

Roxbury Town Planning Board Meeting

Wednesday, June 17, 2015

Present: Rob Cole, Phil Zorda, Dave Cowan, Jean Stone, Ed Hinkley and Nicole Franzese of Delaware Co Planning Dept.

Absent: Joe Farleigh, Jill Ribich

1. Acting Chairman Dave Cowan called the meeting to order at 7:45.
2. Motion to approve May meeting minutes by Phil Zorda, second by Jean Stone. Motion approved unanimously.
3. New Business

- a. Jerome Liberatore:

Jerome Liberatore requested a Minor Boundary Line Adjustment. He is purchasing approximately one half acre from the Manhattan Country School, 200.-1-78, and adding it to his parcel, 200.-1-80.1. This section of property was left between his property and New Kingston Mountain Road when the road was relocated several years ago. Jerome was given a MBLA application and he will be back next month.

4. Old Business

- a. Ortner Subdivision, 133.-2-12:

A 258.18 acre lot, which is on both sides of Hard Scrabble Rd. to be divided and is under contract to NYCDEP. The remaining 15.18 acres with the Ortner home will remain the Ortner's. This subdivision as well as a waiver from soils testing was approved at the May meeting. Rick Brooks, of Brooks and Brooks, representing Kurt Ortner, provided the Board with a written waiver request and a copy of the NYCDEP purchase contract. The subdivision application was reviewed by the county planning board due to the property being within an Ag District and was denied by the county due to the soils waiver. The county's action was over-ruled on a motion by Ed Hinkley, second by Jean Stone. Motion approved unanimously.

- b. Gray Subdivision, 156.-1-8.1

A six acre lot is to be subdivided from the 42.1 acre parcel and purchased by Andy McArdle. Mr. McArdle presented a completed SEQRA to the board. The SEQRA was reviewed and a motion of Negative Declaration was made by Phil Zorda, second by Rob Cole. Motion approved unanimously.

A motion to approve the subdivision made by Phil Zorda, second by Jean Stone. Motion approved unanimously.

It is unknown if the County planning board reviewed the application due to the property being in an agricultural district; however it was referred last month and the 30 day action period has expired, therefore the local review can proceed.

c. Brannen Subdivision, 91.-1-70.21

The property is to be subdivided into two parcels: Parcel A 6.08 acres and Parcel B 21.98 acres. The 21.98 acre parcel is to be purchased by NYCDEP. Rob Allison, representing Charles Brannen, presented the board with the completed SEQRA, a copy of the NYDEP purchase contract and a request to waive the requirement that the larger parcel be accessible from a public road. The SEQRA was reviewed and a motion of Negative Declaration was made by Phil Zorda, second by Rob Cole. Motion approved unanimously.

The waiver request was discussed and a motion to approve the waiver was made by Phil Zorda, second by Jean Stone. Motion approved unanimously. This approval was made based on 1) no reasonable access route because of steep ledge rock terrain and 2) NYCDEP purchasing the lot and a copy of the contract with NYCDEP being submitted with the waiver application

Motion to approve the subdivision was made by Phil Zorda, second by Jean Stone. Motion approved unanimously.

Mr. Allison will provide completed drawings to the board for signature at a later date.

d. The Roxbury at Stratton Falls:

Rob Allison gave an update on the project to the Board. The design of the new buildings is about 60% complete. Also, a grant application for additional funding has been completed. Well water quality testing has been performed and quantity tests are scheduled.

The board discussed a change to our Subdivision Regulation to include the possibility of soils testing waivers. Nicole Franzese said she was unaware of any town in the county having a property designation of "recreation" as a reason for possible granting waivers from soil testing. She indicated that it may be possible to develop an amendment to the regulations that would be applicable only to lots that are to be purchased by NYCDEP, due to conditions that are applied to property purchased by the city. She will investigate possible language for such an amendment. We should be very careful about granting waivers for any other reasons.

5. Adjournment - Motion to adjourn was made by Phil Zorda, second by Jean Stone.
Motion approved unanimously.

Next meeting will be July 15, 2015 at 7:30 pm.

Phillip Zorda
Planning Board Member