



DELAWARE COUNTY PLANNING DEPARTMENT

Highway Department Building • P.O. Box 367 • Delhi, New York 13753
Phone (607) 746-2944 • Fax (607) 746-8479 • Email: pln@co.delaware.ny.us

DELAWARE COUNTY PLANNING BOARD

- DATE:** June 4, 2008
- TIME:** 7:00 PM
- PLACE:** Delaware County Highway Building
- CPB:** John Hamilton
Pat Miele
Art Stewart
Art Edel
Don Kearney
Harold Bedford
- STAFF:** Shelly Johnson-Bennett, Chief Planner
Tom Evans, Senior Planner
Kent Manuel, Senior Planner
Justin Shaw, Planner Trainee
Jessica Ulmer, Administrative Assistant
- PUBLIC:** John Michael, Millennium Pipeline Company, LLC

John Hamilton opened the meeting of the Delaware County Planning Board at approximately 7:00 PM.

Minutes

The May meeting minutes were reviewed. Motion by Harold Bedford to approve with the corrections that DEPC on the first page be changed to DEP; and on the last page, second to last paragraph, last sentence, “there” be changed to “their”, seconded by Art Edel. Motion carried.

General Municipal Law 239 Reviews

Referral from the Town of Deposit Planning Board, presented by Shelly Johnson-Bennett and John Michael for a Site Plan Review for Millennium Pipeline Company, LLC. Property is located on County Route 48, Laural Bank Avenue. The applicant is proposing to construct an 10’ 8” x 24’ building. The building will be used to cover the meter regulator. There will be a locked gate with a chained link fence. The local Code Enforcement Officer is okay with the plans. Motion by Harold Bedford to approve, seconded by Pat Miele. Motion carried.

Referral from the Town of Bovina Planning Board, presented by Justin Shaw for a Subdivision for Elisa Mehl. Property is located on Scutt Mountain Road. The applicant is proposing a 2-lot Subdivision. Motion by Don Kearney to approve, seconded by Art Stewart. Motion carried.

Referral from the Village of Delhi Planning Board, presented by Kent Manuel for a Subdivision for Rafail Zabik. Property is located at 52 Meredith Street. The applicant is proposing a 2-lot subdivision. One of the proposed lots has a home on it, the other has an old gas station structure. Both lots are served by municipal sewer and water. Motion by Harold Bedford to approve, seconded by Art Edel. Motion approved.

Referral from the Village of Delhi Planning Board, presented by Kent Manuel for a Site Plan Review for Frank Forte, Slater Associates. Property is located at 37 Meredith Street. The applicant is proposing to construct a 12 unit, apartment building. The public hearing was held and there were some concerns pertaining to a lack of an onsite recreational area for children to play and the uncertainty surrounding an underground water course on the property that may lead to increased flooding in the area. The local planning board and the applicant intend to improve onsite drainage to reduce any impact on area flooding. Another public hearing has been scheduled. Motion by Art Edel to approve, seconded by Don Kearney. Motion carried.

Referral from the Town of Franklin Planning Board, presented by Kent Manuel for a Subdivision for Warren Ousterhout. Property is located on NYS Route 28. The applicant is proposing a 2-lot subdivision so that the family landscaping business will be on its own parcel. A flag-lot will provide access to the larger back parcel. Soils tests have been done. Motion by Don Kearney to approve, seconded by Art Edel. Motion carried.

Referral from the Town of Hamden Planning Board, presented by Tom Evans for a Subdivision for Robert Muroff. Property is located on Basin Clove Road. The applicant is proposing a 2-lot subdivision. One of the proposed lots has an existing cabin, well and septic. Soils tests have been done. Motion by Art Stewart to approve, seconded by Harold Bedford. Motion carried.

Referral from the Town of Sidney Planning Board, presented by Shelly Johnson-Bennett for a Subdivision for Darcy Phoenix. Property is located at 124 Alex Moore Road, Sidney Center. The applicant is proposing a 2-lot subdivision. They plan to sell the lot with their existing home on it and build a new home on the other lot. Motion by Pat Miele to approve, seconded by Don Kearney. Motion carried.

Referral from the Village of Margaretville Planning Board, presented by Shelly Johnson-Bennett for a Special Use Permit for Martha & Madeline Minervini. Property is located at 1065 Main Street. The property is in a residential area and the applicant would like to rent the upstairs bedrooms for transient use. Motion by Art Stewart to approve, seconded by Harold Bedford. Motion carried.

Referral from the Town of Middletown Planning Board, presented by Shelly Johnson-Bennett for a Subdivision for Kenneth Lewis. Property is located at County Highway 36. The applicant is proposing a 2-lot Subdivision. The lot has plenty of road frontage. There is a house in the back with a deeded Right of Way. Motion by Don Kearney to approve with the recommendation that the Town requires a maintenance agreement between all parties using the access, seconded by Art Edel. Motion carried.

Referral from the Town of Middletown Zoning Board of Appeals, presented by Shelly Johnson-Bennett for an Area Variance for Thomas Shamro. Property is located at 2754 County Highway 37. The applicant is proposing to build an addition from his house to his garage. The required set back is 75 ft., he only has 60 ft. Motion by Art Edel to approve, seconded by Harold Bedford. Don Kearney abstained. Motion carried.

Referral from the Town of Roxbury Planning Board, presented by Tom Evans for a Subdivision for Linda Latham. Property is located on George Lawrence Road. The applicant is proposing a 2-lot subdivision. Ninety-nine acres will be subdivided into one 90-acre parcel and one 9-acre parcel. The 90 acres will be going to NYC. There is an existing house, well and septic on the 9 acres. Motion by Pat Miele to approve, seconded by Art Edel. Motion carried.

Referral from the Town of Andes Planning Board, presented by Tom Evans for a Subdivision for Harold and Linda Cole. Property is located on NYS Route 28. The applicant is proposing an 8-lot subdivision. The applicant is working with the DOT to get an access permit, and a stormwater plan is being worked on with the DEP. The road does not meet the local regulations at this time. Motion by Art Edel to disapprove due to permits for DEC, DEP, and DOT have not been given, and the road does not meet the local regulations, seconded by Harold Bedford. Motion carried.

Referral from the Town of Meredith Planning Board, presented by Shelly Johnson-Bennett for an Adoption of a Telecommunication Tower and Facilities Law. The County Planning Board reviewed the proposed law. A letter was drafted and approved by the County Planning Board that lists their comments and concerns. Motion by Pat Miele to disapprove the proposed law based on the comments and concerns in the letter, seconded by Art Edel. John Hamilton abstained. Motion carried.

Other Business:

Historic Preservation: The West Delhi Presbyterian Church, Manse and Cemetery will be considered by the State Review Board at its next meeting for nomination to the National and State Registers of Historic Places.

SHPO: Camp Shankitunk is being reviewed again by SHPO to be listed on the National and State Registers of Historic Places.

O'Connor Foundation: The Delaware County Finance Committee agreed to the new contract with Don Bishop.

DOS Highway Management Grants: DEC and Safe Drinking Water Act funds are being used for consulting work on the DOS Grants.

2 Million Dollars from Senator Bonacic's Office: To do another flood buyout through Division of Housing. There are several problems with this proposed project including SEQ, no money for demolitions and there are no set requirements to determine what homes are eligible for the Program.

Meeting adjourned at 8:40 PM.