

LIVINGSTON PLANNING BOARD

August 07, 2024

The regular meeting of the Livingston Planning Board was held 07 Aug 2024 and opened at 7:00pm with the Pledge of Allegiance.

In attendance:

Robert Bellinger (Planning Board Chair)
Rebecca Harcleroad (Deputy Planning Board Chair)
John Ross
Chip Keil
Brian Molinski
Craig Dombrowski
George Weidler (Planning Board Alternate)
Jeremy Steuhl (Planning Board Secretary)
Andrew Howard (Planning Board Attorney)
Michelle Mormile (Town Engineer)

Absent:

Stephen Thibeault

Participants:

- David Birch
 - Mitchel Warman
 - David Fleischner
 - Robert Ihlenburg
 - Everett Kramer
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Correspondence:

- Email regarding postponement to 04 Sep 2024 meeting from PB-71 - Special Use Permit (Kayla Shea)

Minutes:

Meeting started with the Pledge of Allegiance at 7:00pm. Roll call at 7:01pm.

Motion to accept minutes from 10 Jul 2024 was made by Chip Keil , 2nd by Craig Dombrowski. All in favor. Motion approved.

Discussed correspondence.

Public Hearing:

PB-28 - Subdivision (David Birch GCARD LLC)

Minor subdivision application to create 3 parcels at Rt 9 and Orchard Road 151-1-4.4

- Motion to open the public hearing for application PB-28 was made by Brian Molinski, 2nd by Rebecca Harclerod. All in favor. Motion approved.
- Public hearing opened at 7:02pm.
- David Birch presented to the board his minor subdivision application to create 3 parcels at Rt 9 and Orchard Road 151-1-4.4.
- 3 lot subdivision. 1 lot is commercial and the other 2 are residential.
- Public asked where this was. Mr. Birch pointed out on the map where the subdivision will be.
- Robert Bellinger asked if there are any questions. No questions from the board.
- No additional comment from the public.
- Motion to close public hearing by John Ross, 2nd by Brian Molinski. All in favor, motion approved.
- Public hearing closed at 7:04pm.
- Attorney Howard read through the SEAF part 2.
- All answers are No or Small Impact.
- Motion to accept negative declaration made by John Ross, 2nd by Brian Molinski. All in favor, motion approved.

[PB-28 SEAF Part 2](#)

- Attorney Howard provided resolution to the board.

[PB-28 Resolution](#)

- Motion to accept the resolution was made by Brian Molinski, 2nd by Rebecca Harcleroad.

Vote as follows:	
Robert Bellinger	Aye
Rebecca Harcleroad	Aye
Brian Molinski	Aye
Stephen Thibeault	Absent
John Ross	Aye
Chip Keil	Aye
Craig Dombrowski	Aye
George Weidler	N/A

- All in favor, motion approved.

PB-87 - Site Plan Approval (SunCommon/Michell Warman)

A site plan application for single family residential solar system at 68 Marlin Hill Road Germantown NY 12526 150.-1-48.

- Motion to open the public hearing for application PB-87 was made by Craig Dombrowski, 2nd by George Weidler. All in favor. Motion approved.
- Public hearing opened at 7:10pm.
- Mitch Warman of SunCommon presented to the board his site plan application for single family residential solar system at 68 Marlin Hill Road Germantown NY 12526 150.-1-48.
- Mitch described the application and what the intent is. Install ground mounted solar at house for personal use.
- No comment from the public.
- Robert Bellinger asked if there are any questions. No questions from the board.
- Motion to close public hearing by Craig Dombrowski, 2nd by John Ross. All in favor, motion approved.
- Public hearing closed at 7:11pm.
- Attorney Howard read through the SEAF part 2.
- All answers are No or Small Impact.
- Motion to accept negative declaration made by John Ross, 2nd by Brian Molinski. All in favor, motion approved.

[PB-87 SEAF Part 2](#)

- Attorney Howard provided resolution to the board.

[PB-87 Resolution](#)

- Motion to accept the resolution was made by George Weidler, 2nd by Chip Keil.

Vote as follows:	
Robert Bellinger	Aye
Rebecca Harcleroad	Aye
Brian Molinski	Aye
Stephen Thibeault	Absent
John Ross	Aye
Chip Keil	Aye
Craig Dombrowski	Aye
George Weidler	N/A

- All in favor, motion approved.

PB-93 - Subdivision (Camp Scatico Inc., David Fleischer)

Minor subdivision application to create 2 parcels at Camp Scatico, 1558 County Route 19, Elizaville, NY 12523 104600 201.-1-20.1.

- Motion to open the public hearing for application PB-93 was made by Brian Molinski, 2nd by Chip Keil. All in favor. Motion approved.
- Public hearing opened at 7:16pm.
- David Fleischer presented to the board his minor subdivision application to create 2 parcels at Camp Scatico, 1558 County Route 19, Elizaville, NY 12523 104600 201.-1-20.1.
- David described his application to be subdivided into 2 lots, one lot on the main camp and the second lot across from Cty Rte 19.
- David pointed out on the map where the camp is and the wooded section across the street.
- Robert Bellinger asked if there are any questions.

- Question about whether the property borders a lake. The answer is yes, both properties border the lakes.
- Question about purpose of dividing it. Family planning, maybe something in the future. Right now it's wooded and there's nothing planned to do with it now.
- Question about once subdivided, you can do anything you want. The answer is no, since any building or anything like that would have to come back to the town.
- George Weidler and John Ross asked about the part that is in Gallatin. That remains unchanged and the Gallatin piece is it's owner tax map parcel.
- Question from public in which they asked if Gallatin was notified by mail. Attorney Howard said no, because the lot is not changing.
- Question about how long Scatico has been a camp. Since 1921. They've been in Elizaville since 1934. There was a camp there prior as well.
- Brian Molinski asked if the camp will close. Not right now. Daughters are taking over the business.
- Motion to close public hearing by Brian Molinski, 2nd by Chip Keil. All in favor, motion approved.
- Public hearing closed at 7:22pm.
- Attorney Howard read through the SEAF part 2.
- All answers are No or Small Impact.
- Motion to accept negative declaration made by Rebecca Harcleroad, 2nd by Craig Dombrowski. All in favor, motion approved.

[PB-93 SEAF Part 2](#)

- Attorney Howard provided resolution to the board.

[PB-93 Resolution](#)

- Motion to accept the resolution was made by John Ross, 2nd by Brian Molinski.

Vote as follows:	
Robert Bellinger	Aye
Rebecca Harcleroad	Aye
Brian Molinski	Aye
Stephen Thibeault	Absent
John Ross	Aye
Chip Keil	Aye
Craig Dombrowski	Aye
George Weidler	N/A

- All in favor, motion approved.

PB-95 - Subdivision (Robert Ihlenburg/D'Addona)

Minor subdivision application to create 2 parcels at Church Road Hudson, NY 12534 161.-2-28.1.

- Motion to open the public hearing for application PB-95 was made by George Weidler, 2nd by Rebecca Harcleroad. All in favor. Motion approved.
- Public hearing opened at 7:28pm.
- Robert Ihlenburg presented to the board his minor subdivision application to create 2 parcels at Church Road Hudson, NY 12534 161.-2-28.1.
- Bob had provided paper maps and pointed out on the screen the subdivision. 31 acre parcel with existing house and garage. Subdivide off 3 acres for the house and garage and remaining will go with the new lot.
- Robert Bellinger asked if the driveway permit is in. The check was received and application has been submitted, but has not been approved as of yet.
- Robert Bellinger said that the maps won't be signed until the highway approves the driveway permit.
- Robert Bellinger asked if there are any questions. No questions from the board.
- No comment from the public.
- Motion to close public hearing by Brian Molinski, 2nd by John Ross. All in favor, motion approved.
- Public hearing closed at 7:30pm.
- Attorney Howard read through the SEAF part 2.
- All answers are No or Small Impact.
- Motion to accept negative declaration made by Craig Dombrowski, 2nd by Brian Molinski. All in favor, motion approved.

[PB-95 SEAF Part 2](#)

- Attorney Howard provided resolution to the board.

[PB-95 Resolution](#)

- Motion to accept the resolution, with condition that there is approval of driveway cut from the highway department was made by Chip Keil, 2nd by Rebecca Harcleroad.

Vote as follows:	
Robert Bellinger	Aye

Rebecca Harcleroad	Aye
Brian Molinski	Aye
Stephen Thibeault	Absent
John Ross	Aye
Chip Keil	Aye
Craig Dombrowski	Aye
George Weidler	N/A

- All in favor, motion approved.

Old Business:

PB-59 - Lot Line Adjustment (Robert Ihlenburg/Black Bridge LLC)

- Robert Ihlenburg returned to present updates to the board on his lot line adjustment application to provide Frontage for lots that have no road frontage on Black Bridge Road (No new lots created) 182.00-1-11.121.
- Robert Bellinger stated we need to renew escrow at an additional \$1500. Mr. Ihlenburg will provide a check.
- Robert Ihlenburg provided updated maps for the board.
 - Currently 10 tax map parcels.
 - 3 of the parcels with the big Z's on it, cross black bridge road and were created back in the 1970's.
 - 5 parcels off of blackbridge road do not have road frontage. Propose to cut the properties by black bridge road.
 - Adjoining 2 lots on the east side of the power lines, sections would go to portion of the long narrow lots, giving them frontage to black bridge road.
 - Currently they have no frontage at all and no reservation of rights to get to them when they were approved back in the 1980's.
 - It's taken several months working with National Grid. About 30 days ago, applied to National Grid for a 50' strip that crosses the width of the power lines. They said it will take about 30-60 days. He also provided a map to them.
- Robert Bellinger asked who actually owns the power lines. Robert Ihlenburg said everyone he's talked to, said that it was National Grid and not Trans Corp.
- Robert Ihlenburg said they are proposing a 50' road or ROW to get to the property from BlackBridge Road, which run along and through one of the lots to the 2 lots on the other side of the power lines. If I have to build a private road, they will build up to town specs.

- Robert Bellinger asked if a turn around would be created on the private drive, so that if fire trucks needed to enter the property, they could get out without having to back down the roadway. Attorney Howard stated that with the length of the road, there would have to be turn offs. Michelle Mormile also referred to the code in what needs to be done for turn arounds.
 - Attorney Howard asked if the curb cuts have been reviewed by the highway superintendent. At some point, he did go on site and review. Mr. Ihlenburg was told he has to submit driveway permits for every proposed driveway, even if they are not to be built at this time. He stated he would do that.
 - Robert Bellinger asked if any work is being done. Robert Ihlenburg said that they were roughing in some of the proposed driveways for the highway dept.
 - Attorney Howard requested a copy of the road maintenance agreement for the private drive for our file.
 - Attorney Howard also said we need to hear from National Grid.
 - Information will also be needed for the private drive and shared with the engineer for review.
 - Even though lot line adjustments traditionally do not require a public hearing, the board will consider that for this application, as it is a complicated lot line adjustment.
 - Will need Fire Chief approval for the drive as well.
 - Craig Dombrowski suggests putting on the map where utilities would go for the private drive.
 - Robert Ihlenburg will plan to return in September to provide updates on the application.
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PB-79 - Subdivision (Nearly There LLC.)

- Everett Kramer returned to present updates to the board on his major subdivision application to create 4 parcels at 279 Schuderhook Road Livingston, NY 12541 171.-1-18.3.
 - Everett provided updates and new map for the board to review.
 - Driveways are indicated and driveway permits have been submitted.
 - Robert Bellinger asked if we have all of the paperwork. We have the map, driveways permits and paid for and approved by the highway superintendent.
 - Robert Bellinger asked if the board had any questions. No additional questions from the board.
 - Motion to deem application substantially complete and set public hearing for 04 Sep 2024 was made by Brian Molinski, 2nd by Craig Dombrowski. All in favor, motion approved.
 - Public hearing will be set for 04 Sep 2024 and applicant will notify abutting neighbors.
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Discussion:

Mr. Ihlenburg asked about the Murphy application (PB-97 - Subdivision (Robert Ihlenburg/Thomas Murphy)). It is not on the agenda, since the planning board did not receive an escrow check nor updated maps prior to the 23 Jul 2024 cut-off for the August agenda.

There being no further business, a motion to adjourn was made by George Weidler, 2nd by Craig Dombrowski. All present voted AYE. Motion passed.

Next scheduled meeting will be held 04 Sep 2024.

Meeting closed at 8:13pm.

Respectfully submitted,

Jeremy Steuhl
Secretary Livingston Planning Board