante would get a copy and that way the applicant would only have to provide three or four copies instead of sixteen.

Mr. Merante said that he realized what Ms. Montgomery was trying to do, but the problem as a low-grade novice with computers, (did not finish sentence).

Ms. Montgomery said that it could be provided in a smaller version.

Mr. Merante said that one thing is that everything is done single-sided. He said that there are other ways of doing significant savings.

Mr. Watson said that the law says five copies. He said that it has grown to nineteen.

Mr. Merante asked how that had happened.

Mr. Watson said that they didn't change that when they increased the membership from five to seven. He said that for a while it was eight, then twelve and now it's nineteen because the CAC wants copies of everything.

Mr. Merante said that he heard the Fire Marshall wants a copy.

Mr. Watson said that for the Special Use Permit that will probably be referred to the Planning Board next month, it's twenty seven copies.

Ms. Montgomery asked if it would make sense to provide them with a disk.

Mr. Watson said that the number of sheets has grown – from a one-sheet subdivision, it's now at least a three-sheet subdivision set.

Ms. Conner said that personally, she would say that the documents are one thing and pretty easy to send out, as it's not so giant and doesn't crash the email, but with the plans, those are very big files. She said that she didn't know what kind of internet set-up everyone has, but you need a pretty good connection.

Mr. Merante said that every month if an applicant comes back and there's the slightest modification, the Board gets a whole new set. He said that he sometimes gets four or five sets on the same application. If they could somehow incorporate the change/modifications on the initial submission they get instead of a whole new package every time.

Ms. Montgomery asked if you could compress files.

Ms. Conner said that you can, but then you have to deal with literacy.

Mr. Watson said that you could perhaps have a couple of master sets and then maybe the members get the main sheet or two (that really show the plan and don't show the catch-basin detail that hasn't changed in years).

Mr. Merante asked Ms. Montgomery to submit a letter to the Planning Board and possibly talk about this with Mr. Gainer and get Mr. Watson's input. Perhaps they could do something slowly to bring the number of copies back down again.

Mr. Gibbons said that when you try to take something large and put it into a computer screen, it's really impossible to trace a circuit for something like that, and that's the same thing with these documents. You're dealing with terrain issues, etc., and he really didn't see how you were going to get away from it.

Adjourn

Mr. Gibbons made a motion to adjourn the meeting. Ms. Conner seconded the motion. The meeting ended at 8:55 p.m. The vote was as follows:

Anthony Merante	-	In favor
Kim Conner	-	In favor
Josephine Doherty	-	Absent
Michael Gibbons	-	In favor
Kerry Meehan	-	In favor
Pat Sexton	-	Absent

Respectfully submitted,

Ann M. Gallagher

Note: These minutes were prepared for the Philipstown Planning Board and are subject to review, comment, emendation and approval thereupon.

Date approved: _____