



# ***Town of Olive Planning Board***

P.O. Box 513, Shokan, NY 12481

**DATE: November 8, 2023**

**PLACE: AMERICAN LEGION HALL, SHOKAN, NY 12481**

## **1.0 CALL TO ORDER**

Chairman Dibbell called the meeting to order with the Pledge of Allegiance at 7:00 pm.

## **2.0 ROLL CALL**

### **PRESENT**

Stephen Dibbell, Chairman  
Ed Kahil  
Nicholas Burgher  
Paul Wright  
Don DiMartini  
Edwin Maldonado

### **ABSENT**

Heidi Emrich

## **3.0 MINUTES**

Chairman Dibbell asked if there were any corrections or comments regarding the October 3, 2023 minutes. With no corrections Nick Burgher made a motion to accept the minutes of October 3, 2023 as written, Paul Wright seconded the motion and all members agreed.

## **4.0 REGULAR MEETING**

Chairman Dibbell reported that he has just received the initial input from the Town's consultant on the subdivision laws and he will pass it on to the members of the Planning Board so that the board can provide feedback.

John Ingram was present and announced that the fire department is officially in the new building in Boiceville. Chairman Dibbell asked what the disposition will be for the old fire house. Mr. Ingram said that they are waiting to see, he said that NY City will be buying the building and eventually will be tearing it down. He said that they have had it appraised recently and were surprised that nothing has changed since the last appraisal which was done about a year and a half ago. John Ingram said that this process will take some time before the fire department will receive any money from the city. Nick Burgher asked if the Town of Olive will be taking over the property eventually. John Ingram said that the parcel is all part of the other parcels in the flood mitigation of Boiceville. Chairman Dibbell said that the Town of Olive now has a grant to use to figure out what to do with all of this newly vacant land in Boiceville.

It is noted that we don't have the maps for 23-Sub-13 Estate of M. Lane to sign at tonight's meeting. Nick Burgher and Don DiMartini will sign them at the Building Office tomorrow.

## **TOWN OF OLIVE PLANNING BOARD MINUTES**

**DATE: November 8, 2023**

**PAGE 2**

### **5.0 PUBLIC HEARING**

#### **7:10 pm - 23-SUB-14 Turner, 4682 Route 213, Olivebridge, NY 12461: 2-Lot Subdivision**

Present at the meeting is Douglas Turner. The updated maps were presented and the members reviewed them, Ed Kahil noted that the requested corrections have been made. Chairman Dibbell opened the public hearing at 7:14 pm, and asked Mr. Turner to briefly explain the application. Douglas Turner explained that they are proposing to subdivide a small piece of property off of their 28-acre parcel, creating a 1.867-acre parcel they are giving to their nephew. Mr. Turner reported that he has applied for a curb cut but can't move forward with it until the subdivision is completed and there is an SBL number for the new parcel.

Chairman Dibbell opened the public comment portion of the hearing and asked if there is anyone in the audience regarding this application. With no response Chairman Dibbell asked that the record reflect that there were no concerns made from the audience. The clerk, Janelle Perry, reported that letters were sent out to all of the surrounding neighbors and the Planning Board has not received any correspondence or concerns on this matter. Chairman Dibbell closed the public comment portion and the public hearing at 7:15 pm.

Nick Burgher read aloud, and the Planning Board completed the Checklist. Chairman Dibbell read through the eleven questions on the SEQRA Part 2 and the Planning Board answered no, or small impact may occur to all of the questions. Chairman Dibbell acknowledged that the members unanimously agreed that all the answers are "no or small impact" and declared it a negative declaration.

Nick Burgher made a motion to approve subdivision, 23-Sub-14 for Lorraine and Douglas Turner, Don DiMartini 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 was absent, Nick Burgher voted in favor, Paul Wright voted in favor, Don DiMartini voted in favor, and Ed Maldonado voted in favor. Chairman Dibbell completed the Resolution.

### **6.0 SUBDIVISION**

#### **23-Sub-15 Nicholls/Schnell, 351 Acorn Hill Road, Olivebridge, NY 12461: 2-Lot Subdivision**

Present at the meeting are Michael Nicholls and his surveyor, John Post. Janelle Perry presented an envelope addressed to Ehrlich and Unger that was returned, it is noted that the address used was the current data on Ulster Parcel Viewer. Mr. Nicholls pointed out where the Ehrlich/Unger property is located. Michael Nicholls presented the requested engineer's letter from Medenbach and Eggers noting that the parcel being created can sustain an onsite septic system.

John Post pointed out that Mr. Nicholls and Ms. Schnell will be changing the proposed new property line so that the shed will conform to the required rear yard setback. Mr. Nicholls said that he has already moved the shed some distance from the proposed property line but they still need more space to make the setback legal. Ed Kahil said that the new location of the shed and the new proposed property line will need to be shown on the final maps. John Post said that he will be doing that and will correct the area change.

Chairman Dibbell pointed out that the property owners across Acorn Hill Road are not noted on the map, Michael Nicholls said that it is Umbers and Witkus. It is confirmed that they are on the list of neighbors. Another property is owned by Elmendorf, they are not on the list of neighbors. In trying to determine if they

are within 500' of the Nicholls property it is pointed out that the scale bar on the map needs to be corrected. John Post will look into the neighbors and will make the necessary corrections.

## **TOWN OF OLIVE PLANNING BOARD MINUTES**

**DATE: November 8, 2023**

**PAGE 3**

The members feel that a public hearing could be scheduled for December 5<sup>th</sup> if the changes can be done and presented within the next two weeks. John Post is to add the property owners across Acorn Hill Road and supply names and addresses if they are not on the list already presented with the application. He will fix the scale bar and will show the new location of the shed and the setback to the proposed new lot line. The public hearing will be scheduled for 7:10 pm. Janelle Perry informed Mr. Nicholls that the \$400.00 application fee can be presented at the next meeting.

### **23-Sub-16 Golden Woodlands LLC/Leelah RE Inc./Conley, 489 High Point Mtn. Road, West Shokan, NY 12494: Lot Line Adjustments**

Present at the meeting representing the applicants is John Post. New maps were presented for review, John Post pointed out the corrections that were made. He stated that he looked into the easement regarding the telephone line and didn't find one specific, it was just subject to any rights of way or easements that may affect the premises. Ed Kahil noted that the previously noted corrections have been made to the map.

Chairman Dibbell asked the members if they felt the application is ready to schedule a public hearing for next month. The members agreed to move forward with the application, scheduling a public hearing for December 5<sup>th</sup> at 7:25 pm. John Post asked what the difference was regarding a lot line adjustment with the zoning officer or a lot line adjustment with the Planning Board. There was a brief discussion and John Ingram wasn't aware of any lot line adjustment with the zoning officer. John Post was advised that the application fee for this lot line adjustment is \$100.00. Nick Burgher read aloud, and the Planning Board completed the Checklist. The Planning Board asked Mr. Post to check the accuracy of the scale bar, to add the property addresses to the title block and to enlarge the endorsement block.

### **23-Sub-12 Ashokan Realty, LLC (Represented by Medenbach & Eggers, PC), 5093 Route 213, Olivebridge, NY 12461: 4-Lot Subdivision**

Present at the meeting to represent the applicant is Brian Renn of Medenbach & Eggers, PC. Mr. Renn presented the new sketches pointing out that the first page has a red line showing the two different zoning districts and shows the neighbors and the proposed house locations. The 2<sup>nd</sup> page shows the existing conditions and deep test hole soil analysis for the septic. Page 3 shows the proposed 4 lot subdivision, he reported that they have received septic approval on all four lots and they have been presented for the file. Ed Kahil asked about the road profile, Mr. Renn pointed out that it is shown on the last page. Ed Kahil asked Mr. Renn what the length of the road will be, it will be 1,199'. Brian Renn said that it is showing that it is over 1200' but that measurement is from the center of Route 213. John Ingram pointed out that there needs to be a pull off area for emergency vehicles on a road that long, there needs to be at least one pull-off every 1,000'.

John Ingram asked Mr. Renn what the elevation will be for the house located on Lot #2, they need to make sure it isn't too high from the highest point on the property line. Further reference to the subdivision laws will need to be looked into.

Nick Burgher asked Mr. Renn if their firm did a survey of the lands as the sketches provided are signed by Barry Medenbach who isn't a surveyor. Mr. Renn said that Bill Eggers is the surveyor, he is sure that there will be a survey map presented for signature.

Chairman Dibbell suggested that the Planning Board would want to do a site visit. Mr. Renn asked if they would need to be present during the site visit, Ed Kahil asked if the house sites are staked out on the property. Brian Renn said that there isn't anything staked out on the property. The board members feel that someone should be available to answer questions. Mr. Renn will have his office reach out to schedule the visit.

## **TOWN OF OLIVE PLANNING BOARD MINUTES**

**DATE: November 8, 2023**

**PAGE 4**

There was a brief discussion regarding the entrance of the road onto Route 213, Chairman Dibbell said that when he visited the site he didn't feel that the sight distances would be an issue. Chairman Dibbell asked if there were any thoughts about how the drainage would be handled, there have been concerns brought up at a previous meeting. Mr. Renn said that there is a tributary into the Tongore Brook, they have looked into it and haven't found any classification for the waterway. John Ingram feels that one concern will be the water run-off down the proposed new road onto Route 213. Mr. Renn pointed out that there is a drainage hole and culvert to the left when exiting the property.

Chairman Dibbell looked into the requirements for Ulster County Planning Board review and found that it is exempt from UC referral because it is less than a 5-lot subdivision.

Nick Burgher asked Brian Renn if there is a noted size of the culvert at the end of the road. Mr. Renn said it is existing, he doesn't know the size. Ed Kahil noted that the letter from the Department of Public Works states that upon approval from the planning board, the applicant/owner must apply for a permit from this department and at such time shall be issued the conditions under which the installation shall be performed. Ed Kahil feels that in this situation the board should grant a preliminary approval pending County Highway approval, and then a final approval. Ed Kahil feels these details need to be worked out before the final approval is granted. In looking at the Ulster County Department of Public Works letter it is dated November 22, 2022 and refers to plans that were submitted to them dated September 23, 2022. The Planning Board is asking to see a copy of the plan that was referenced in the Ulster County Department of Public Works to see if it differs from the plan being reviewed now. The plan that was submitted with this application is dated August 1, 2023. Brian Renn had a copy of a 9-lot subdivision which was the plan that the Ulster County Department of Works considered. Mr. Renn said that the D.O.T. had no issues with the sight distances and the proposed road is in the same location.

### **7.0 SITE PLAN**

SP6-23 Salvemini/Phoenicia Soap, 3107 Route 28, Shokan, NY 12481: Hinterland Design Studio and Phoenicia Soap Co. Makers Space

Present at the meeting is the property owner, Jennifer Salvemini, and Barbara Mansfield, the owner of Phoenicia Soap. Ms. Salvemini explained that she has her design studio, Hinterland, on one side of the building, and the Phoenicia Soap Co. will be operating a small retail outlet and will also be holding occasional classes from another area in the building. Chairman Dibbell said that his first concern would be parking since she is adding a business to the property. Ms. Salvemini said that the parking area noted on the sketch can accommodate more than one car. She explained that the driveway has been reclaimed and expanded. She feels that out front it can accommodate about six cars and in the back an additional eight cars.

Chairman Dibbell asked if there have been any issues with the entrance and exit from Route 28. Jennifer Salvemini said that there hasn't been any problems, currently the flow of traffic is noted with signage. Chairman Dibbell asked what the square footage will be for both the studio and the soap shop. Ms. Mansfield said that the soap shop is 324 sq. ft. and the design studio is 552 sq. ft.

Nick Burgher asked if the trailer is occupied, Ms. Salvemini said it is unoccupied, she said it has been defunct since she has owned the property.

Ed Kahil feels that the presented site plan needs more information. They asked Ms. Salvemini if she had a survey of her property that she can use as a base for the sketch plan. She said that she didn't have a survey done. They suggested that she use a print out from Ulster Parcel Viewer. They explained that they need something more to scale, showing dimensions and showing the layout and calculations for the number of parking spaces. Nick Burgher suggested Google Earth to Ms. Salvemini.

## **TOWN OF OLIVE PLANNING BOARD MINUTES**

**DATE: November 8, 2023**

**PAGE 5**

### **8.0 CORRESPONDENCE**

Letter dated November 1, 2023 from John Ingram regarding the Lazala Lot Line application. Janelle Perry remarked that the letter was informing the Planning Board that they could proceed with the Lazala lot line adjustment. It was received too late to make the November agenda. The public hearing for this application will be held on December 5<sup>th</sup> at 7:40 pm.

### **9.0 AGENDA**

The board set the agenda for the next meeting, scheduled for December. The Planning Board will schedule a public hearing for the Nicholls/Schnell application and the Golden Woodlands application, if the amended material is submitted in time. They will also be holding a public hearing on the Lazala application. There will be further review of the Ashokan Realty subdivision to discuss their site visit, and the Salvemini/Phoenicia Soap site plan if amended material is received in time.

### **10.0 ADJOURNMENT**

Edwin Maldonado made a motion to adjourn the meeting at 8:44 pm, Don DiMartini seconded the motion, and all members agreed.

Sincerely,

Janelle Perry, Planning Board Clerk