

TOWN OF TAGHKANIC PLANNING BOARD

MINUTES OF THE OCTOBER 1, 2019 REGULAR

A regular joint meeting of the Town of Taghkanic Planning was held on Tuesday, October 1, 2019 at the Town Hall.

Those present were:

Planning Board:

Katherine Bainer Chair, John Roberts, Stephen Kling, James Alvarez,

Those absent were:

Kent Sammons, Josh Plass, Raymond Keyser, Anna Kadish – Alternate

Also present:

Andy Howard, Counsel to the Planning Board

7 PM: Public Hearing for Stanley Dziubelski State Route 82, (Taghkanic) NY, lot line merger, Wesley P. Chase presented the maps for interested residents to review. Chair Kathy Bainer asked if there were any comments, questions, or concerns, as there are none I will entertain a motion to close the Public Hearing for Dziubelski Boundary Line Adjustment.

7:07 PM: Public Hearing closed: Member Stephen Kling motioned to close the Public Hearing for Dziubelski Boundary Line Adjustment seconded by Member John Roberts.

Approved 4 Aye (Bainer, Kling, Roberts, Alvarez,)

0 Nays

4 Absent (Plass, Sammons, Keyser, Kadish)

Attorney Andrew Howard reviewed the EAF with the Planning Board for the Dziubelski Boundary Line Adjustment. Member Stephen Kling motioned to approve a Negative Declaration of SEQRA, seconded by Member James Alvarez.

Approved 4 Aye (Bainer, Kling, Roberts, Alvarez,)

0 Nays

4 Absent (Plass, Sammons, Keyser, Kadish)

**Resolution of the Town of Taghkanic Planning Board
Granting Boundary Line Adjustment to H&S Dziubelski, LLC**

Date: Tuesday, October 1, 2019

Applicant: H&S Diubelski, LLC

Matter: Application for Boundary Line Adjustment

Property: Location – State Route 82, Taghkanic, New York

Property ID: Tax Parcel No. 162.-1-86

WHEREAS:

1. On August 20, 2019, the Town of Taghkanic Planning Board (“Planning Board”) received an application for a Lot Line Revision regarding lands located at State Route 82, Taghkanic, New York (the "Property"), bearing tax parcel number 162.-1-86.

2. The Property is in the R2 Zoning District under the Town Zoning Law. Currently, the Property is approximately 1.75 acres in area.
3. As proposed, the subject Parcel will be merged with the adjacent lot owned by the Applicant that is located within the boundary of the Town of Livingston.
4. In accordance with Town's Local Law #4 of 2007, entitled "*Amending the Subdivision Regulations providing for Boundary / Lot Line Adjustments*" (hereinafter "Subdivision Regulations"), the application was properly classified as a boundary line adjustment because no new lots will be created.
5. In accordance with the aforesaid Subdivision Regulations, the Town requires: (a) a sketch plan of the proposed boundary line adjustment; (b) submission of a proposed final plat for review.
6. The Applicant has submitted the following documents as part of their application: (a) an application for approval of a boundary line adjustment; (b) a Short Environmental Assessment Form [EAF]; (c) a full-size contour map showing the configuration of the proposed lot line adjustment; and (d) deeds to the Subject Property at State Route 82.
7. At its September 3, 2019 meeting, the Planning Board deemed the application substantially complete, and set the Public Hearing for October 1, 2019 at the Taghkanic Town Hall.
8. The Planning Board determined that this boundary line adjustment application should be classified as an Unlisted Action pursuant to the State Environmental Quality Review Act (SEQRA). Given that the application is an Unlisted Action, and that a coordinated review of this project is unnecessary as no other governmental agencies have approval authority over this application, the Planning Board therefore declared itself lead agency for the purposes of the SEQRA environmental review of the proposed action.
9. On October 1, 2019, the Town of Taghkanic Planning Board opened the public hearing and received public comment on the proposed boundary line adjustment.
10. The Applicant provided proof of having delivered notice of the public hearing by certified mail, return-receipt-requested as required by Section S(B)(ii) of Local Law 5 of 2002 to property owners within one thousand (1,000) feet of all boundaries of the proposed lot line adjustment and that the receipts for such mailing shall be submitted to the Board prior to the date of the public hearing.
11. The Planning Board reviewed the application with the Applicant and after making the requisite determinations under SEQRA, duly closed the public hearing.

**NOW, THEREFORE,
BE IT RESOLVED AND DETERMINED:**

- A. That the proposed boundary line adjustment will result in no significant adverse impacts on the environment and that a negative declaration should be issued. The Planning Board has executed the Short Form SEQR Part II for this application accordingly;
- B. That the Town of Taghkanic Planning Board hereby approves Boundary Line Adjustment Application submitted by H&S Dziubelski, LLC, to merge its parcel in the Town of Taghkanic with its adjacent lands located within the boundary of the Town of Livingston, as set forth on the survey map prepared by Wesley P. Chase, N.Y.S. Licensed Surveyor, Lic. Number 50986, together with the notes and conditions set forth on said survey map.

Motion to approve made by: **Member John Roberts**

Seconded by: **Member James Alvarez**

7:15 PM: Public Hearing for Albert Christiana, CJMC, 1362 County 11 (Taghkanic) NY, Minor Sub-Division, Wesley P. Chase presented the maps for interested residents to review. Chair Kathy Bainer asked if there were any comments, questions, or concerns, as there are none I will entertain a motion to close the Public Hearing for Albert Christiana, CJMC Minor Sub-Division.

7:24 PM: Public Hearing closed: Member James Alvarez motioned to close the Public Hearing for Albert Christiana, CJMC Minor Sub-Division seconded by Member John Roberts.

Approved **4 Aye** **(Bainer, Kling, Roberts, Alvarez,)**
 0 Nays
 4 Absent **(Plass, Sammons, Keyser, Kadish)**

Attorney Andrew Howard reviewed the EAF with the Planning Board for the Christiana, CJMC Minor Sub-Division. Member Stephen Kling motioned to approve a Negative Declaration of SEQRA, seconded by Member James Alvarez.

Approved **4 Aye** **(Bainer, Kling, Roberts, Alvarez,)**
 0 Nays
 4 Absent **(Plass, Sammons, Keyser, Kadish)**

Resolution of the Town of Taghkanic Planning Board

Granting Minor Subdivision Approval to Christiana/CJMC Realty Corporation

Date: Tuesday, October 1, 2019
Applicant: CJMC Realty Corporation
Matter: Application for Minor Subdivision Approval
Property: Location – 1362 CR 11,, Taghkanic, New York
Property ID: Tax Parcel No. 154.-1-9 and 154.-1-6

WHEREAS:

- 1.** On August 19, 2019, the Town of Taghkanic Planning Board (“Planning Board”) received an application for a 2-lot subdivision regarding lands located at 1362 CR 11 in the Town (the "Property"), tax parcel numbers 154.-1-9 and 154.-1-6.
- 2.** The Property is in the R3 and R7 Zoning Districts under the Town Zoning Law. Currently, the Property is approximately 20.12 acres in area.
- 3.** As proposed, the Property will be subdivided into two (2) lots: Parcel 1 will be 17.12 acres, Parcel 2 will be 3.0 acres.
- 4.** In accordance with Article I, Subsection 2 of the Town's Local Law #1 of 1989, entitled "*Regulations for the Subdivision of Land*", (hereinafter "Subdivision Regulations") the subdivision is properly classified as a "minor subdivision" because it will create less than four (4) lots.
- 5.** In accordance with Article 11, Subdivision 12 of the Subdivision Regulations, the Town requires three (3) principal steps for approval for minor subdivision: (a) pre- application meeting for consultation purposes; (b) submission of a preliminary layout [unless waived by the Planning Board] after the pre-application process has been completed; and (c) submission of a proposed final subdivision plat.

6. The Applicant has submitted the following documents as part of their application: (a) an application for approval of a minor subdivision; (b) a Short Environmental Assessment Form [EAF]; (c) a full-size contour map showing the configuration of the proposed lots; and (d) a deed of the Property located at 1362 CR 11, Taghkanic, New York.
7. The Property is located within an agricultural district.
8. At its September 3, 2019 meeting, the Planning Board deemed the application substantially complete, and set the Public Hearing for October 1, 2019 at the Taghkanic Town Hall.
9. The Planning Board determined that this minor subdivision application should be classified as an Unlisted Action pursuant to the State Environmental Quality Review Act (SEQRA). Given that the application is an Unlisted Action, and that a coordinated review of this project is unnecessary as no other governmental agencies have approval authority over this application, the Planning Board therefore declared itself lead agency for the purposes of the SEQRA environmental review of the proposed action.
10. On October 1, 2019, the Town of Taghkanic Planning Board opened the public hearing and received public comment on the proposed minor subdivision.
11. The Applicant provided proof of having delivered notice of the public hearing by certified mail, return-receipt-requested as required by Section S(B)(ii) of Local Law 5 of 2002 to property owners within one thousand (1,000) feet of all boundaries of the proposed lots and that the receipts for such mailing shall be submitted to the Board prior to the date of the public hearing.
12. The Planning Board reviewed the application with the Applicant and after making the requisite determinations under SEQRA, duly closed the public hearing.

**NOW, THEREFORE,
BE IT RESOLVED AND DETERMINED:**

- A. That the proposed minor subdivision will result in no significant adverse impacts on the environment and that a negative declaration should be issued. The Planning Board has executed the Short Form SEQRA Part II for this application accordingly;
- B. That the Town of Taghkanic Planning Board hereby approves the Minor Subdivision Application submitted by Christiana/CJMC Realty Corporation for two (2) parcels being 17.12 acres and 3.0 acres in size, as set forth on the survey map prepared by Wesley P. Chase, N.Y.S. Licensed Surveyor, Lic. Number 50986, together with the notes and conditions set forth on said survey map.

Motion to approve made by: Member James Alvarez

Seconded by: Member Stephen Kling

7:30 PM: Public Hearing for Elizabeth L. Young, 977 Livingston Road (Taghkanic) NY, Minor Sub-Division, Daniel J. Russell presented the maps for interested residents to review. Chair Kathy Bainer asked if there were any comments, questions, or concerns, as there are none I will entertain a motion to close the Public Hearing for Elizabeth L. Young Minor Sub-Division.

7:35 PM: Public Hearing closed: Member Stephen Kling motioned to close the Public Hearing for Elizabeth L. Young Minor Sub-Division seconded by Member John Roberts.

**Approved 4 Aye (Bainer, Kling, Roberts, Alvarez),
0 Nays**

4 Absent (Plass, Sammons, Keyser, Kadish)

Attorney Andrew Howard reviewed the **EAF** with the Planning Board for the Elizabeth L. Young Minor Sub-Division. Member John Roberts motioned to approve a Negative Declaration of SEQRA, seconded by Member James Alvarez.

Approved 4 Aye (Bainer, Kling, Roberts, Alvarez,)

0 Nays

4 Absent (Plass, Sammons, Keyser, Kadish)

**Resolution of the Town of Taghkanic Planning Board
Granting Minor Subdivision Approval to Elizabeth L. Young Trust**

Date: Tuesday, October 1, 2019
Applicant: Elizabeth L. Young Trust No. 1 of 2016
Matter: Application for Minor Subdivision Approval
Property: Location – Livingston Road, Taghkanic, New York
Property ID: Tax Parcel No. 172.-1-5.111

WHEREAS:

- 1.** On August 27, 2019, the Town of Taghkanic Planning Board ("Planning Board") received an application for a three (3) lot subdivision regarding lands located at Livingston Road in the Town (the "Property"), tax parcel numbers 172.-1-5.111.
- 2.** The Property is in the R2 Zoning District under the Town Zoning Law. Currently, the Property is approximately 78 acres in area.
- 3.** As proposed, the Property will be subdivided into three (3) lots: Parcel 1 will be 5.01 acres, Parcel 2 will be 7.69 acres, and Parcel 3 will be approximately 65 acres.
- 4.** In accordance with Article I, Subsection 2 of the Town's Local Law #1 of 1989, entitled "*Regulations for the Subdivision of Land*", (hereinafter "Subdivision Regulations") the subdivision is properly classified as a "minor subdivision" because it will create less than four (4) lots.
- 5.** In accordance with Article 11, Subdivision 12 of the Subdivision Regulations, the Town requires three (3) principal steps for approval for minor subdivision: (a) pre- application meeting for consultation purposes; (b) submission of a preliminary layout [unless waived by the Planning Board] after the pre-application process has been completed; and (c) submission of a proposed final subdivision plat.
- 6.** The Applicant has submitted the following documents as part of their application: (a) an application for approval of a minor subdivision; (b) a Short Environmental Assessment Form [EAF]; (c) a full-size contour map showing the configuration of the proposed lots; and (d) a deed of the Property located at Livingston Road, Taghkanic, New York.
- 7.** The Property is located within an agricultural district.
- 8.** At its September 3, 2019 meeting, the Planning Board deemed the application substantially complete, and set the Public Hearing for October 1, 2019 at the Taghkanic Town Hall.
- 9.** The Planning Board determined that this minor subdivision application should be classified as an Unlisted Action pursuant to the State Environmental Quality Review Act (SEQRA). Given that the

application is an Unlisted Action, and that a coordinated review of this project is unnecessary as no other governmental agencies have approval authority over this application, the Planning Board therefore declared itself lead agency for the purposes of the SEQRA environmental review of the proposed action.

10. On October 1, 2019, the Town of Taghkanic Planning Board opened the public hearing and received public comment on the proposed minor subdivision.
11. The Applicant provided proof of having delivered notice of the public hearing by certified mail, return-receipt-requested as required by Section S(B)(ii) of Local Law 5 of 2002 to property owners within one thousand (1,000) feet of all boundaries of the proposed lots and that the receipts for such mailing shall be submitted to the Board prior to the date of the public hearing.
12. The Planning Board reviewed the application with the Applicant and after making the requisite determinations under SEQRA, duly closed the public hearing.

**NOW, THEREFORE,
BE IT RESOLVED AND DETERMINED:**

- A. That the proposed minor subdivision will result in no significant adverse impacts on the environment and that a negative declaration should be issued. The Planning Board has executed the Short Form SEQRA Part II for this application accordingly;
- B. That the Town of Taghkanic Planning Board hereby approves the Minor Subdivision Application submitted by the Elizabeth L. Young Trust No. 1 of 2016 for three (3) parcels being 5.01 acres, 7.69 acres, and approximately 65 acres in size, as set forth on the survey map prepared by Daniel J. Russell, N.Y.S. Licensed Surveyor, Lic. Number 050639, together with and pursuant to the notes, conditions and requirements set forth on said survey map.

Motion to approve made by: **Member James Alvarez**

Seconded by: **Member Stephen Kling**

7:45 PM: Public Hearing for Lawrence Friedrich, Linda Piester, and Eugene Aronowitz, 66 Strohmeier Lane (Taghkanic) NY, Minor Sub-Division, Daniel J. Russell presented the maps for interested residents to review. **Chair Kathy Bainer** asked if there were any comments, questions, or concerns, as there are none I will entertain a motion to close the Public Hearing for Lawrence Friedrich, Linda Piester, and Eugene Aronowitz, Boundary Line Adjustment.

7:46 PM: Public Hearing closed: **Member Stephen Kling** motioned to close the Public Hearing for Lawrence Friedrich, Linda Piester, and Eugene Aronowitz, Boundary Line Adjustment seconded by **Member John Roberts**.

Approved 4 Aye (Bainer, Kling, Roberts, Alvarez,)
0 Nays
4 Absent (Plass, Sammons, Keyser, Kadish)

Attorney Andrew Howard reviewed the EAF with the Planning Board for the Lawrence Friedrich, Linda Piester, and Eugene Aronowitz, Boundary Line Adjustment. **Member Stephen Kling** motioned to approve a Negative Declaration of SEQRA, seconded by **Member James Alvarez**.

Approved 4 Aye (Bainer, Kling, Roberts, Alvarez,)
0 Nays

4 Absent (Plass, Sammons, Keyser, Kadish)

**Resolution of the Town of Taghkanic Planning Board
Granting Boundary Line Adjustment to Friedrich, Piester and Aronowitz**

Date: Tuesday, October 1, 2019
Applicant: Lawrence Friedrich, Linda Piester, and Eugene Aronowitz
Matter: Application for Boundary Line Adjustment
Property: Location – 66 Strohmeier Lane, Taghkanic, New York
Property ID: Tax Parcel No. 173.-1-12.4 and 173.-1-12.5

WHEREAS:

1. On August 21, 2019, the Town of Taghkanic Planning Board (“Planning Board”) received an application for a Lot Line Revision regarding lands located at 66 Strohmeier Lane, Taghkanic, New York (the “Property”), bearing tax parcel numbers 173.-1-12.4 and 173.-1-12.5.
2. The Property is in the R3 Zoning District under the Town Zoning Law. Currently, the Property is approximately 20 acres in area.
3. As proposed, the Aronowitz/Piester Parcel will acquire .64 acres from the Friedrich Parcel to annex to their existing 4.3 acre parcel.
4. In accordance with Town's Local Law #4 of 2007, entitled *“Amending the Subdivision Regulations providing for Boundary / Lot Line Adjustments”* (hereinafter “Subdivision Regulations”), the application was properly classified as a boundary line adjustment because no new lots will be created.
5. In accordance with the aforesaid Subdivision Regulations, the Town requires: (a) a sketch plan of the proposed boundary line adjustment; (b) submission of a proposed final plat for review.
6. The Applicant has submitted the following documents as part of their application: (a) an application for approval of a boundary line adjustment; (b) a Short Environmental Assessment Form [EAF]; (c) a full-size contour map showing the configuration of the proposed lot line adjustment; and (d) deeds to the Subject Properties.
7. At its September 3, 2019 meeting, the Planning Board deemed the application substantially complete, and set the Public Hearing for October 1, 2019 at the Taghkanic Town Hall.
8. The Planning Board determined that this boundary line adjustment application should be classified as an Unlisted Action pursuant to the State Environmental Quality Review Act (SEQRA). Given that the application is an Unlisted Action, and that a coordinated review of this project is unnecessary as no other governmental agencies have approval authority over this application, the Planning Board therefore declared itself lead agency for the purposes of the SEQRA environmental review of the proposed action.
9. On October 1, 2019, the Town of Taghkanic Planning Board opened the public hearing and received public comment on the proposed boundary line adjustment.
10. The Applicant provided proof of having delivered notice of the public hearing by certified mail, return-receipt-requested as required by Section S(B)(ii) of Local Law 5 of 2002 to property owners within one thousand (1,000) feet of all boundaries of the proposed lot line adjustment and that the receipts for such mailing shall be submitted to the Board prior to the date of the public hearing.
11. The Planning Board reviewed the application with the Applicant and after making the requisite

determinations under SEQRA, duly closed the public hearing.

**NOW, THEREFORE,
BE IT RESOLVED AND DETERMINED:**

- A. That the proposed boundary line adjustment will result in no significant adverse impacts on the environment and that a negative declaration should be issued. The Planning Board has executed the Short Form SEQR Part II for this application accordingly;
- B. That the Town of Taghkanic Planning Board hereby approves Boundary Line Adjustment Application submitted by Lawrence Friedrich, Linda Piester, and Eugene Aronowitz seeking to merge .64 acres from the Friedrich Parcel to the Piester/Aronowitz Parcel, as set forth on the survey map prepared by Daniel J. Russell, N.Y.S. Licensed Surveyor, Lic. Number 050639, together with and pursuant to the notes, conditions and requirements set forth on said survey map.

Motion to approve made by: **Member James Alvarez**

Seconded by: **Member John Roberts**

There is **no meeting in November** due to Election Day.

Member James Alvarez moved to adjourn the meeting at 8:24 p.m., seconded by Member Stephen Kling, carried unanimously by all members present.

Approved 4 Aye (Bainer, Kling, Roberts, Alvarez,)

0 Nays

4 Absent (Plass, Sammons, Keyser, Kadish)

Respectfully submitted,

Jean-Adele Howard

Secretary, Town of Taghkanic Planning Board

Next Regular Meeting Scheduled: December 3, 2019

Accepted by: _____

Title: _____

Date: _____