

**VILLAGE OF PHILMONT  
PLANNING BOARD  
DRAFT MINUTES  
June 21, 2022**

Present: Rob Macfarlane, Richard Osborn, Judy Tice, Richard Kellerhouse, Tom Paino, George Schmidt and Rob Fitzsimmons, Esq.

**CALLED TO ORDER and Roll Call:**

**Chairperson Macfarlane:** We will call the meeting to order, 7:00 pm. We will finish up with The Woods with any questions that came up and Brandee Nelson is here on their behalf.

**Brandee Nelson:** (Tighe & Bond) There us a slight change from additional title work that was done. The 2007 prior subdivision designated to the Village ownership, but it was unclear. Following the additional title work it has been modified to incorporate those orphan parcels. The acres increased slightly from 20.64 to 21.38 acres. Lot 10 is now 4.93, Lot 11 is 1.49, Lot 12 is now 1.21 and Lot 13 1.1. Zone Hamlet II allows ½ acre lots.

16 lots have been proposed consistently to be protective of the natural resources in and around the properties including the one way looping road and we worked with Mr. Snyder so the road is compliant. Minimal grading will be associated with the roadway and it provides for preservation of wood cover.

DPW and The fire department have been consulted and reviewed. Sewer and water connections have been reviewed. The total use of 7040 gallons per day will be easily managed with the Village infrastructure. DEC was consulted about storm water.

Incorrect assumption work was done due to the confusion of the name of the old development.

Once Planning Board application is done, we will apply for permits before beginning work.

The paved width of the road is 12 feet and 2 foot shoulders on each side for a total width of 16 feet. There will be no parking on the street and that is included in the proposed covenants.

**Paul Freeman:** The Village has the right to step in and enforce the covenants.

**Brandee Nelson:** Outside of the 6.45 acres runoff of water will be allowed to bypass site. Each individual house site has storm water management, the driveway and roof will go into retention areas. Road runoff of storm water will go into storm water pond. The plans were reviewed with Mr. Snyder. There are a whole group of ways to manage this, ultimately it will go into the lake after treatment.

Discussion was held regarding DEC storm water design management manual and it was stated that no one uses future projections, historic storm data is used going back 100 years and it was recently updated for the last 30 years. It is being treated at house level and roadway level.

**Mr. Fitzsimmons:** I have never seen a balloon test done for residential. Other than what we have already discussed, does the Board have anything else they need to have addressed? Has visual been addressed for the Board to make a decision on SEQRA?

This is not a substantial change of use. This is 16 lots and it could be many more. Wildlife habitat is always affected.

**Brandee Nelson:** In this region there are two species of protected bats, one is the northern long ear bat. We will be working with the DEC to limit the time of tree clearing so they are not affected.

The economic impact of the subdivision would be an increased tax base. This scope doesn't require an economic impact study.

**Mr. Fitzsimmons:** This is well within the capacity that the Village can handle regarding water and sewer. The applicant had a study done on trees larger than 12 inch diameter. The trails will remain.

**Brandee Nelson:** The direction of the roadway allows for less clearing of trees. We are trying to be a responsible development and respectful to the environment.

Discussion was help if covenants would hold up regarding clearing of trees. Also statement that 13 lots on Chestnut were just cleared completely. 11 letters were received, but none from abutters. Peter Feniello stated he did not get a notice about anything and he had concerns about storm water. Andrew Personette stated that the clearing on Chestnut would not have an effect as water doesn't flow in that direction.

Further discussion regarding tree clearing was held. Question of truck route was posed, but George Schmidt stated that was not a Planning Board issue.

**Mr. Fitzsimmons:** The Comprehensive Plan is a guide. This was previously a subdivision and it is still a subdivision . Zoning allows what they want to do. There is not one thing they are not in compliance with. There are impacts. No negative environmental impact found. This is a new subdivision with a new look.

**George Schmidt** has no comment.

**Mr. Fitzsimmons:** Then we should get everything into a document and review that at the next meeting.

**Member Tice** made a motion to close the public hearing. **Member Kellerhouse** Seconded the motion.

**Chairperson Macfarlane:** All in favor? Opposed?

Whereupon, the motion passed unanimously and the public hearing was closed at 8:12 pm.

**Chairperson Macfarlane:** Next we have Philmont Holdings.

**Dustin James:** I work with Dan Russell who couldn't be here tonight. We are requesting a boundary line adjustment to clean up property lines for each lot. There is no new construction. No change in use. The end game is to sell the lots.

**Mr. Fitzsimmons:** They need Planning Board to approve the map so it can be filed with the county so the lots can be sold. The ZBA approved it and it is better. It was noncompliant before, but it is still not compliant.

**Member Kellerhouse** made a motion to accept the application and set it for public hearing July 19, 2022.

**Member Tice** Seconded the motion.

**Chairperson Macfarlane:** All in favor? Opposed?

Whereupon, the motion passed unanimously.

**Member Tice** made a motion to adjourn, Seconded by **Member Osborn**.

**Chairperson Macfarlane:** All in favor? Opposed?

Whereupon, the motion passed unanimously, and the meeting was adjourned at 8:22 p.m.

Respectfully Submitted,

Deborah J. Moses

Philmont Planning Board Secretary

**APPROVED BY:**

---

**Robert Macfarlane, Chairperson**