

PUBLIC HEARING FOR HILLMAN ESTATED HELD OCTOBER 16, 2013

PRESENT: Mayor Dixie Lee Sacks  
Trustee Dominick DeLorio  
Trustee Thomas Bergin

Trustee Christopher Nellissen  
Trustee Caroline Woerner

Also Present: Kevin Dailey  
Lance Spallholz  
Muriel Ziegler-Sheridan  
Michael Roets  
Audrey Davis  
Danielle Rigney  
Christine Van Patten  
Jack Fitzgerald  
Sean Rigney  
Kim Sheridan Dugmore  
Peter Sheridan  
Deb Albrecht

Thomas Peterson, Attorney  
Norma Spallholz  
Rachel Ziegler- Sheridan  
Marilyn DeLorio  
Bob Sweet  
Terry Brown  
Dick Theissen  
Eric Schantz  
Scott Lansing  
Tim Dugmore  
Renee Ludwiczak

Mayor Sacks opened the public hearing at 6:30 P.M.

Lance Spallholz commented that the applicants indicated that they will abide with the architectural standards; the project is not in conflict with zoning, there is a lot of good, and there is nothing in conflict with zoning. A PDD must be an exception to zoning law section 180-18. There is nothing in this PDD that is an exception to zoning. Therefore this PDD should be denied.

Muriel Ziegler-Sheridan agrees with Lance, he said it very well.

Michael Roets asked if this is a hearing for SEQR or for Hillman Estates.

Mr. Peterson replied that it is for both.

Mr. Roets commented that the 8 lots are in an area that will need a silt fence. Also a phase 2 archaeology study will be required for this section of the project. Mr. Roets said that he had a letter from NYS Historic Preservation.

Mr. Dailey stated that there are some issues in response to Mr. Spallholtz.

1. He has shown the 40 lot layout to the Board, this follows the script per the law; this is almost the same as cluster zoning.
2. Mr. Roets asked about the phase 2 archaeology study. This would be required prior to use and would include a portion of the walking path and the lot by the path.

Mr. Dailey stated that there is a 20 foot no cut zone along the Zim Smith Trail that they will give an easement to the Village prior to deeding the property.

There was discussion concerning an easement to Robert Claydons property for a connection to the Village water system.

Trustee DeLorio commented that in no way should the Village give an easement to a third party.

Mr. Peterson stated that there is no need for an easement on Village property.

Trustee DeLorio asked about mail delivery.

Mr. Dailey replied that there will be a kiosk on the north side on the entrance road.

Mr. Sweet asked how they can build on property they don't own.

Mr. Dailey replied that the land is for the general use for the Village, he will need direction from the Village government.

Mr. Dailey stated that if the PDD legislation is approved tonight, the PDD application goes back to the Planning Board for approval of sub-division. The maps for the project will need to be approved by DEC & DOH. At that point, Mr. Dailey will give the village an executed deed that could be filed in the County Clerk's Office.

Lance Spallholz asked if the Village is a charitable organization and what is the value of the donation of the lots? This does not meet the qualification of the PDD.

Trustee DeLorio asked if the lots were going to be clear cut and prepared or will they be left as is. Section # 16 easement needs to be changed

Mr. Sweet stated that he has walked the site; there is an old foundation for a house or barn.

Mr. Roets commented that the phase 2 study must be done; they may find that the property can't be disturbed. It may be eligible for historic designation. Under SEQR a negative declaration cannot be found.

Rachel Ziegler-Sheridan commented if the property is left uncut, there is no reason for the PDD.

Mayor Sacks closed the public hearing at 7:20 P.M.

Respectfully submitted

Lois J. Whitbeck, Village Clerk