

**BOVINA PLANNING BOARD
OCTOBER 20, 2014
REGULAR MEETING MINUTES**

RESOLUTIONS: 2014-16 - 20

BOARD MEMBERS: Don Farley: Chair, John Cianci, Chris Ingvordsen: Secretary, Ed Weber (7:14pm) and Carrie Hewitt Choquette: Planning Board Clerk

ABSENT BOARD MEMBERS: Tom Hilson

GUESTS: Kent Manuel: Del. Co. Planning Dept. Rep., Ken Brown: Town Board Member, Douglas Grant and Dave Wakin: Wakin Surveying

Meeting was called to order by Chairperson Don Farley at 7:00 pm.

There was no meeting in August or September due to a lack of an agenda.

MINUTES:

2014-16 - Motion to accept the July 2014 minutes as written was moved by Cianci and seconded by Ingvordsen. All in favor, 3 ayes, 0 nays.

2014-3 – GRANT SUBDIVISION:

The Zoning Board of Appeals approved the Road Frontage Variance on September 2, 2014. Dave Wakin: Wakin Surveying presented the Board with a Preliminary Plat. Soils tests still need to be done. There was discussion on soil tests needing to be done on property where the intent is to sell to New York City DEP. According to the Zoning Law a property owner cannot enter into contract to sell land requiring subdivision before subdivision approval is granted. A property owner can decide at any time to sell to someone other than DEP. Soil tests are done to determine whether a lot is “buildable” meaning will it support a New York City DEP Approved Septic System. Don Farley also noted that if soils tests are not done, NYCDEP could use that as an assessment challenge in the future; claiming the lot is “unbuildable”.

2014-17 - Motion to classify as a minor subdivision was moved by Ingvordsen and seconded by Cianci. All in favor, 3 ayes, 0 nays.

2014-18 - Motion to accept the presented map as Preliminary Plat was moved by Ingvordsen and seconded by Cianci. All in favor, 3 ayes, 0 nays.

2014-19 - Motion to schedule a Public Hearing for November contingent on soils being done was moved by Ingvordsen and seconded by Cianci. All in favor, 3 ayes, 0 nays.

Land Acquisitions:

Kent Manuel showed the Board maps and information on two Land Acquisitions by New York City DEP. One is on New Road. The parcel is 28.36-acres, has a lot of water area, steep slopes and is adjoins other DEP Land. The other parcel is on Mountain Brook & New Kingston Mountain Road. It is 135-acres. The Town will send the standard letter regarding usage.

2014-20 - Motion that the Planning Board has no issue on these acquisitions was moved by Weber and seconded by Ingvordsen. All in favor, 4 ayes, 0 nays.

2014-1 – ZANDI SPECIAL USE PERMIT:

The Board has not heard any complaints to date. The owners of Brushland have been good about all the conditions set in their Special Use Permit. The Board noted that they have been doing a good job and can always revisit this in the future if a problem arises or the business is sold.

John Cianci attended a course given by the Catskill Watershed Corporation on Case Law Update for Planning and Zoning and Sign Regulation. He gave a recap of some of the things he learned as well as copies of the handouts for the Board Members. Ingvordsen asked if State Laws regarding signs trump local Laws. Manuel said there are certain instances where the State can override. Cianci said they talked about one instance where a Town made a business take down a sign and the Town had to pay for the cost of the sign and the potential loss of business.

With no further business, the meeting adjourned at 7:40 pm

Respectfully Submitted,
Carrie Hewitt Choquette, Planning Board Clerk