

September 26, 21012

Public Hearing – Local Law to amend the Code of the Town of Philipstown  
Chapter 175-59G.4. of Chapter 175 regarding Hearing and Public Notices.

The Town Board of the Town of Philipstown held a Public Hearing on the above date at 7:30 p.m. at the Town Hall, 238 Main Street, Cold Spring. The purpose of the Public Hearing was to hear comments for/against a Proposed Local Law to amend the Code of the Town of Philipstown, Chapter 175-59G.4. of Chapter 175 regarding Hearing and Public Notice.

### **PRESENT**

Richard Shea	Supervisor
Betty Budney	Councilwoman
David Merandy	Councilman
John Van Tassel	Councilman
Edward Doyle	Town Attorney

### **ABSENT**

Nancy Montgomery	Councilwoman
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Town Clerk Merando read the Public Notice.

Supervisor Shea explained that this proposed change in the law came about with discussions with Kevin Donohue as a cost savings initiative. Construction projects where the town would have to mail out notification to adjoining owners via certified mail, which was costly. This change to the law provides that notifications can be mailed out by first class mail. He noted for the record that it would continue to be noticed in the paper. Councilman Van Tassel interjected that the notices were going out certified, but not return receipt, so the town was never sure if interested parties had received the notice.

Glen Watson expressed some concerns; first being that you are going to have the applicant pay it, the certified mail is actually a benefit to the applicant. If someone says, they didn't get the notice; you can see three attempts to deliver. He went on to say that his immediate concern is the part of the law that states the notice will be mailed to the planning board with five days notice. He doesn't feel that is sufficient time for review, he suggested that the notice be forwarded at the same time the zoning board places the application on the agenda whereby decreasing the process for the applicant.

Mr. Watson then addressed the section of the proposed law that dictates what adjoining property owners get notified. Councilwoman Budney noted that the proposed law stated that any property owner within 200 feet of the applicants property.

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There being no further comments from the audience Councilwoman Budney made a motion, seconded by Councilman Van Tassel and unanimously carried that the Public Hearing be closed at 8:05 p.m.

Respectfully submitted by,

Tina M. Merando  
Town Clerk