

Gallatin Planning Board  
667 CR 7, Gallatin NY 12567  
Meeting Minutes

ACCEPTED  
May 29, 2024

Attending: Planning Board Members, Linda Baldwin, Larry Brody, Fraser Paterson, Michael L. Porter & Chairman Terry Porter; Town Board Member, Michael Moran; Applicants, Phil Peeples, Cathy and Paul Robertson; Surveyors, Wesley Chase and Matthew Bowe; member of the public

Chairman Porter called the May 29, 2024, GPB meeting to order at 7:00pm

Terry opened a public hearing for a 2-lot subdivision for Hilltop Farms, LLC, on Hilltop Road. Wesley Chase & Phil Peeples presented a plan for Hilltop Farms, LLC, to subdivide tax parcel 212.-1-29 existing as 64.47 acres on both sides of Hilltop Road. The property is in the Columbia Land Conservancy. Hilltop Farms, LLC, proposes to subdivide the parcel into 11.68 acres with an existing dwelling & 52.79 acres remaining as open land. A letter was received from Christopher Young of the Columbia County Land Conservancy indicating that the number and acreage of the new lots is permitted by and consistent with the terms of the conservation easement and that each of these new parcels will remain subject to the terms of the Conservation Easement. The open parcel of 52.79 acres will be farmed. Application, deed & SEAF part 1 was received at the April 22<sup>nd</sup> meeting, but the original copy of the notarized application is needed. Terry asked for public comment. Michael Moran expressed concern with the lot created that is to remain open land and what happens if, in the future, the parcel is no longer farmed. How do we guarantee that the parcel be maintained? It will be the responsibility of the owner of the property at that time to maintain the parcel.

Terry made a motion to close the Public Hearing, Larry 2<sup>nd</sup>, all were in favor.

Terry made a motion to answer all the questions of Part 2 of the SEAF in the negative and to grant preliminary & final approval, Linda 2<sup>nd</sup>

Roll call vote:

Terry -Aye

Linda - Aye

Larry - Aye

Fraser – Aye

Michael - Aye

Check in the amount of \$150 was received for the Application Fee.

Check in the amount of \$250 was received for the Recreation Fee.

Phil will mail a check to Terry in the amount of \$25 for Advertising the Public Hearing along with the original notarized copy of the Application.

Cathy & Paul Robertson along with their surveyor, Matt Bowe, presented a subsequent plan for a lot line adjustment of her property at 133 Ridge Road, Elizaville, NY 12523, between tax parcels 193.-1-11.200 & 193.-1-56. They offered a plan to address the Planning Boards concern with lot width. As presented, on the easternmost lot, the lot width issue was satisfied, but the side yard setback at the existing building in the northwest area did not meet the zoning law requirements of 50 ft. As discussed at the April meeting, the federally regulated wetlands on the property must be addressed. Matt contacted the U.S. Army Corp. of Engineers and received this response from Ryan Mayer: "To determine whether a wetland is within the jurisdiction of this office, you would need to obtain an Approved Jurisdictional Determination. This process can often be lengthy and is quicker when associated with a permit application. Depending on the work that you intend to do in the wetland (if any), it is generally quicker to avoid impacts entirely or minimize impacts and receive authorization under one of our permits." Since no determination has been made as to the status of the wetlands, it is the opinion of the Planning Board that the area of the federally regulated wetlands as it appears on current maps must be deducted from the overall area of the lot leaving at least a net area of 2 acres. Map should be updated to allow for the 50 ft. side yard setback and to show the wetland area.

Based on the discussion from the November 27, 2023, Planning Board meeting, Wesley Chase discussed what he has been able to determine concerning the garage built within the 100 year flood plain by Uri Kollnesher at 9 Gallatinville Road. The floor of the garage is 2-3 ft. above the surrounding land, but, although it is close, he cannot determine definitively that the floor level is above the 100 year flood line. The Planning Board will report back to Jake Exline to determine what happens now.

Draft Minutes from the April 22, 2024, meeting were reviewed. Terry made a motion to accept the minutes, Fraser 2<sup>nd</sup>. All were in favor

With no other business to discuss, Terry made a motion to adjourn at 8:00pm, Larry 2<sup>nd</sup>. All were in favor.

Respectfully submitted,  
Terry Porter, Chair