

Town of Denning Planning Board Meeting Minutes
March 16, 2023

The meeting is called to order at 6:03 pm.

Present: Chairman Joseph Sibiga

Board Members Present: Chris McInerney, Katherine Parr, Anthony Carminati, Shelley Curry,
and Travis Coddington

Absent: Steve Bobik

Public Present: Ricky Brooks of Control Point Associates, Inc., Councilman Kevin Smith, and
Aldora Farfalla

New Business:

- Chairman Sibiga states that on short notice before this meeting Mr. Ricky Brooks of Control Point Associates, Inc., formerly Brooks and Brooks Land Surveyors, emailed him as he is working on a lot line change on the Frost Valley Road – location is all the way at the end, right at the Town of Denning line. The two parties involved are Paul Kirckhahn who was actually on the Planning Board years ago and the Mary Sola Estate. The Sola family has owned property there since the 50's or 60's as explained by Mr. Brooks. Mary Sola has passed away so her son is representing the estate. As this was a last-minute decision to appear before the Board Mr. Brooks couldn't find a fee schedule on the Town of Denning website, and he states that he will bring a check to the next meeting when the fee is figured out.

Mr. Brooks makes his presentation with maps stating that the two properties actually straddle the Town line. What the parties are proposing to do is swap parcels of land of equal size. They are each going to swap a 5.96-acre parcel. Mr. Brooks shows the new proposed boundary line and the existing line. The reason for the lot line change is that the woods road that is actively used by Paul Kirckhahn presently is on the Sola property and they have had a "gentlemen's agreement" between the families for years. The lot line change will be to remedy that situation. Discussion follows. The property swap will give Paul ownership of the woods road.

Mr. Brooks explains, in an effort at full disclosure of the situation, that the Sola Estate owns approximately 55 acres south of the Frost Valley Road and they are keeping that parcel intact but they are planning to sell this detached 5.96-acre parcel to a private buyer. The purpose of the swap and the lot line change will be to give Paul ownership of the woods road so he won't have any issues regarding the "gentlemen's agreement" with a new owner of the adjacent property on use of the road to get to his property. The Board members express displeasure with the prospect that the Sola parcel in this application might be sold to NYC. Mr. Brooks explains that this matter also involves the Town of Shandaken and they hope to be on the agenda at Shandaken's next Planning Board meeting regarding same. Discussion follows regarding logistics, etc.

Chairman Sibiga asks for any further questions from the Board Members regarding Mr. Brooks' maps and paperwork regarding this proposal. Discussion follows regarding specific information and the involvement with Town of Shandaken.

Mr. Brooks asks if a public hearing will be necessary regarding this matter. Chairman Sibiga does not feel that this will be necessary in this case.

Mr. Brooks presents the Board with a packet of information regarding this application. Discussion follows regarding fee schedule. Chairman Sibiga will get the information to Mr. Brooks before the next meeting on April 20th, and hopefully Mr. Brooks will have the information from the Shandaken Planning Board application on this matter.

Chairman Sibiga welcomes Aldora Farfalla to the meeting as a public spectator.

Old Business:

- No Old Business

Correspondence:

- Letter received from the Office of the Supervisor of the Town of Hempstead, Long Island, NY regarding Gov. Hochul's 2023 Budget Proposal Item which would allow NYS to override the authority of local zoning laws. The "New York Housing Compact" would allow the State to override local zoning laws in order to achieve her housing growth initiatives. The Supervisor of Hempstead instead feels that this is a power grab by the State. The letter goes on to urge attendance at a protest on March 20th 12:30 pm at the State Capital Building in Albany to keep "Local Control - Not Hochul Control". Discussion follows.
- Response from DEP dated February 21, 2023 regarding NYC DEP land acquisition matter reviewed by the Planning Board at the January 26, 2023 Board meeting. The response thanks the Planning Board for their input and comments which have been reviewed. The sale to the DEP is going forward, etc.
- Received information for the NYSFSMA (NYS Floodplain and Stormwater Managers Association) Annual Conference April 18th to the 20th in Syracuse, NY.
- Email Notification for webinar training with the Ulster County Planning Dept. for March 15, 2023 from 7 pm to 9 pm. Forwarded to Supervisor Brooks, Chairman Sibiga for the Planning Board and Mark Boncek for the ZBA on 2/23/23.

Minutes of previous meeting from February 16, 2023 were read and Chairman Sibiga requests a motion to approve the minutes as read. Motion is made by Chris McNerney and seconded by Anthony Carminati. All in favor.

Chairman Sibiga asks for Board Member Comments:

- No Board Member Comments at this time.

Chairman Sibiga asks for Town Board Liaison Kevin Smith's comments:

- No comments from Mr. Smith at this time.

Chairman Sibiga asks for Public Comment:

Ms. Aldora Farfalla asks for information regarding Planning Board meeting dates and times. Every third Thursday of every month at 6:00 pm. Discussion follows regarding what matters the Planning Board covers, how the Board works, and where the members are from - Sundown and parts of Claryville, etc. - and that Board membership is voluntary.

Motion to adjourn the Meeting at 6:46 pm made by Katherine Parr and seconded by Anthony Carminati.

The next Town of Denning Planning Board meeting will be held at 6 pm on April 20, 2023.