

LUMBERLAND PLANNING BOARD

1054 Proctor Road
Glen Spey, NY 12737
(845) 856-8600, x229

Jess Gluckler, Chairman
Pamela Bucksbee, Secretary
Ed Gavalla, Member
Karel Konrad, Member
Barbara Listenik, Member

Susan B. Morley, Member
Sharon Sparling, Member
Jacqueline Ricciani, Attorney
Timothy E. Gottlieb, Engineer
Susan Wade, Clerk

MEETING MINUTES

523rd meeting

JULY 2, 2013

OPENING: Jess Gluckler, Chairman, called the meeting to order at 7:30 PM with the Pledge of Allegiance.

ROLL CALL: Present were: Ed Gavalla, Jess Gluckler, Karel Konrad, Barbara Listenik, Sue Morley, Sharon Sparling, Tim Gottlieb, Jacy Ricciani, Susan Wade.

OTHERS PRESENT: Andrew Mead, Jacob Billig, Dave Sparling, Jim Akt, Mike Marcasciano, Tristin Anderson, Diane Anderson

REVIEW/ACCEPTANCE OF JUNE 4 MEETING MINUTES: The minutes were accepted as presented.

CORRESPONDENCE: see below

NEW BUSINESS: Mike Marcasciano presented a survey map showing his present property located on Sara Lane along with the adjacent lot which is under contract for him to purchase. He is seeking to combine both lots into one. After receiving Jacy's input, a motion was made by Sue, seconded by Sharon, to acknowledge that the Board has no issue with the proposed lot line change and to approve such action. Unanimously carried. Jess signed the survey map and Mr. Marcasciano will follow up with Sullivan County Real Property Services to complete the action.

CONTINUING BUSINESS: Glenview subdivision.
Ed Gavalla recused himself from the proceedings.

The following were entered into the record:

- ✓ Gottlieb technical comment letters dated 6/5/13 and 7/1/13
- ✓ NYS DOT letter dated 6/18/13
- ✓ SEQR Parts 1 and 2 (long form)
- ✓ DPEM letter dated 7/2/13

It was noted that all prior engineering comments/findings have been cleared.

Jacy read each item of Part 2 of the SEQR, after this review a motion was made by Sue, seconded by Karel, to accept negative declaration for SEQR, and unanimously adopted.

A motion was made by Barb, seconded by Karel, to grant final approval of the subdivision subject to payment of all outstanding fees to the Town. Unanimously adopted. A copy of the resolution is appended to these minutes.

The clerk will file the Report of Final Local Action with the County.

OTHER BUSINESS:

Tristin and Diane Anderson presented a survey map and other documentation as they attempt to establish a right of way over state lands into a landlocked parcel. Jacy recommended that they make application for a review to be performed to determine whether the Planning Board has any jurisdiction over this request.

Indian Head Livery. Jacy provided an update of the ongoing discussions between her office and the Livery's attorney. A memo was prepared by Jacy and reviewed with the Board. The Livery's attorney has stated that they intend to come before the Board in August to apply for a Special Use Permit.

ADJOURN: 8:35 PM

Respectfully submitted,


for Pamela Bucksbee, Secretary

**RESOLUTION
GLENVIEW SUBDIVISION**

WHEREAS, the Town of Lumberland Planning Board received a sketch plan for a proposed six lot subdivision, in late 2011 or January 2012, known as the Glenview Subdivision, proposed by Edward Gavalla and Andrew Mead, for a minor subdivision of a 23.52 acre parcel of land, that was located, at the time, in the River District Zoning District, on State Route 97 and Tuthill Road, known as Lumberland Tax Map section 31, block 1, lot 12.1; and

WHEREAS, a preliminary site plan for the proposed subdivision was presented to the Town of Lumberland Planning Board at a subsequent meeting; and

WHEREAS, while the application was pending before the Planning Board, the Town of Lumberland revised the zoning law and adopted the Town of Lumberland Zoning Law, effective on May 1, 2012, which changed the zoning district and bulk requirements for the zone in which the proposed subdivision is located; and

WHEREAS, the Town Board of the Town of Lumberland adopted a resolution on March 13, 2013, whereby any applications that were pending before the Planning Board at the time that the new zoning code was adopted could be considered under the former zoning code that was in effect at that time; and

WHEREAS, at a regular meeting of the Town of Lumberland Planning Board, on April 2, 2013, a preliminary site plan for a six lot subdivision, pursuant to the prior zoning and bulk requirements, was presented and discussed; and

WHEREAS, applicant Edward Gavalla, who also serves as a member of the Planning Board, recused himself from any consideration of this project due to the conflict of interest; and

WHEREAS, a revised preliminary site plan was presented to the Planning Board at its regular meeting on May 7, 2013, and the comments of the Town's Engineer were reviewed and discussed, and a Storm Water Pollution Prevention Plan was presented; and

WHEREAS, at the meeting on May 7, 2013, a memo was presented to the Planning Board that proposed lot #6 of the subdivision would be used for agriculture, as permitted under the former zoning law, and not as a retail operation, and following further discussion, a Public Hearing for the project was approved for June 4, 2013; and

WHEREAS, the notice of the Public Hearing was duly noticed in the River Reporter and proof of mailing was submitted; and

WHEREAS, at the June 4, 2013, meeting of the Planning Board, the details of the subdivision were presented to the Planning Board by Jacob Billig, attorney for the applicants, during the public hearing and no members of the public addressed any comments or concerns to the Planning Board, and the public hearing was closed; and

WHEREAS, the Planning Board, at its regular meeting on July 2, 2013, reviewed the Long Environmental Assessment Form and, and after discussion, on a motion duly made by Susan Morley, and seconded by Karel Konrad, the Planning Board issued a determination of non-significance (a negative declaration) for the subdivision; and

WHEREAS, at the regular meeting on July 2, 2013, the Planning Board reviewed the comments of the Sullivan County Department of Planning and Environment Management which determined that the project was one for a local determination; and the comments from the New York State Department of Transportation and the Town of Lumberland Highway Superintendent; and

WHEREAS, the Planning Board and its consultants have thoroughly reviewed the application and have considered the lack of public comments thereon, and determined that the site plan meets the requirements for a subdivision in the former River District and that the application is in a form that is ready for action by the Planning Board.

NOW THEREFORE BE IT RESOLVED THAT, by a motion by Barbara Listenik, duly seconded by Karel Konrad, the site plan for a six lot subdivision, proposed by Andrew Mead and Edward Gavalla, located in the former River District, on State Route 97 and Tuthill Road, and known as Lumberland Tax Map section 31, block 1, lot 12.1 to subdivide a 23.52 acre parcel into six parcels was granted final approval subject to the condition that all fees shall be paid to the Town of Lumberland.

By order of the Planning Board,

Date: July 8, 2013



Jess Glucker, Chairman
Town of Lumberland Planning Board

Received:



Jacob Billig