



COPAKE PLANNING BOARD
FEBRUARY 2, 2012
MINUTES

Approved
March 3, 2012

Please note that all referenced attachments, comprising 11 pages, are on file with the Copake Town Clerk and in the Planning Board office. An annotated listing of those attachments appears at the end of this document.

A regular meeting of the Copake Planning Board was called to order at 6: 50 p.m. by Marcia Becker, Chair. Also present were Chris Grant, George Filipovits, and Jon Urban. Gray Davis and Steve Savarese were excused. Lisa DeConti was present to record the minutes.

ZONING BOARD OF APPEALS – Referrals

1. SITE PLAN REVIEW – CAMPHILL VILLAGE ADMINISTRATION BUILDING – Camphill Road– (2012-9)

Ms. Becker informed the Board that the Zoning Board of Appeals was reviewing the Camphill Village Administration Building. Sloan Architects informed her that the application was not ready to be reviewed by the Planning Board.

Yolanda Jansen, representing Camphill Village questioned whether the ZBA needed a recommendation from the Planning Board before they could proceed. Ms. Becker advised her that the ZBA needed some kind of referral matter from the Planning Board.

Ms. Becker advised Ms. Jansen that the ZBA should have provided information to the Planning Board so that they could have reviewed what was presented to them. Ms. Becker also made note of the fact that there is a new Zoning Board with a new secretary and new Chair and they did not provide any material. Ms. Becker did advise Ms. Jansen that the Board could obtain the material that was given to the ZBA and the Board can comment on it at a future meeting. Ms. Jansen would send an e-mail detailing the information that was sent to the ZBA.

Ms. Jansen advised Ms. Becker that a Public Hearing had been scheduled by the ZBA for their next meeting and she was concerned that this would add additional time to their application. Ms. Becker advised her that the ZBA could make a decision subject to Planning Board approval.

**2012-1 MAJOR SUBDIVISION – COPAKE LAKE GOLF LLC – Lakeview Road
[Copake Lake]**

Ms. Becker reminded the Board that the Copake Lake Golf LLC application had been referred to the ZBA and she believed they accepted what was sent to them. She also noted that they set a Public Hearing for their next meeting however, no documentation had been received from them.

PUBLIC HEARING

None.

SUBDIVISION/SITE PLAN

**2012 -8 SITE PLAN REVIEW – CAMPHILL VILLAGE HICKORY RENOVATIONS –
Camphill Road**

Yolanda Jansen appeared before the Board along with Alexandra Sloan, Kerst DeJog and Jos Smeele representing Camphill Village. Ms. Jansen advised the Board that the Dining Room will be made bigger along with the wing that additional bedrooms are being added to. Ms. Jansen acknowledged that the basement is being renovated and is being used for different purposes than it is currently being used for and a small second story is being added which will house the family that takes care of the Villagers.

From a Site Plan point of view, Ms. Jansen pointed out that the same driveway entrance is being used but the Bike Shed is being moved to create the ability for cars to turn around and come down the driveway facing forward without having to back down as they are presently doing. Ms. Jansen also noted that a patio is being added for outdoor activities.

Ms. Jansen explained that the Stormwater situation is being changed to divert water away from the building inasmuch as the building location is very close to the back of the hill. Ms. Jansen noted that the final occupancy will actually be less than it presently is now because of Code regulations for larger sized bedrooms for the people being taken care of at the facility and because of the increase in the size of dining room and office spaces. Ms. Jansen pointed out that no increases in water usage or sewerage demand is being created.

Ms. Jansen went on to explain that a new four inch (4”) water line is being installed for the sprinkler system that is being added. Ms. Jansen added that a new electric service is being brought in and an upgrade is being made on the heating system making it more energy efficient. Ms. Jansen noted that four (4) rain barrels are being set up next to the planting areas to collect water from the down-spouts and gutters as an irrigation system, implementing some of the green concepts devised in the Master Site Plan.

Ms. Jansen advised the Board that they have written to the Department of Health informing them of what is being done and the DOH understands and approves of this. Ms. Jansen acknowledged that the DEC in their response to the ‘New House’ said they just want to be kept informed as

long as a Site Plan is sent to them and they are keep posted when there are any increases in sewerage or changes in collection or size of the treatment facilities. Ms. Becker questioned the DOH's comment that they have no objections to the current proposal and await the specifications for the proposed back flow prevention devices. Ms. Jansen explained that the mechanical engineer will submit the details of this so that they can say that it is appropriate. Ms. Becker questioned whether this information will go to the DOH who will then notify the Planning Board. Ms. Jansen acknowledged this.

Ms. Becker questioned whether the Demo Plan would be presented. Ms. Jansen explained that this is in the set of plans. Ms. Jansen noted that a drainage issue which causes ice in the middle of the road at the corner of the road is being resolved.

Ms. Becker entered into the record: a cover letter received from Sloan Architects, the application and application fee, the letter to Mr. DeRuzzio asking for his comments, a letter received from Mr. DeRuzzio who supports the project but is waiting for the specification for the proposed back flow prevention device, and Town Consulting Engineer Doug Clark's comments who finds the plans are in accordance with the Master Plan and is requesting that a copy of the NOI for this phase of the work be submitted prior to construction. Ms. Jansen acknowledged that copies would be sent to Mr. Clark and the Planning Board.

Ms. Becker addressed Mr. Clark's letter which stated that although the driveway is steep with limited room for fire truck access and turnaround, fire trucks can park on Ring Road East and be within three-hundred feet (300') of the proposed house which under State Fire Code is acceptable because the building will be served by a sprinkler system. Ms. Becker also addressed the Mr. Clark's concern that the size of the replacement water line should be provided and the work should be completed prior to issuance of any Certificate of Occupancy.

Ms. Becker also noted that the Mr. Clark has no further concerns regarding the Site Plan subject to final approval from the DEC for connecting the existing Waste Water System and the Columbia County Department of Health connection to the existing Water System. Ms. Jansen reiterated that the DEC indicated in their letter on 'New House' that they will not be issuing a correspondence item each time and just want to be kept informed. Ms. Becker questioned how this should be dealt with. Ms. Jansen would follow up on this.

Ms. Becker questioned the fact that the DOH is not commenting on the connection to the existing Water System. Ms. Jansen acknowledged that the DOH has been told that they are connecting the water system with a four inch (4") line to a two inch (2") line inside the building and have already commented on it.

Mr. Grant questioned whether there were any variances required and advised that there were none. Ms. Becker advised Ms. Jansen that a Site Plan is only good for three (3) years and has to be renewed after that. Ms. Jansen acknowledged that the plan is to build this year.

Mr. Grant suggested doing the Check List Ms. Jansen completed. Mr. Grant pointed out that the Check Lists had been reviewed when the Master Plan was presented to the Board and unless there were any inconsistencies or areas that need comment the Check List would be acceptable. Mr. Urban agreed. Ms. Becker made note of the fact that the only thing needed was the response from the DEC. Ms. Jansen advised her that the DEC was not going to comment on anything

unless it results in a change in the treatment system. Ms. Becker believed she should write to the DEC regarding this. Ms. Jansen said she would write to Mr. Clark explaining what the DEC said in their letter so that he knows that they are not going to acknowledge anything in writing and this will be true for all future projects. Ms. Becker advised that this letter should be present in each file of the Twenty (20) year plan. Ms. Jansen did make note of the fact that the DOH will comment on each Site Plan so something will be received from them regarding each project.

Ms. Jansen did advise the Board that the DEC did have a concern for 'New House' and wanted overall flow information and they wanted Camphill Village to measure the water actually going into the sand filters inasmuch as a building is being added. Ms. Jansen pointed out that with the 'Hickory Renovation' project nothing is being changed as they are just renovating an existing building. Mr. Grant made note of the fact that the Planning Board is Lead Agency and the DEC is not which means if the DEC does not comment the Board is within their right to do whatever they see fit.

Ms. Becker clarified that the data needed from the DEC is for 'New House' which is not being reviewed at this time and there is nothing holding the Board back on the 'Hickory Renovation' project with the exception of the proposed back flow prevention device. Mr. Grant expressed concern that there should be something in writing placed in the file pertaining to the absence of a written response from the DEC as it was a specific request from Mr. Clark. Ms. Jansen will put something in writing that addresses the letter from the DEC in regards to 'New House'.

On a motion made by Mr. Grant and seconded by Mr. Filipovits the Board voted unanimously to approve the Site Plan for the 'Hickory Renovation' Residence from a set of plans from Sloan Architects dated January 25, 2012 subject to Back Flow prevention device approval by the DOH and clarification and acceptance from Mr. Clark regarding the fact that there will be no written response from the DEC for the connection to the Waste Water system.

2012-3 MINOR SUBDIVISION – ROBERT KITCHEN – Farm Road

Robert Kitchen and Taylor Mickle appeared before the Board and presented the Board with a map of their Minor Subdivision request. Ms. Becker reminded the Board that this is a subdivision from Mr. Kitchen's land and the merging of parcel 1A with the lands of Taylor Mickle. Ms. Becker made note of the fact that this application has not been classified.

Ms. Mickle questioned what can and cannot be done on her land once merged as it is in the 'R' district. Ms. Becker advised her that her land is in an agricultural district and the only thing that would limit Ms. Mickle agriculturally is the size of her land. Mr. Grant did not believe there are any limitations and questioned what Ms. Mickle's plans were for the land. Ms. Mickle advised him that her concerns were directed to any future sale of her land and what limitations she would need to tell any future buyers about. Ms. Becker informed Ms. Mickle where she can find this information in the Code book. Mr. Grant did caution Ms. Mickle that she might be in the Scenic Corridor Overlay Zone and would have to abide by the design guidelines in that zone.

Ms. Becker advised Mr. Kitchen that he will no longer have one piece of property. Mr. Kitchen informed the Board that Craig Surprise, Town Assessor told him this would show up as one piece of property. Ms. Becker brought up the fact that she received a legal opinion from Town

Attorney Kenneth Dow regarding noncontiguous properties which she will give Mr. Kitchen a copy of. It was noted that the only inconvenience would be two separate tax bills.

The Check List was reviewed and approved. On a motion made by Mr. Grant and seconded by Mr. Filipovits the Board voted unanimously to classify this application as a Minor Subdivision and Boundary Line Adjustment, accept it as a Preliminary Sketch and schedule a Public Hearing for next month's meeting on March 1st.

2012-6 MINOR SUBDIVISION/BLA – PHIL GELLERT – Yonderview Road

Dan Russel and Phil Gellert appeared before the Board regarding a Boundary Line Adjustment on Yonderview Road. Ms. Becker reminded Mr. Russell that a fee in the amount of \$50.00 would be required for each application. This would be provided at a future meeting.

Mr. Russell advised the Board that Yonderview LLC is the owner of the major parcel of thirteen (13) acres which were previously owned by Stabelito and before that was owned by Vijoba Realty. Mr. Russell acknowledged the fact that when Yonderview LLC purchased the property, they constructed the building site at the top within the nine-hundred and ten foot (910') contour line on the map. Mr. Russell informed the reason for the Boundary Line Adjustment is due to the fact that Yonderview LLD now wishes to build closer to the rear stone wall which would bring them closer than the one-hundred foot (100') required set back.

Mr. Russell advised the Board that a SEQR was attached to each of the applications he previously dropped off at the office.

Ms. Becker questioned the location of the drain location. Mr. Russell acknowledged that this was on the map. The Check List was reviewed. Ms. Becker asked if there were any present or future deed restrictions. Mr. Gellert advised her that there were none and none are being proposed. Ms. Becker questioned whether there was a Field Survey. Being none she advised Mr. Russell that one would be needed for the next meeting. Mr. Becker then asked whether the proposed Subdivision name was included on the map. Mr. Russell advised her that this would be added to the finalized maps. Mr. Becker suggested that when there is a merger with another lot the note should state this on the maps.

Ms. Becker questioned whether the driveway was already built. Mr. Russell advised her that it was. Ms. Becker also requested that the woods be indicated on the map. Mr. Grant suggested a description be added to the notes of the map.

On a motion made by Mr. Grant and seconded by Mr. Filipovits the Board voted unanimously to classify the subdivision as minor subdivision/BLA for the properties for Vijoba Realty to be merged with the lands of Yonderview LLC, and accept it as a Preliminary Sketch, and schedule a Public Hearing for the March 1st meeting.

Dan Russell then addressed the Site Plan Review for Mr. Gellert. Mr. Russell explained that the existing driveway on the thirteen (13) acres will be used to access the three (3) acre parcel that is being divided from the Vijoba land and accessed through Yonderview LLC. Mr. Russell pointed out the existing driveway on the map which will be used for the additional building site on the three (3) acre parcel.

Ms. Becker acknowledged the submission, the letter of Agency, the application and the first part of the SEQR which has been filled out. Ms. Becker made note of the fact that the fee was needed, the remaining part of the SEQR needed to be filled out and the Rear Lot Check List needed to be reviewed.

Regarding Rear Lots Ms. Becker referred to Town Code 232-8N. Ms. Becker was under the impression that a common driveway was the definition of the driveway and what you are actually developing was the rear lot. Mr. Grant referred to Town Code 232-8N(3)(a) which read: *A rear lot may have a deeded right-of-way easement over other lands, providing legally adequate and physically practical access to a public or private road. The minimum width for this right-of-way access is 50 feet along its entire length* and pointed out that there should be an easement deeded right of way. Mr. Russell made note of the fact that an easement and maintenance agreement needed to be written up and shown on the maps as a ‘right-of-way’.

Ms. Becker made note of the fact that the easement would be needed, a letter from the Firemen is still needed and the Perc Test is still needed. Mr. Russell acknowledged that inasmuch as Fire Chief Fred Miller constructed the driveway in question he will have his assistant Fire Chief Richard Briggs supply the letter to avoid a conflict of interest. Mr. Russell informed the Board that the Fire Chiefs had a few requests that needed to be addressed. He noted that they requested that the existing driveway be widened by five feet (5’) on a couple of the curves and widened by ten feet (10’) on another curve. Mr. Russell will place this on a future map and when the Fire Chiefs are in agreement with the changes they will provide the proper documentation. Mr. Russell made note of the fact that the Perc Test cannot be done at this time and will hold things up for a while. Ms. Becker advised him that the Board can still proceed as they can make a decision subject to Perc Test approval.

Ms. Grant questioned Town Code 232-8N(3)(e) which read: *The proposed rear lots must not result in damage to important natural resource and landscape features identified in the Master Plan and this chapter, including but not limited to wetlands, agricultural land, scenic views, steep slopes and ridgelines.* Ms. Becker believed this was addressed at last month’s meeting and this could be dealt with when someone wants to build a house.

On motion made by Mr. Filipovits and seconded by Mr. Grant the Board voted unanimously to classify this application as a Minor Subdivision and accept it as a Preliminary Sketch and set a Public Hearing for next month’s March 1st meeting.

Mr. Eisermann appeared before the Board with his two sons. Mr. Eisermann acknowledged that he supplied the Board with a number of maps and informed them that he wishes to divide 3.15 acres into two (2) separate lots at the North end of Routes 344 and 22 in Copake Falls. Ms. Becker made note of the fact that a locator would need to be added to the maps and could be drawn by hand. Ms. Becker also made note of the fact that a fee in the amount of fifty dollars (\$50.00) had been received prior to the meeting.

Mr. Eisermann went on to explain that he wishes to divide the one (1) acre piece of property with the existing structure off and create a new lot to the rear of the 1.5 acres and use the one-hundred foot (100') road frontage for the new access driveway doing away with the pre-existing dirt driveway. Ms. Becker questioned which structure he was referring to as there were two structures on the property. Mr. Eisermann explained that the other structure is not included on his property.

Ms. Becker informed the Board that Mr. Eisermann will be demolishing the existing structure which Mr. Eisermann advised should be done by the end of the month. Mr. Eisermann acknowledged receipt of a demolition permit and foundation approval saying the foundation was structurally sound and will be going forward for a building permit to construct a new structure on the existing foundation. Mr. Grant pointed out that Mr. Eisermann's property is in the 'R-2' district and Ms. Becker questioned whether this was included on the map. Mr. Eisermann acknowledged that he asked for this to be done however, could not find it on the map.

Ms. Becker questioned whether the maps would be revised. Mr. Eisermann advised her that they would be. Ms. Becker requested that the locator be added along with the Zoning District. Ms. Becker advised that the Department of Transportation information needed to be received. She acknowledged receipt of the application, the fee and the first part of the SEQR which was filled out.

The Check List was reviewed. Ms. Becker made note of the fact that the Wetland Map was reviewed and there are no wetlands located on Mr. Eisermann's property. Ms. Becker questioned whether there were any deed restrictions. Mr. Eisermann advised her that there were none. Ms. Becker acknowledged the Field Survey and made note of the fact that the on-Site Sanitation and Water Supply Facilities being designed were needed from Mr. De Ruzzio for the new lot. Mr. Urban questioned whether a copy of the new deed was required. Mr. Grant advised that a copy should be provided. Ms. Becker agreed. Ms. Becker asked if there were any easements. Mr. Eisermann advised her that there were none. Mr. Grant requested a note stating that all utilities be placed underground.

On a motion made by Mr. Grant and seconded by Mr. Filpovits the Board voted unanimously to classify Mr. Eiserman's application as a Minor Subdivision, accept it as a Preliminary Sketch and set a Public Hearing for next month's March 1st meeting.

**2012-1 MAJOR SUBDIVISION – COPAKE LAKE GOLF LLC – Lakeview Road
[Copake Lake]**

Ms. Becker referred to the new Recusal policy in the Town Manual which stated that: *No member of any board, committee or commission shall participate in any manner before said board, committee or commission in which the individual member has an interest or perceived conflict. Upon the determination that such a conflict exists said member shall recuse himself/herself from his/her right to discussion or vote on that board, committee or commission until that time that the matter has been determined by the remaining board, committee or commission members. This does not preclude that individual from representing himself/herself or from being represented by a third party before the board, committee or commission either on a personal or professional matter.* Mr. Filipovits made note of the fact that this matter arose when former Planning Board Secretary Paulette Bonnano appeared before the Board with an application. Mr. Filipovits, who worked on the revised law, acknowledged that Mr. Urban did not need to leave the room and has a right to represent himself but could not participate in any of the voting.

Mr. Urban recused himself once again before he proceeded to represent himself. Mr. Urban noted that he believed that the Town Code did previously allow for someone to represent himself/herself but the Code just needed clarification.

Ms. Becker acknowledged that Mr. Urban appeared before the ZBA for two (2) variances; Development within one-hundred feet (100') feet of a lake and sewer lines underground within one-hundred and fifty feet (150') of a lake and both were accepted for review. A Public Hearing was set, however, no paperwork had been received from the ZBA.

Ms. Becker acknowledged her conversation with Mr. DeRuzzio of the DOH about the sewerage line and he said that the DOH would not be commenting on this at all as it is not their jurisdiction. Ms. Becker also acknowledged receipt of a letter from the DOH to Consulting Engineer, Pat Prendergast who that stated the same thing.

Ms. Becker referred to the Letter of Intent which was in the SWPPP and noted that it is completed but was not aware whether it had been filed as yet. Ms. Becker also acknowledged her conversation with County Planning who advised her that this is not within their threshold and they would not be looking at it. Ms. Becker noted that the Stormwater Permit has not been completed.

Ms. Becker asked Mr. Urban who controls the water that goes over the overflow stream. Mr. Urban clarified that the Golf Course owns the dam and the stream and it is at their discretion to open and close the stream at any time however they defer it to the Copake Lake Conservation Society (CLCS) who they work closely with.

Ms. Becker brought up the fact that she was under the impression that there was only one (1) Waste Water Treatment System but acknowledged that there are two (2). Mr. Grant was not aware of this. Mr. Urban explained that there are twenty-nine (29) homes on the road that most people believed tied into one (1) system, however, there are actually two (2) Homeowner Association Systems with six (6) independents who still have their own septic systems. Mr.

Urban went on to explain that the system he is connected to allow for twelve (12) homes plus an additional four (4) homes. He noted that this was reviewed and approved by the Board a few years ago and since then one (1) home has been connected leaving three (3) more for him to connect. Mr. Urban acknowledged that if the two (2) homes he is presently proposing are approved and make more sense to connect to the system then one will be left for connection to the system in the future. Ms. Becker acknowledged that Mr. Prendergast addressed this. Mr. Urban did not see a need for the Board to address whether the system can handle the additional two (2) homes as this has already been approved. Ms. Becker was in agreement.

Ms. Becker addressed Attorney Dow's opinion regarding the existence of two non-contiguous lots being considered as one parcel. Mr. Urban did acknowledge that the small parcel in question is used by homeowners for docks to the lake and did not believe this to be an issue. The small separate lot could be attached to a strip along the road and expanded to meet the minimum lot size for the R 2 zone. Ms. Becker suggested that an easement be put in place. Mr. Urban will consult his Attorney regarding this. Ms. Becker advised Mr. Urban that the Board cannot move forward until this matter is rectified as an undersized or non-contiguous lot cannot be created. Mr. Grant suggested attaching an easement regarding the placement of docks to the property in question that will carry over to any new owners. Mr. Urban will consider this. Ms. Becker questioned whether a Public Hearing can be set for the next meeting. Mr. Grant believed this should wait until the issue is resolved. Mr. Urban acknowledged this as he did not wish to do anything out of the ordinary.

Ms. Becker reiterated that the issue of the non-contiguous lots needed to be resolved and the variance decisions from the ZBA and the Stream Water Crossing Permit are also needed from the DEC. Ms. Becker noted that this is not a regulated Wetland and a DEC set-back permit is not required. She noted that a letter was needed from the Highway Superintendent and asked if Mr. Urban had that as yet. He did not. Ms. Becker questioned a lot merger that has not been carried out. Mr. Urban advised her that three-quarter's ($\frac{3}{4}$) of what is on the map had just been acquired. Mr. Urban acknowledged that it has not been merged as yet but even if it has not it is just two parcels that are owned by the Golf Course. Mr. Urban brought up the fact that he was advised that all that was needed was for the parcels to be merged with the County as he was under the impression that a Boundary Line Adjustment needed to be done. Ms. Becker advised him that one was not needed as the parcels are owned by the same party. Mr. Urban advised that if the parcels were not merged prior to his next meeting he will represent them as two separate parcels on the map.

Ms. Becker pointed out that the SEQR cannot be done as yet. Ms Becker questioned whether the Board needed to see where the sewer lines will go. Mr. Urban will address this.

Ms. Becker pointed out that the permit needed from the DEC is the Stream Water Crossing Permit for the sewer and the Health Department advised her of the same. Ms. Becker advised that the location of where the sewer crosses the stream needs to be identified. This will be addressed. Mr. Grant questioned if Mr. Urban is before the ZBA at this time. Mr. Urban explained that he went to the ZBA and presented everything and they said that they accepted it and they would schedule a Public Hearing, however, they wanted to know the what the distances are from the steam and the lake and wanted the set-backs clarified. Mr. Urban advised them to consider the set-backs from twenty feet (20') to fifty feet (50') to seventy feet (70') and he told them he would provide this information for the next meeting. He believed they did not set the

Public Hearing at this time. Ms. Becker did bring up the fact that they may have intended to do so but there is a new secretary as well as a new Board and Chair and she will follow up on this with the ZBA. Mr. Grant requested adding the one-hundred foot set-back line to the map. Mr. Urban said he will include the minimum and maximum distances. Ms. Becker did acknowledge that a Public Hearing cannot be set until these matters are resolved.

MINUTES

Ms. Becker advised the Board that there were a few corrections to the minutes which were made as they were mostly edits however Mr. Grant made a reference to the 'river' that needed to be clarified. Mr. Grant advised the Board that he was referring to the stream. No further changes on a motion made by Mr. Grant and seconded by Mr. Urban the Board voted unanimously to approve the minutes as amended.

ADMINISTRATIVE

MARK FRANK FINAL SUBMISSIONS: Ms. Becker advised the Board that nothing has been received regarding the final submissions of the Mark Frank application.

VACANCY ON PLANNING BOARD: Ms. Becker advised the Board that one application had been received regarding the vacancy on the Planning Board but was not aware of who the applicant was.

ELECTION OF OFFICERS: Ms. Becker advised the Board that officers needed to be elected for the New Year and asked if everyone wished to remain in their same offices. Ms. Becker will remain as Chair, Mr. Grant will remain as Vice-Chair, Mr. Davis will remain as Secretary and Mr. Urban will remain as Treasurer.

On a motion made by Mr. Grant and seconded by Mr. Filipovits the Board voted unanimously to remain in their same positions.

CAMPBILL VILLAGE 'NEW HOUSE' SUBMISSION: Ms. Becker advised the Board that she is still waiting for the DEC submissions for the Camphill Village 'New House' application.

ABANDONMENT LETTERS: Ms. Becker advised the Board that abandonment letters were sent to Michael Braunstein and AmeriStop. She noted that AmeriStop has not been active for over six (6) months and they did not respond to the letter sent to them so she will follow up advising them that their application has been abandoned. Ms. Becker addressed the Town Code that states an application needed to show active involvement within six (6) months. Ms. Becker then acknowledged that Michael Braunstein has been inactive since 2008 and a legal opinion is needed inasmuch as they have had no active involvement however, he is in an appeal process. The Board believed this application should be left open as he cannot be active while in the appeal process.

SALVATORE CASCINO APPEAL: Ms. Becker advised the Board that Mr. Cascino received permission to extend his appeal for forty-five (45) days beyond December 27, 2011,

W-4 FORMS: Ms. Becker advised the Board that she received W-4 forms from the new accountant for the Board to fill out and will provide them at the next meeting. The Board did not feel this was necessary inasmuch as they only receive four-hundred dollars (\$400.00) per year for reimbursement expenses. Mr. Grant did make note that there is a state exemption under a certain amount of money.

HARLEM VALLEY RAIL TRAIL: Ms. Becker informed the Board that the Harlem Valley Rail Trail is moving forward and there will be some kind of land use review when they start to build. She noted that Mr. Clark is working on this and mentioned to her that they will be going through people's lands, building concrete and paved surfaces as well as some storm water issues and land use matters that will need to be dealt with.

CARRY OVER

The following matters were carried over to the next meeting:

- 2010-2 SITE PLAN REVIEW CONSULTATION – AMERISTOP – Route 23**
- 2008-21 MAJOR SUBDIVISION – MICHAEL B. & BARBARA S. BRAUNSTEIN – Off Golf Course Road**
- 2011-18 SITE PLAN REVIEW – DOMINICK SINISI – Lakeview Road [Copake Lake]**
- 2011-27 SITE PLAN REVIEW – RUTH THOMAS – Route 7 [Copake]**

ADJOURNMENT

There being no further business, on a motion made by Mr. Grant and seconded by Mr. Filipovits, the Board voted unanimously to adjourn the meeting. The meeting was adjourned at 8:30 p.m.

Marcia Becker, Chair

Please note that all referenced attachments, comprising 11 pages, are on file with the Copake Town Clerk and in the Planning Board office. The referenced attachments are filed in the individual project files. An annotated listing follows:

ADMINISTRATION

COPAKE LAKE GOLF, LLC

January 30, 2012	Prendergast to DeRussio (1)
February 1, 2012	Dow to Becker (1)
February 1, 2012	Prendergast to Becker (1)
	Golf Course Subdivision (1)

CAMP HILL VILLAGE

January 18, 2012	Jansen to DeRuzzio (2)
January 30, 2012	DeRuzzio to Jansen (2)
February 2, 2012	Clark to Becker (2)

BRAUNSTEIN

January 10, 2012	Spampinato to DeConti (1)
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