

Gallatin Planning Board  
667 route 7, Gallatin NY  
Meeting Minutes

ACCEPTED

April 22, 2013

Attending: Chairman Terry Porter, Bruce Humphries, Ira Levy, Phil Peeples, Brian Arico, Fraser Patterson, Eric Mortenson, and Assorted Public.

Chairman Porter called the April 2013 GPB meeting to order at 7pm.

Wesley Chase appeared on behalf of Mr. Francois Maisonrouge, the owner of four properties on Route 82 and Doodletown Road, tax parcels #195-01-16, #195-01-20, #195-01-21.1 & #195-01-22.1. He introduced Francois Maisonrouge and his team, Lynden Chase, Jim Clarke Laserge, Drew Hingson, James A. Murphy, Donald Fegan, and Norman E. Wnycott. (Sign in sheet attached). Wesley began by presenting one of the properties, tax parcel #195-01-22.1, referred to as the "Kuster Site," for which the Gallatin Planning Board had approved a subdivision in December, 2011, just before the new Zoning Law, containing a Ridge Line Protection Overlay District, was adopted by the Town of Gallatin. Wesley distributed two pictures, and a time line expense sheet, listing date of work performed and cost for the "Kuster site", thus far. Terry asked Wesley, "What are we looking to achieve, tonight?" Mr. Chase responded that "a lot of money was spent before the Ridge Line Protection was adopted in the Gallatin Zoning Law, and this law is a bone of contention for any future sale. The owners want some assurance that the proposed building sites within the Ridgeline Protection Overlay District are buildable. Terry commented the Zoning Law protects the ridgeline, but does not prohibit building within the Ridge Line Protection Overlay District. When a plan is presented to the GPB, it can review the plan and inspect the site for approval. Ira asked where the view is visible and Mr. Chase directed the Board's attention to two pictures. No public observation points are visible in the pictures. Terry commented that GPB needs a site plan with a proposed building to review and approve building within the Ridgeline Protection Overlay District. Owners also are looking into donating some land to a land conservancy, but have not completed that yet. Phil advised that the land conservancy will look at the property and advise the number of building sites and where they will be located. The Columbia Land Conservancy uses a general rule of thumb of one house site per 100 acres, but that varies depending on the land. Terry read the Zoning Law on Ridgeline Protection again, and commented that the law does not prohibit building in Ridgeline Protection Overlay District and gave an example of a neighboring house within the Ridge Line Protection Overlay District, which the Board had approved, after review of the proposed plans and the property. Francois Maisonrouge commented that he bought the land and just wants to be sure he could build on the proposed house sites presented on the maps. On the Kuster site, he thought they had approval before the Ridgeline Protection went into law. Terry commented that the property was approved for subdivision and that he can build where he wants, as long as set-backs and all zoning laws are followed including review and approval by the Planning Board if the proposed site falls within the Ridgeline Protection Overlay District. Since there is no design for buildings, GPB cannot review it. They were advised to go to the land conservancy and talk with them to determine their in-put. Terry pointed

out that while two proposed sites fall within the Ridgeline Protection Overlay District and are proposed at the highest points on the individual properties, the Planning Board will be looking at the sites in the context of surrounding land as well. Both sites reviewed are not the top of the ridgelines within that context as a ridge to the north rises higher than the proposed sites. Terry believes the proposed sites are able to be approved as they are not at the crest of the ridgeline and are more than likely not visible from a public observation point. Terry suggested that he write a letter to Mr. Maisonrouge from the Planning Board identifying that the proposed house sites can be approved as they are not on the highest point of the ridges within context of surrounding land and are likely not to be viewed from public observation points, but that review and approval by the Planning Board according to the Zoning Law of the Town of Gallatin, Section 3.2, will be required once there are proposed buildings. Terry made a motion to that effect. Bruce 2<sup>nd</sup>. All were in agreement.

Attorney Jason Shaw of Whiteman Osterman & Hanna appeared on behalf of the Pond Lily Event Barn. The FCID was approved by the Town Board on April 11, 2013, but the Local Law has not gone into effect yet. Mr Shaw presented maps of the site for review. (Attached) Mr. Shaw advised that some modification would be done to the Barn to bring it up to building code. The dry hydrant will be installed in one of the ponds on site; the fire lane as shown on the maps must be kept clear and there will be separate parking area as indicated. Terry commented that there should be no parking on CR. 8 but only on the Pond Lily property. The Event Barn site is just over 6.3 acres. They will be allowed a maximum of 350 people on site and 250 in building. They have the capacity to erect a tent and the barn will comply with the NYS Building Code. There will only be private events and no admission events. The SEQUA review has been completed and all is ready for the Planning Board's site plan review as soon as Local Law is enacted.

Terry made a motion to announce the Public Hearing for site plan review at the next GPB meeting on May 20<sup>th</sup>, 2013, as long as Local Law is enacted by May 7, 2013, in time to make the announcement. Ira 2<sup>nd</sup>. All were in favor.

The DRAFT meeting minutes from March 2013 were read. Terry made a motion to approve. Bruce 2<sup>nd</sup>. All were in favor.

With no other business to discuss, Terry made a motion to adjourn the April 2013 GPB meeting at 8:30 pm. Phil 2<sup>nd</sup>. All were in favor.

Respectfully submitted,

Anne Fecci