



## DELAWARE COUNTY PLANNING DEPARTMENT

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### DELAWARE COUNTY PLANNING BOARD

**DATE:** August 6, 2008

**TIME:** 7:00 PM

**PLACE:** Delaware County Highway Building

**CPB:** Pat Miele  
Art Stewart  
Harold Bedford  
John Reynolds  
Mark Lee  
Don Kearney

**STAFF:** Shelly Johnson-Bennett, Chief Planner  
Tom Evans, Senior Planner  
Kent Manuel, Senior Planner  
Kristin Janke, Environmental Technician  
Jessica Ulmer, Administrative Assistant

**PUBLIC:** Jay and Abby Wilson  
Peg Baldwin, Delhi Community Fund  
Bill Oles, Delhi Community Fund

Harold Bedford opened the meeting of the Delaware County Planning Board at approximately 7:00 PM.

#### Minutes

The July meeting minutes were reviewed. Motion by Don Kearney to approve, seconded by John Reynolds. Motion carried.

#### General Municipal Law 239 Reviews

Referral from the Village of Delhi Planning Board presented by Kent Manuel for Delhi Community Fund for a Site Plan Review. The applicant is proposing a 5500 sq. ft. swimming facility that will include a pool and a bath house. Property is located off of Upper Main Street next to the Legion fields and the existing playground. Motion by Mark Lee to approve, seconded by Don Kearney. Motion carried.

Referral from the Town of Delhi Planning Board presented by Kent Manuel for Jay and Abby Wilson for a Site Plan Review and Special Use Permit. Property is located on Delaware County Route 18. The applicant is proposing to operate a seasonal business, Maple Shade Farm. The

applicants intend to sell produce, operate a small gift shop, show farm animals, have wagon rides, corn mazes, etc. They have received a grant from both Economic Development and Watershed Ag Council. Delaware County Department of Public Works has already been to the site to look at the proposed accesses. Parking will be in a grass field. The Town of Delhi will hold a public hearing in September. Motion by Don Kearney to approve pending an access permit is granted, seconded by Pat Miele. Motion carried.

Referral from the Town of Delhi Planning Board presented by Kent Manuel for a Site Plan Review and Special Use Permit for Donald Sulas. Property is located at 38531 NYS 10. The applicant is proposing to use an existing building to operate a gunsmith shop. The applicant intends to do mostly gun repairs with some small retail. The building will have an alarm system installed. A public hearing is scheduled for the September Town Planning Board meeting. Motion by Don Kearney to approve, seconded by Mark Lee. Motion carried.

Referral from the Town of Bovina Planning Board presented by Tom Evans for a Subdivision for Donald Farley. Property is located on Coulter Brook Road. The applicant is proposing an 8-lot subdivision. Soils tests have been done and the road is being developed. The application has been to NYC DEP for Stormwater. It has a primary and secondary septic proposed. Each parcel is mapped out for houses, wells and septic. A road profile map was presented to the County Planning Board. A road maintenance agreement has been written, but it is not in place yet. Motion by Mark Lee to conditionally approve with the condition that a road maintenance agreement be filed, seconded by John Reynolds. Pat Miele abstained. Motion carried.

Referral from the Town of Bovina Planning Board presented by Tom Evans for a Subdivision for Raymond Stewart. Property is located on Crescent Valley Road. The applicant is proposing a 2-lot subdivision. Soils tests have been done on the vacant lot and there is an existing home on the other lot. Motion by John Reynolds to approve pending a 2-lot survey is done or a waiver request is approved, seconded by Mark Lee. Pat Miele abstained. Motion carried.

Referral from the Town of Delhi Planning Board presented by Kent Manuel for a Subdivision for Mark and Nancy Stoop. Property is located at 38531 NYS 10. The applicant is proposing to subdivide 15 acres from his property for his son. The farm currently has a WAC easement; the proposed parcel is a designated acceptable development area (ADA) Soils tests have been done. Motion by Don Kearney to approve, seconded by Art Stewart. Motion carried.

Referral from the Town of Delhi Planning Board presented by Kent Manuel for a Subdivision for John Petschauer. Property is located on Maggie Hoag Road. The applicant is proposing a 3-lot subdivision creating a three acre lots for his two children. There is an existing building and septic on one lot, soils tests have been done on the remaining lots, but test locations were not yet put on the map. Motion by Pat Miele to approve pending soils tests be put on the map and a full survey is supplied with the final plat, seconded by Art Stewart. Motion carried.

Referral from the Village of Stamford Planning Board presented by Kent Manuel for a Site Plan Review for CWC Holding II, LLC. Property is located at 56 Main Street. The applicant is proposing to renovate the vacant building known as "Delaware Inn" for use as a hotel and

conference center. There will be a small caterer's kitchen in basement. A handicapped elevator will be added. Motion by Mark Lee to approve, seconded by Art Stewart. Motion carried.

Referral from the Village of Hobart Planning Board and Zoning Board of Appeals presented by Kent Manuel for a Site Plan Review and Special Use Permit for Covidien/Mallinkrodt. Property is located off of Pearl Street. The applicant is proposing to construct an addition to the existing building. The addition is for a vault that must be used at the facility to hold one of the pharmaceuticals. The applicant needs a 5 ft. height variance from the Village ZBA. Village zoning allows a height limit of 35 ft., the building is required to have a height of 40 ft. Motion by Don Kearney to approve, seconded by John Reynolds. Motion carried.

Referral from the Town of Andes Planning Board presented by Tom Evans for a Special Use Permit and Site Plan Review for Leo Koenig. Property is located at 160 Main Street. The applicant is proposing to convert a barn into a two-story art gallery. There is sufficient parking. A public hearing will be held at the end of the month. Motion by Art Stewart to approve, seconded by Don Kearney. John Reynolds abstained. Motion carried.

Referral from the Town of Andes Planning Board presented by Tom Evans for a Special Use Permit and Site Plan Review for Merna Popper. Property is located at 173 Main Street. The applicant is proposing to expand her garage and relocate her art gallery/antique business into it. The applicant has received an area variance to expand the garage along her eastern property line. The applicant is proposing to install a bathroom. There will be two floors to display antiques and artwork. The property is in a historic district. The electric, sewer and water will come from the existing home. The business will be open from Thursday through Sunday 10am to 6 pm; and by appointment. Parking will be along Main Street and in the driveway. The access is okay. Motion by Mark Lee to approve, seconded by Art Stewart. John Reynolds abstained. Motion carried.

Referral from the Town of Andes Planning Board presented by Tom Evans for a Subdivision for Ronald Rose. Property is located on Deerlick Road and Minor Road. The applicant is proposing two Boundary Line Adjustments and one 2-lot subdivision. There is plenty of road frontage for all new lots created. Soils are not done yet. Motion by Pat Miele to approve pending soil tests, seconded by Don Kearney. John Reynolds abstained. Motion carried.

Referral from the Town of Roxbury Planning Board presented by Tom Evans for a Subdivision for Stephen and Bonnie Walker. Property is located on Al Pehrul Road. The applicant is proposing a Boundary Line Adjustment and Minor Subdivision. Soils tests have been done on both lots. Eight acres is proposed to be sold to the NYC DEP. Motion by Don Kearney to approve, seconded by John Reynolds. Motion carried.

Referral from the Village of Fleischmanns Planning Board presented by Tom Evans for a Special Use Permit and Site Plan Review for Nivlas Real Estate, Inc. This application was reviewed by the County Planning Board at the July meeting and was disapproved due to lack of information. The property is located at 155 Armstrong Park. The applicant is proposing to operate a motor vehicle repair shop/automobile sales business on his property. He has a NYS Auto Sales business in Kingston and wants to transfer this to his home property. His office is in his house.

His garage will be used for sales and repairs. Electric, sewer and water will come from the house. He will have three employees working part time. The garage will be open seven days a week from 9am to 7pm in the summer and 9am to 5pm in the winter. There are 25 parking spaces. The access is the existing driveway. Motion by Mark Lee to approve, seconded by John Reynolds. Don Kearney abstained. Motion carried.

**Other Business:**

O'Conner contract was signed by Mr. Eisel.

Flood Buyout – all properties have been purchased and demolished.

Meeting adjourned at 9:00 PM.