



Town of Olive Planning Board

P.O. Box 513, Shokan, NY 12481

DATE: December 6, 2022

PLACE: TOWN OF OLIVE, TOWN HALL, SHOKAN, NY 12481

1.0 CALL TO ORDER

Chairman Dibbell called the meeting to order with the Pledge of Allegiance at 7:02 pm.

2.0 ROLL CALL

PRESENT

Stephen Dibbell, Chairman
Tim Peck, Vice-Chairman
Ed Kahil
Heidi Emrich
Nicholas Burgher
Paul Wright
Don DiMartini (arrived 7:25)
John Ingram (arrived 7:30)

3.0 MINUTES

Chairman Dibbell asked if there were any corrections or comments regarding the November 1, 2022 minutes. There were no corrections. Nick Burgher made a motion to accept the minutes of November 1, 2022 as written, Ed Kahil seconded the motion and all members agreed.

4.0 REGULAR MEETING

Chairman Dibbell reported that Simon Strauss may be joining the meeting later to discuss his now wanting to do a lot line adjustment. The person interested in buying the property from him wants to move his own project along on the adjoining parcel, and doesn't want to wait any longer for the subdivision/open development process. Tim Peck asked if this would be the same application, Chairman Dibbell responded that it would be a totally new application. Chairman Dibbell said that this would not eliminate his subdivision/open development application.

Chairman Dibbell reminded the members about his email that announced the Town Board workshop meeting scheduled for December 12, 2022. He feels there will be interesting discussion regarding the Critical Environmental Areas that have been identified by the Olive Conservation Advisory Council. There will also be a presentation by the county and discussion on how they might help with encouraging affordable housing. Chairman Dibbell also remarked that it wasn't in the email but there may also be talk about a moratorium. The chairman announced to the audience that this workshop meeting is open to the public and they are welcome to attend.

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5.0 PUBLIC HEARING

7:10 pm – SP4-22 V. Camerati Salon, 36 Crispell Road, Olivebridge, NY: Hair Salon operating as an in-home occupation from an accessory building

Chairman Dibbell invited Victoria and Giovanni Camerati to the table. He asked the applicant if John Ingram had been to the site, Victoria Camerati said that he hadn't but that they met with him at his office. Giovanni Camerati said that in their meeting with Mr. Ingram they discussed the possibility of running water to the salon. Giovanni Camerati explained that John Ingram said that this would be acceptable but they would need to build a seepage pit. Mr. Camerati said that he completed that on the weekend and was able to put in a sink and running water. He said that Mr. Ingram has not been to the site to inspect it between completion and tonight's meeting. Janelle Perry reported that Mr. Ingram's secretary said that his office was fine with the building being used as a hair salon.

Chairman Dibbell opened the public hearing at 7:10 pm, and asked if there was anyone in the audience with questions or concerns regarding this application. Janelle Perry remarked that the Planning Board had received an email from neighbors, Joe and Kim Piscopo. The email was read noting that they have no problems with the proposed in-home business in their neighborhood and support this local business. The email stated that the hair salon does not interfere with the roads, neighborhood, driveways, etc.

Chairman Dibbell asked Mrs. Camerati to briefly explain her site plan request to the audience. Mrs. Camerati explained that her industry was shut down during covid so they found a prefab hair salon and put it on their property so she could work from home. The record shows that no additional comments were made from the audience. Chairman Dibbell closed the public comment portion and the public hearing at 7:13 pm. Chairman Dibbell asked the applicants to correct the application with regard to the minimum lot size, and minimum yards. The applicants corrected the application and initialed it. Ed Kahil made a motion to grant approval of SP4-22 of Victoria Camerati to operate a hair salon in the accessory building on her property, Heidi Emrich seconded the motion. A roll call vote was taken and resulted as follows: Steve Dibbell voted in favor, Ed Kahil voted in favor, Heidi Emrich voted in favor, Tim Peck voted in favor, Paul Wright voted in favor, and Nick Burgher voted in favor. Don DiMartini was absent. Chairman Dibbell completed the Resolution.

Since the Planning Board had to wait for the advertised time for the next public hearing they moved on to the next application on the agenda.

6.0 SUBDIVISION

22-Sub-13 Terry Elmendorf, 314 Acorn Hill Road, Olivebridge, NY 12461: 2-Lot Subdivision Represented by Medenbach & Eggers PC.

Present at the meeting is Tim Elmendorf, Dan Elmendorf's son. He remarked that neither Terry or Dan Elmendorf could be at the meeting tonight. The Planning Board wondered why Medenbach & Eggers didn't send a representative since they provided a Letter of Agent. Tim Elmendorf explained that the intent is to subdivide his grandparent's property so that it can be kept in the family, and not be developed. Currently it is owned by Terry and Dan Elmendorf. Tim Elmendorf explained that once the property is subdivided, he would be getting the vacant parcel with the tower on it in the back and Terry's son, Jonathan, will be getting the parcel with the existing house and out buildings. Chairman Dibbell asked Mr. Elmendorf when the tower was erected, he responded that it was back in the 1980's. Chairman Dibbell asked Tim Elmendorf what his intent is with the vacant parcel. Mr. Elmendorf said that he and his wife hope to one day build their retirement home on the parcel, in about 20 years. He said that they currently live in a two-story home and he would like for one of his children to inherit that and they would build a small home on the back part of the parcel. He said that growing up they always enjoyed spending time with his grandparents on the property.

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Heidi Emrich suggested that contours be added to the map to demonstrate that a driveway is feasible. She also feels that they need to add any other major features like streams and easements for the radio tower. Nick Burgher asked if there was a lease on the property for the tower. Mr. Elmendorf said that it is established as rent free as it is a not-for-profit business. It is controlled by the FCC.

The members recapped what items are currently missing from the map, they would like to see 2' contours so that they can see if a driveway is feasible, streams, and easements. Also missing is the location map, utilities, well and septic. The Planning Board explained that if the vacant land isn't being built on right away, they need to have a note on the map stating it isn't a buildable parcel until Board of Health approval is granted.

Janelle Perry reported that one of the letters that was sent out announcing the review of the application was returned "undeliverable". The letter was addressed to Amy Witkus, 307 Acorn Hill Road. A member of the audience remarked that they know Ms. Witkus but are unsure of her mailing address. Heidi Emrich reported that the Ulster Parcel Viewer shows the 307 Acorn Hill Road address as both physical and mailing. The Elmendorf's will need to come back with a more detailed map, Janelle Perry will reach out to Medenbach and Eggers.

7.0 PUBLIC HEARING

7:30 pm – SP2-22 Arbor Art, 2914 Route 28, Shokan, NY: Commercial Tree Service

Present at the meeting is the property owner, Robert Albrecht. He said that Daniel Casey, the owner of Arbor Art was not able to come.

Chairman Dibbell asked the members of the Planning Board if they had any questions for Mr. Albrecht regarding the site plan. The members felt that the applicant has been here a number of times and has addressed all of their concerns. Chairman Dibbell opened the public hearing at 7:36 pm, and asked if there was anyone in the audience with questions or concerns regarding this application. Chairman Dibbell recapped that the application is to allow Arbor Art Tree Service to park their commercial vehicles on land owned by Robert Albrecht. The record shows that no additional comments were made from the audience. Chairman Dibbell closed the public comment portion and the public hearing at 7:37 pm. Tim Peck made a motion to grant approval of SP2-22 of Arbor Art to allow the tree service to park their vehicles on land owned by Robert Albrecht, Paul Wright seconded the motion. A roll call vote was taken and resulted as follows: Heidi Emrich voted in favor, Paul Wright voted in favor, Ed Kahil voted in favor, Tim Peck voted in favor, Nick Burgher voted in favor, Don DiMartini voted in favor, and Steve Dibbell voted in favor. Chairman Dibbell completed the Resolution.

8.0 SUBDIVISION/LOT LINE REVISION

22-Sub-4 Ashokan Acres (previously called Catskill Farms), County Road 3, Olivebridge, NY 12461: 9-Lot Subdivision

Chairman Dibbell asked John Ingram why he had made a note on the SEQRA that Question #1 should be Yes instead of No, he explained that the Planning Board has always accepted the form with No as the answer to this question. They will go back to this at a later time.

Present at the meeting is Chuck Petersheim, he presented a more detailed map showing the lots with more accurate house, driveway, and septic locations. He said that he has received Board of Health approval for the primary septic and reserve systems for each lot. Ed Kahil asked if he has received subdivision approval from the Board of Health. There was a brief discussion regarding the Board of Health review, it was determined that the number of lots and their size does not require that subdivision approval be obtained from the Board of Health. Ed Kahil asked Mr. Petersheim to submit the approvals for each lot for the file.

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Chuck Petersheim explained that he has a fully developed storm water plan, road and driveway designs, and an archaeological study. The Planning Board noted that they will need to see all of these reports as well as sending them to C. T. Male for their review. Heidi Emrich pointed out that the Planning Board will also want to see it noted that there is a road maintenance agreement in affect since it will be a private road. The Planning Board members reviewed the map and asked for some clarification on some of the lines. Ed Kahil wonders if the project needs to be an Open Development, there was a brief discussion. Chairman Dibbell said that the Planning Board will research this.

Ed Kahil pointed out that the map is at 150' scale and the code says the maximum is 100', this will blow up the size of the maps but it makes it easier for the details to be shown. Mr. Petersheim said that they will correct that with the next map. Heidi Emrich noted that the largest map size that Ulster County will accept is 34" x 44" so this project may need to be shown on more than one page. Nick Burgher asked that there be better contrast on the map, either with color or line weight. Chuck Petersheim hopes to present the requested material in time to make the January 3, 2023 agenda. Heid Emrich remarked that the Planning Board can refer to the NRI for review and consideration of the SEQRA and archaeological study.

9.0 REGULAR MEETING

22-Sub-2 Simon Strauss Open Development, 45 Indian Trail Road, Shokan 12481: 2-Lot Subdivision and Lot Line Adjustments

Simon Strauss was present and handed out small sketches of a different proposal showing a lot line revision of ten acres with his adjoining neighbor, Edward J. Antonio. Mr. Strauss explained that Mr. Antonio is all set to build on his property but doesn't want to begin until he has the ten-acre parcel in hand and the subdivision is taking too long. Simon Strauss is now proposing a lot line revision to add ten acres of his property to Edward Antonio's existing ten-acre parcel that has access off of Eagle Ridge Road. Chairman Dibbell asked why Mr. Antonio's construction on his parcel would be held up by waiting for the creation of the ten-acre parcel in the current application. Simon Strauss believes that the Antonios want to possess this extra ten acres of land in order to protect themselves from further development around them. Chairman Dibbell asked the Planning Board members if they have any concerns or questions for Mr. Strauss, Ed Kahil remarked that this is easier than the original application and should sail right along. Paul Wright asked if they could come back at a later date and subdivide that parcel off again. Chairman Dibbell feels that it could be done at a later date, it would be considered a subdivision. Tim Peck asked if the lot line adjustment will impact the current subdivision application. Chairman Dibbell said that the only change would be that it would be reducing the original subdivision request by one lot. There was a question if anything else would need to be considered, Central Hudson, etc. Simon Strauss said that Central Hudson has been out and determined there is no problem in moving the pole. Simon Strauss said that he has talked with his engineers and hopes to have a complete application submitted for the January 2023 agenda.

10.0 OLD BUSINESS

21-Sub-10 Ashokan Foundation, 477 Beaverkill Road & NYS Route 28A, Olivebridge, NY 12461: Lot Line Revision Request – Conveyance of Turnwood Covered Bridge & covered bridge property.

CORRECTED MAPS (changing the name originally shown on the map, New York City, to the City of New York) WERE PRESENTED FOR SIGNATURE AND SEAL. The members signed and sealed the corrected maps and were given to John Ingram to bring to the Building Office to be picked up by a representative from Brooks and Brooks.

11.0 DISCUSSION

The members of the Planning Board reviewed and discussed the updated site plan application that has been created by Leslie Dornfeld. The document was put up on the screen and Heidi Emrich presented some of her suggested edits. The members reviewed the site plan application, Heidi Emrich will circulate it and asked the

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members to submit any additional suggestions to her and she will incorporate them for additional review. There was a brief discussion about the email address that should be shown on the application. Don DiMartini remarked that it could be addressed to info@townofoliveplanningboard and it could be automatically forwarded to Janelle Perry. We will need to ask if this is possible on the Town's account.

12.0 AGENDA

The board set the agenda for the next meeting, scheduled for January 3, 2023. The Planning Board will be reviewing the Ashokan Farms subdivision application, the Elmendorf subdivision application, and a new submission from Simon Strauss if the applicants get their material submitted in time.

13.0 ADJOURNMENT

Ed Kahil made a motion to adjourn the meeting at 8:49 pm, Heidi Emrich seconded it, and all members agreed.

Sincerely,

Janelle Perry, Planning Board Clerk