

Roxbury Town Planning Board Meeting
Roxbury Town Hall
October 21, 2020

The regular meeting of the Town of Roxbury Planning Board was called to order at 7:30 PM at the Roxbury Town Hall.

Present: Chairman Phillip Zorda, members David Cowan and Brad Zambri, Robert Cole and Diane Munro via Zoom; Andy Acker of the Delaware County Planning Department and Allyson Phillips of Young/Sommer, LLC Attorneys were also present via Zoom.

The Minutes of the September 16, 2020 meeting were approved on motion of Brad Zambri, second by David Cowan.

AYES – All.

The Minutes of the October 7, 202 Special Meeting were approved on motion of Diane Munro, second by David Cowan.

AYES – All.

William Berg, Robbins Rd, Roxbury
Parcel Nos. 157.-1-14, 157.-1-15 Boundary Line Adjustment

William and Heather Berg and Todd Jacobs, JHA Companies, presented a boundary line adjustment that will transfer 0.43 acres from 157.-1-15, 3.92 acres owned by Eric Berg and Beth Galloway, and be added to 157.-1-14, 1.58 acres, owned by William and Heather Berg.

The appropriate fee was paid.

A motion to classify this as a Boundary Line Adjustment was made by Robert Cole, second by David Cowan.
AYES – All

A motion to approve this Boundary Line Adjustment was made by Brad Zambri, second by David Cowan.
AYES – All

Dena Ghieth, Cartwright Rd, Denver
Parcel Nos. 202.-1-2, 202.-1-1.1 Boundary Line Adjustment

Steven Roberts, Surveyor, presented a boundary line adjustment that will transfer 0.017 acres from 202.-1-1.1, 5.0 acres, owned by Robbin and Stephanie Gordon, and be added to 157.-1-14, 0.83 acres, owned by Dena Ghieth.

The appropriate fee was paid.

A motion to classify this as a Boundary Line Adjustment was made by Diane Munro, second by Robert Cole.
AYES – All

A motion to approve this Boundary Line Adjustment was made by Robert Cole, second by Diane Munro.
AYES – All

William Walcutt and Sandra Pederson, Hall Rd, Roxbury
Parcel No. 179.-1-41.111, Three Lot Subdivision

William Walcutt and Rob Allison, surveyor, presented a map of a proposed three lot subdivision of Parcel 179.-1-41.111 along with the application and other required documents. The parcel is 89.4 acres. They are subdividing out a 11.8 acre piece and a 1.05 acre piece that has an existing cabin with septic system.

This was presented as a two lot subdivision in February 2020, but was never completed.

A motion to classify this as a minor subdivision was made by Brad Zambri, second by Robert Cole.

AYES- All.

The appropriate fee was paid.

A motion had been made at the February meeting to accept a waiver that was requested by the applicant to forego a survey of the entire parcel.

A motion to classify this action as Unlisted for the purpose of SEQR was made by David Cowan, second by Brad Zambri.

AYES- All.

A motion to refer this action to the county for a 239 review was made by David Cowan, second by Diane Munro. (Ag area)

AYES- All.

Part one of the EAF was reviewed and Parts 2 and 3 completed.

A motion to declare a Negative impact for this subdivision was made by Brad Zambri, second by Robert Cole.

AYES- All.

A motion to hold a public hearing on November 18, 2020 was made by Diane Munro, second by David Cowan.

AYES- All.

Spiro Vangelatos and Panagiotis Toufexis, George Lawrence Rd, Denver
Parcel No. 180.-1-38, Two Lot Subdivision

Rob Allison, surveyor, presented a map of a proposed two lot subdivision of Parcel 180.-1-38 along with the application and other required documents. The parcel is 11.2 acres. They are subdividing out a 5.6 acre piece leaving 5.6 acres of the original parcel.

This parcel has an existing house on it with a DEP approved septic system that was designed for two 3BR houses. The proposed new parcel will have a future new house. They will share a well and the septic system. There was a long discussion about sharing a septic system and a well and also if the DEP would now allow sharing of the septic system across two lots. Rob explained that this has been done in other cases with

easements for the septic system and well and will be in the new deeds. Soil testing was done on the lot without the septic system, so could support a septic system should sharing not be allowed.

A motion to classify this as a minor subdivision was made by Robert Cole, second by Brad Zambri.
AYES- All.

The appropriate fee was paid.

A motion to classify this action as Unlisted for the purpose of SEQR was made by David Cowan, second by Brad Zambri.
AYES- All.

Part one of the EAF was reviewed and Parts 2 and 3 completed.

A motion to declare a Negative impact for this subdivision was made by Robert Cole, second by David Cowan.
AYES- All.

A motion to hold a public hearing on November 18, 2020 was made by Diane Munro, second by Brad Zambri.
AYES- All.

**Mountainside Farms, NYS Rt. 23 & Fanny Brook Rd.
Parcels 113.-1-35.1, 113.-1-35.2, Bottle Plant Site Plan Review**

Tom Briggs, Derrick Briggs and James Rosa (Mountainside Farms) were present as was Martin Schmidt of Kaaterskill Associates, the engineers for this project to update the board on their communications with DOT and DEP. Dot will require that they get a PERM 33 to modify their driveways and access to Route 23 and Fanny Brook Rd. They are working with DEP for the design of a replacement for the existing septic system. The project maps were updated to show the proposed access changes and proposed septic system and other changes the board asked for.

The application to the County to combine the two parcels on this site has been made.

Parts 2 and 3 of the EAF was prepared by Allyson Phillips and the board found that this project will not have significant adverse impacts on the environment.

A motion to declare a Negative impact for this project was made by Diane Munro, second by David Cowan.
AYES- All.

The PERM 33 from DOT will take several months to receive and the final design for the septic system has not yet been approved by DEP. In consideration of this, a resolution was created to approve this site plan with the conditions that (1) the DOT PERM 33 be received, (2) documentation confirming that the two parcels have been combined and (3) that the NYCDEP has approved/permitted the proposed replacement septic system before a Certificate of Occupancy can be issued for the building. This will allow for applying for a building permit.

A motion to approve the Resolution conditionally approving the Site Plan was made by Robert Cole, second by David Cowan.

AYES - All

On motion of Diane Munro, second by David Cowan, the meeting adjourned at 9:15 PM.

AYES – all

Phillip Zorda, Chairman