

Town of Olive  
County of Ulster  
State of New York  
Monday, August 8, 2011

Minutes of a Public Hearing as noted in the legal notice to hear all in favor of or those opposed to any item or items in the Town of Olive Draft Comprehensive Plan, Version 2 from July, 2011.

Members Present:           Berndt Leifeld, Supervisor  
                                  Henry Rank, Board Member  
                                  Linda Burkhardt, Board Member  
                                  Bruce La Monda, Board Member  
                                  Peter Friedel, Board Member

Recording Secretary:       Sylvia B. Rozzelle, Town Clerk

Others Present: Planning Board Members: Drew Boggess, Chairman; Helene Grant, David Sorbellini, and Ed Maldonado; Jimmy Fugel, Highway Superintendent; Bill Cook, Sole Assessor; Zoning Board of Appeals Members: Jim Mays, Chairman; Richard Wolff and Conrad Dino Giuliano; Matthew Rudikoff and Will Agresta of MDR Associates

The legal notice was read to the approximately 140 persons in attendance.

Supervisor Leifeld thanked everyone for attending and stated the comprehensive plan is not a legally binding document and nothing is changed in the town's zoning and planning board guidelines. He stated it is strictly a master plan of a vision of the town.

Supervisor Leifeld read from the draft plan page 1. He stated we are not changing one thing as far as regulations are concerned. Most of you know me, I've been 33 years here and if you think that I'm politically stupid enough to bring up major issues in a master plan during an election year, you're crazy. We're facing economic issues and moneys available are through grants, if you answer "no" to having a Master Plan then you don't qualify. The plan changes nothing and is the vaguest master plan you can get. Whoever is going around town stirring up this stuff, to be calling up people in their 80's and telling them that we are putting a tax on your chimney is ridiculous. It's ridiculous to tell people that you can't cut down a tree if it's over 30 feet. He added that if there are outside influences coming in here tonight, we ask you to keep it short.

Supervisor Leifeld asked Town Board members for any comments they might have.

Board Member La Monda stated at the last workshop session he had brought up things that he thought were inappropriate in the draft and stated the following concerns he has about draft #2:

- Page 5, architectural styles and landscaping, not pleased with
- Page 5, 4<sup>th</sup> paragraph down, Catskill Scenic Byway—doesn't want that
- Page 5, incentives for conservation incentives for tax reduction program, not particularly pleased with
- Page 6, talks about the charette and feels the word "significant" should be changed to "some"
- On page 9 & 10, U & D railroad is a personal thing with him. He opposes the extension of the Catskill Mountain Railroad and feels the use should be dedicated to the residents of the town in more of a rail trail. What we have now

with the tourist train business is a small group of individuals taking advantage of your tax dollars.

- Page 9, would like to promote farming in all of Olive instead of southern Olive
- Page 12, on right hand side, CHG&E to eliminate utility poles, won't happen, so why waste paper.
- Page 14, sidewalk network should be removed at this time
- Page 15 on right hand side, concerning conservation easements and other measures "to NOT develop their land just to be able to pay their taxes"—don't like the way it sounds.
- Page 15, regarding encouraging NYC DEP to continue land acquisition program—they have enough land. He can foresee tax issues with the city on all the lands they are now buying when the 20 years are up.
- Page 16 & 17, don't feel that kiosks are necessary due to having to clean up and maintain them
- Page 16, He is adamantly against the Town of Olive being a part of a national park. We have plenty of open space.
- Page 17, Require investigation and analysis as part of the review of proposed land use development application is not necessary.
- Page 17, There may be an interpretive center in Shandaken and don't feel we need one.
- Page 18, We have a wonderful park system and don't feel we need additional picnic tables to clean up after. It's a nice vision, but maybe for another Town Board 30 years down the road.
- Page 20, Again, the sidewalk network we should not be concerned with.
- Page 21, on the left hand side, aggressively manage access to avoid excessive curb cuts--any time you combine a driveway you end up with problems
- Page 22, in reference to the town could promote greening measures in building code— We don't have a building code, only the state does, so, we don't need that.
- Page 23, Tax breaks for conservation easements, he doesn't agree with.

Board Member Burkhardt stated a lot of her considerations were brought up by Board Member La Monda. She stated her concerns as follows:

- Page 5, It is unrealistic that NY State would redesign Route 28 through Olive.
- Tax reduction and tax abatement programs she is opposed to.
- Page 24, The sidewalk issue is an issue of concern for her.
- Page 15, Regarding the NYC DEP land acquisition program, she doesn't feel the town should take a stance on that as it should be "willing seller-willing buyer".
- Page 17, doesn't feel we should be involved with encouraging historic buildings and sites to seek historic register status as this is a property owner's decision
- Page 17, An interpretive center is planned in Mt. Tremper.
- Page 18, Regarding promoting the economic viability, she stated the word "village" should be removed as it has a different connotation.
- Page 20, She is not comfortable with the word "require" regarding traffic and road crossing features.

Board Member Rank stated most of his concerns are addressed by Board Members La Monda and Burkhardt.

Board Member Friedel stated he is glad to see people here because there was not enough participation prior to this. He questioned why we are doing this plan. He stated he agrees with things the other board members have said regarding Route 28 being realigned and picnic parks cost money and how are we going to maintain them. He noted the NYC DEP is buying up most of our land and he is totally against national parks. He stated he feels this plan is setting us up for something else and doesn't know what that is, but, he is afraid of that.

Supervisor Leifeld stated that the CWC was nice enough to approve a grant for this plan; but, it doesn't mean we have to spend \$50,000.00. He stated he believes we have spent about 20 to 25 thousand to date.

Supervisor Leifeld asked people to keep their comments brief and to the plan.

Charlie Blumstein from Olivebridge read correspondence #50-11 from Gina Kothe of Shokan requesting the Town Board consider Fire Department members and First Aid Squad members commitments when organizing future meetings.

Charlie Blumstein stated the WOODSTOCK TIMES article claims the Tea Party would be here to protest and people are afraid to come to this meeting. He stated he would like to see the meeting extended to another time so they can attend. He asked where our old master plan document was and stated what is in the minutes is at odds. He respectfully asked for a continuation so we can study the plan. He noted that about a week ago there were people who did not hear about it.

Board Member La Monda asked Mr. Blumstein what he wants the Town Board to review in the draft plan to which Mr. Blumstein asked for an extension to see if it is our shared vision and does want the Town Board to review the wording on the Plan Purpose section. He stated that only five people spoke at the October 2<sup>nd</sup> Town Board Public Hearing.

Kathleen Ruiz of Olivebridge noted having been one of the people who worked on the old plan she is thrilled about the new plan. She stated that sixteen years ago they tried to get this plan through further stating we needed to get grants.

Steve Cadette of West Shokan asked who knew about the plan prior to six months ago and who heard about it in the past week. He stated that a lot of this grant money is bribery and you have to do what they say.

Steven Sulko of Olivebridge stated the main framework of the master plan is applaudible. He stated when the grant money is gone, it's gone and questioned what this is going to do to our plan. He stated we need to have more consideration about preserving what we have.

Mitchell Langbert of West Shokan stated if you're really not planning on being serious about the plan then why not state that the plan is for grant purposes only. He suggested seeking a legal opinion.

Freya DeNitto of West Shokan thanked the Town Board for coming up with a Comprehensive Plan as we need it. She stated she likes the word "could" not "should" being used in the plan. She stated she thinks that sidewalks along Route 28 would be wonderful and would like to see a walking and bike trail on the railroad. She thinks it's terrific that we would have picnic areas and places for people to put garbage. She stated she doesn't see anything in there that she would like to change. She stated there is good will in this community and we should work together.

Frank Parslow of West Shokan stated that no one mentioned transfer of development rights. Board Member La Monda stated that is one of the things he's not crazy about. Board Member Burkhardt read the section on page 15. Mr. Parslow stated that if you don't pay the taxes the county takes your property and a lot of people were forced to go other methods to pay their taxes. He stated he would hate to wake up some morning because the development rights were taken from him and he would be stuck with a piece of property. Board Member La Monda stated this is one of those things we weren't in agreement with.

Rita Vanacore of Shokan stated that last year she heard this board say that they were going to look for an old master plan, dust it off, and come up with a new plan. She stated she offered to help but she wasn't called. She stated that last week she finds out about it and now tries to go through it while the Town Board is making changes. She stated she doesn't understand it and is not familiar with it further noting this is the first time she's seeing it.

Supervisor Leifeld stated this is all a process. He stated this is draft #2 and there will be a draft #3 and then we will have another plan.

Dean McGee thanked Board Member La Monda for bringing up things that were of concern but felt that everyone should have had an opportunity with a mailing to notify the townspeople so it could truly be a shared vision. He suggested that the Town Board send out surveys.

Joan Paccione, landowner in West Shokan, stated she hasn't had a chance to look this over but is extremely upset about a designation to a national forest. She stated that another concern is about greening as it's extremely expensive.

Zachary Hilty of Samsonville asked what a conservation subdivision is further stating when he thinks of a subdivision he thinks of cutting down all the trees.

Will Agresta of MDK Associates stated there are cluster subdivisions and conservation subdivisions. Clustering is trying to cluster the houses closer together on a larger swath of land. A conservation subdivision is trying to put a conservation easement over a farmed field and cluster the houses reducing infrastructure and may be a way to protect farm land. It was noted that all of this is in our current Town Code.

Gary Alexander of West Shokan stated that communities across the nation are taking grants but you have to look at the hook on the end. He noted that conditions with these grants could impact local zoning noting this is going on across the nation. He mentioned the ICLE and stated there is a federal bill which gives the federal government control.

Lisa Saffioti McFarland of Samsonville stated we don't need sidewalks as we don't need to walk from a gas station to a supermarket on a sidewalk. She further stated there is enough beauty here. She noted we need to be concerned about our schools noting that some of that grant money should go to our kids. She agreed with the idea of a rail trail and stated she doesn't think the elderly should have to pay more taxes for these proposals.

Mike Paccione, landowner in West Shokan, stated his concern is about the national parks. He stated that one of his kids was 5 months old when they moved up here and now they're gone. He stated he's a CPA and his wife's a teacher so they can afford to live here. He stated he sees nothing in this plan to encourage business. He stated we need to do something to encourage keeping more business other than just Mom and Pop stores.

Laurie Kennedy stated her parents started Cracker Barrel now Cracker Mill. She stated things are changing in the town and it would be nice if something could be done to help with promoting better business. She stated we will be seeing more vacancies in Shokan and Boiceville. She stated that part of the income in Olive is from tourism, but, we still need help to continue to grow. She stated her question is if there is a time line for having all this done. The Town Board response was that there is no deadline. She stated some of the things mentioned in the plan would be great for business.

Glenda McGee of Samsonville stated before the plan came out she did the census and she got to meet a lot of people. She stated she came home with an overwhelming gratitude for the town we live in. She stated that something recommended in the minutes was to produce a plan that had something like 18 pages. She stated that she is conservative in spending money and wouldn't want to have someone pay for a sidewalk. She stated that we are going to be so effected by the malfeasance in NY and in Washington. She stated she was concerned about cluster homes and asked if person X could go in and buys a little piece of land and cluster, do all the houses have to look the same? She stated outside contractors will come in instead of using local builders. If this cluster housing works the way she thinks it will, then this plan will go into competition with people you have grown up with.

Will Agresta of MDK Associates stated that water and sewer districts are focused on in the hamlet areas. The density of the existing zoning must be met. He stated it is absolutely no different with what we have today noting the Planning Board could do that today.

Glenda McGee stated that a lot of these grants do have a hook and suggested it be Olive "old town" and not Olive "new town" as in the Minutes.

Board Member La Monda stated that cluster housing in mountainous areas is where a person may have 100 acres in a ten acre zone. It allows them to build on the usable land and the remainder would be open. He noted the zoning acreage would have to match the number of units.

Freya De Nitto of West Shokan stated she hears a lot of fear and worry but thinks you really have to look at your community. She stated this is not an evil group set up here. She stated we have to be respectful, it's a good community, and it's an important thing to do. She stated to not worry about big builders coming in as there are too many homes being foreclosed on. She stated that we should be concerned with each other, open up the dialogue, and move forward.

Steve Sulko of Olivebridge stated he has 30 years of construction experience, so, it entitles him with a little bit of information about cluster housing and what it brings to your town. He stated that Rosendale tried it many years ago and now they have empty buildings that are sinking.

Charlie Blumstein of Olivebridge stated that transfer of development rights increases the zoning density and could create uncertainty in areas where you thought your neighbor was built out. What would that do to home values in the hamlet? He stated that huge uncertainty is a little unsettling.

Board Member La Monda stated that was something he felt could come out of the plan.

Charlie Blumstein stated that 20 people is not the shared vision of this plan. He stated you vision and then you put the pen to paper. He stated this is being reversed here. He asked where is the 18 page document the Town Board spoke of.

Board Member La Monda stated the current document is 22 pages and the rest is statistics.

Supervisor Leifeld stated that if we didn't have something on paper then how many people would be able to know what we're talking about. We have to start some place.

Bob Conyeya of Olivebridge stated that a lot of things are coming out here and if there weren't rebel rousers then this room would be empty. He stated that he feels there is shared responsibility in letting the public know what is going on and the board has to trust them, too.

Board Member La Monda stated we're in the very early stages of this. He noted we've been in the committee process for this before and we could never get that many people to agree. So, we said that the buck stops here and we, as a Town Board, are willing to take the brunt of it.

Amy Friedman of Samsonville stated that everyone is upset because if Olive could be on facebook then people could express themselves. It was noted by David Sorbellini that it is already on facebook and has been since the Olive Press went out of business. She stated that kiosks and sidewalks create the issues of who is going to maintain it--which costs money. She stated that we don't live in a place where pedestrian traffic is feasible. She stated also the issue about a town center is not feasible.

Frank Commando stated he has a newspaper THE TRIVALLEY TOWNSMAN and feels that they may be of help in solving their communication problems. He stated Charlie Blumstein and Cindy Johansen write for them at times.

Frank Parslow of West Shokan asked about how all this began.

In response to questions Will Agresta stated this is not a template, it's based on the master plan that wasn't adopted, He stated the input was from the Town Board, website, statistics, census data, and that's where it builds from. It is not a stamp from other communities. Normally you adopt a master plan and then a zoning ordinance but Olive chose to do it the other way around.

Steve Cadette of West Shokan stated that it really wasn't publicized well and that is most of the anger addressed here.

Board Member Friedel stated he had asked for a survey.

Zachary Sklar stated there has been an ongoing dialogue since the 1980's about a vision for this community. This is an ongoing situation that we have to deal with. His fear is that we don't have a master plan and we have no guidance for the future. He stated that his problem is with not doing anything. The idea of having a master plan, a vision, is important and shouldn't be kicked off as back in the 80's.

Anne Hass asked where the grant funds came from. Supervisor Leifeld stated that he went to the CWC and asked for it and received the grant as funds available to towns.

Carol La Monda from Shokan stated that Town Board meetings are put on the television, the town has a website, and is on facebook. She stated, hopefully, we will be able to share our ideas. She stated they worked on the previous master plan for seven years and it was dreadful. She stated that this may need some tweaking and, hopefully, you will come back after reading it with the good stuff highlighted and what you don't like marked up in red pen.

Jim Mays of Samsonville requested the information where comments can be sent to which the response was via email at [olivesupervisor@hvc.rr.com](mailto:olivesupervisor@hvc.rr.com) or PO Box 180, West Shokan, NY 12494.

Astrid Nordis of West Shokan asked if this plan goes through and the town applies for grants, is that something that the townspeople would have a say in. Board Member Burkhardt responded that people in the town always have a say.

Supervisor Leifeld gave examples of possible grants as improvements to the swimming pool or putting a roof on a building.

Paul Wright asked what the time line would be on this. It was noted that comments will be received on the plan until August 26<sup>th</sup> and the 3<sup>rd</sup> draft wouldn't be before September.

Board Member La Monda explained that the Town Board agreed after draft #2 there would be changes to the draft; but, decided to hold the public hearing first for additional input before revising it again to create draft #3.

Jim Sofranco of West Shokan stated he would like to thank the Town Board for what they've done so far. He stated they've been in the town for several years and this has gone nowhere. He stated he thought that addressing keeping taxes low is great and maintaining the town's rural character is positive. He thanked the Town Board for getting us this far.

Christina Gardner stated she would like to get on with the issue of why we didn't hear about this sooner as she feels this is an important step for the town.

Frank Parslow stated that if there is anything from the NYC DEP that could give us special concern as we don't have a town center where you can have the majority of everything happening in one specific area. It was noted that is addressed in the plan on page 8.

All business pertinent having been discussed the Town Board adjourned at 9:05 pm on a Leifeld/La Monda motion.

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Sylvia B. Rozzelle, Town Clerk