



## DELAWARE COUNTY PLANNING DEPARTMENT

Highway Department Building • P.O. Box 367 • Delhi, New York 13753  
Phone (607) 746-2944 • Fax (607) 746-8479 • Email: pln@co.delaware.ny.us

---

### DELAWARE COUNTY PLANNING BOARD

**DATE:** September 3, 2008

**TIME:** 7:00 PM

**PLACE:** Delaware County Highway Building

**CPB:** John Hamilton  
Pat Miele  
Art Stewart  
John Reynolds  
Art Edel  
Nancy Gallup

**STAFF:** Nicole Franzese, Director  
Shelly Johnson-Bennett, Chief Planner  
Tom Evans, Senior Planner  
Kristin Janke, Environmental Technician  
Jessica Ulmer, Administrative Assistant

John Hamilton opened the meeting of the Delaware County Planning Board at approximately 7:00 PM.

#### Minutes

The August meeting minutes were reviewed. Motion by John Reynolds to approve, seconded by Art Stewart. All in favor, motion carried.

#### General Municipal Law 239 Reviews

Referral from the Town of Delhi Planning Board, presented by Tom Evans for a Subdivision for Thomas Neumann. The property is located on Platner Brook Road (County Route 16). The applicant is proposing a 2-lot subdivision. Soils tests have been done on the one lot, the other lot has an existing house, septic, and a reserve septic area has been designated for it. John Reynolds said that it is doubtful that the applicant will be able to receive an access permit for their proposed access because the stream is so close to the proposed access. There are other areas where an access will be acceptable though. Motion by Art Edel to approve, seconded by John Reynolds. All in favor, motion carried.

Referral from the Town of Delhi Planning Board, presented by Tom Evans for a Subdivision for Roberta DeCaro. The property is located on Reuben Todd Road. The applicant is proposing a 2-lot subdivision. Soils tests have been done for lot 2; a secondary septic area was designated for

lot 1. Motion by Nancy Gallup to approve, seconded by Art Edel. Five in favor, motion carried. Pat Miele voted to disapprove.

Referral from the Town of Colchester Planning Board, presented by Kristin Janke for a Subdivision for Redstone Properties. The property is located on Horton Brook Road and County Route 17. The applicant is proposing to subdivide 100 acres out of 271 acres. There is an existing home on the larger lot, which the property owner is going to retain. The applicant is requesting a waiver for doing soils tests on the 100-acre lot from the Town Planning Board. Motion by Pat Miele to disapprove this subdivision due to the lack of soils tests on the 100 acre lot, seconded by John Reynolds. All in favor, motion carried.

Referral from the Village of Deposit Planning Board, presented by Shelly Johnson-Bennett for a Site Plan Review for Larry Schaefer. The property is located on Laurel Bank Avenue. The applicant is proposing to set up and rent out 4 campers on the property. He'll need a county access permit for the property. Motion by Nancy Gallup to conditionally approve the site plan with the condition that the applicant obtains a County commercial access permit, seconded by Art Edel. All in favor, motion carried.

Referral from the Village of Hancock Planning Board, presented by Shelly Johnson-Bennett for a Site Plan Review for Jackie Park Albaum and Jason Albaum. The property is located at 167 East Front Street. The applicant is proposing to operate a Winery and Café on the first floor of their building and have 3 one-bedroom apartments upstairs. The apartments will have their own access. The café section of the building will have a maximum capacity of 51 people; the winery section will have a maximum capacity of 24 people. Motion by John Reynolds to approve, seconded by Pat Miele. Five in favor, motion carried. Art Stewart abstained.

Referral from the Town of Meredith Town Board, presented by Shelly Johnson-Bennett for an Amendment to the Town's Cell Tower Law. The County Planning Board reviewed the changes and edits that were made. Motion by Art Edel to disapprove this law due to it contradicting the FCC law, seconded by Art Stewart. Five in favor, motion carried. John Hamilton abstained. A letter will be drafted by the County Planning Board listing their comments and concerns towards this law and it will be sent to the Town of Meredith.

Referral from the Village of Delhi Planning Board, presented by Tom Evans for a Subdivision for Delaware Academy Central School District. The property is located on NYS Route 28. The applicant is proposing to create a 6.7-acre lot for the hospital to purchase and use as a parking lot. Onsite septic systems are not allowed in the Village so all lots have to connect to the Village's system. Since this lot has the potential to connect to the Village's system and there are no provisions in the Village's regulations for soils tests for subdivisions, soils tests were not required for this subdivision. Motion by Nancy Gallup to approve, seconded by Pat Miele. All in favor, motion carried.

Referral from the Village of Delhi Planning Board, presented by Tom Evans for a Site Plan Review for Carol Chesser. The property is located at 160 Main Street. The applicant is proposing to convert a 3-apartment home into a Real Estate Office with 2 apartments. Motion by Art Edel to approve, seconded by John Reynolds. All in favor, motion carried.

**Other Business:**

Lead Agency Request: The NYC DEP copied the County Planning Board on a letter they sent to Bovina Town Supervisor, Tina Mole' regarding the town's lead agency request for the Town Highway Garage. The DEP had no objections to the town being lead agent and offered some input towards the project, specifically that a SWPPP would be required.

Motion by Art Edel to adjourn the meeting at 8:30 PM, seconded by John Reynolds. All in favor, motion carried.