

Town of Rockland Planning Board
September 5, 2012

Members present: Chairman Thomas Ellison, Richard Barnhart, Phil Vallone, James Severing, Chris Andreola, Carol Park and Nancy Hobbs. Also present: Wes Illing, Engineer

Chairman Ellison opened the public hearing on the Diescher Subdivision at 7:00 p.m. Mr. Roberts presented the Board with the final maps for the subdivision with no changes.

There being no comments from the public present Phil made a motion to close the public hearing, seconded by Jim and all were in favor.

Chairman Ellison opened the regular meeting with the pledge to the flag. On a motion by Phil, seconded by Richard the minutes from the July meeting were approved as distributed. Chairman Ellison made one correction to the August meeting minutes - a motion was made and accepted that the Town of Rockland be lead agent in the Diescher subdivision.

On a motion by Phil, seconded by Chris the minutes of the August meeting were accepted with the correction.

Chairman Ellison read and completed the SEQR form. Phil made a motion to declare a negative declaration, Nancy seconded and all were in favor. The Chairman stated that a response had been received from the County Department of Planning declaring that this was a local determination.

Wes questioned the spring rights noted on the final maps and its location in regard to the septic locations. Mr. Roberts stated that there was adequate distance between the two and that no one was using the spring as the properties in question have drilled wells.

Phil made a motion to grant final approval of the Diescher Subdivision, Richard seconded and all were in favor.

Mr. George Fulton approached the Board seeking input on a possible subdivision. A piece of property located on Mary Smith Road in Lew Beach sits on both sides of the road. There is a house located on one side and a barn on the other. The question is, does the Town of Rockland recognize the roadway as a natural division line? Some town codes state that property split by a road is already subdivided.

If the lot is subdivided, using the road as the new line, the house side of the road will be 1.4 acre, creating a non-conforming lot (2 acres are required in this RC district). Or do we take a small sliver of property across the road to make a conforming 2 acre lot. Mr. Fulton presented the Board with a copy of a letter he received in 1988 from the NYS Department of Health stating that a public highway splits a parcel.

Town of Rockland Planning Board
September 5, 2012
Page 2

There was discussion. Mr. Illing questioned the water and septic locations and if there would be enough room on the lot if septic repair or replacement were necessary.

Nancy made a motion to refer this to the ZBA for a variance. Carol seconded and all were in favor. The Chairman will call the town attorney for his opinion and advise Mr. Fulton as to how to proceed.

Mr. Severing presented information on a 2 lot subdivision on Hoffer Road, off Burnt Hill Road (Brzytwa & Wodjat, SBL #21.-1-12.1). This piece is 19.21 acres being divided by the road into two lots: 10.01 acre and 9.2 acre. Perk and deep test pits will be needed on the 9.2 acre piece as well as a letter from the Highway Superintendent for driveway location.

As this is located within the Catskill Park a letter of intent will be sent to the NYS DEC and the County Department of Planning.

Phil made a motion that the Town of Rockland Planning Board be lead agent, Chris seconded and all were in favor. Phil made a motion to grant conceptual approval, Carol seconded and all were in favor. A public hearing will be set for October 3, 2012 at 7:00 pm.

There being no further business before the Board, Phil made a motion to adjourn, Jim seconded and all were in favor.