# Town of Catskill Planning Board

Planning Board Meeting

August 22, 2023 6:30 PM

Town Hall 439 Main St. Catskill

**Present:** Chairwoman-Teresa Golden, Vice Chairman- Larry Federman Jay Lesenger, William DeLuca, Bridgett Hernandez , Laurie Sprague –Schmidt, Angelo DiCaprio, Secretary-Patricia Case-Keel.

**Absent:** All Present.

**Also Present**: Ted Hilscher (Town Attorney)

Chairwoman Teresa Golden opened the meeting with the Pledge of Allegiance to the flag.

Ms. Golden stated the next planning board meetings will be held on October 10, 2023 and October 24, 2023. The October 10th date is a change due to Planning Board member’s availability.

 For those applications that require referral to the Greene County Planning Board, their next meetings are scheduled for September 20th and October 18th . Please note that Greene County requires all referrals with supporting documentation (including full-sized drawings) to be sent 12 days prior to their meeting.

As is our practice, I’d like to remind everyone that during our public meetings (including public hearings), the board respectfully asks that all public comment speakers give their name, address, and organization (if any) and limit your remarks to three minutes if possible and keep true to the purpose of the public hearing. The Town Attorney will be the timekeeper. Remarks should be addressed to the entire planning board and not to any specific member. Speakers should present their remarks in a courteous manner and observe accepted rules of decorum, dignity and good taste and may not make personal comments unrelated to the public meeting agenda about public officials, town residents, or other members of the public. Speakers who disregard these rules, disturb the peace at a meeting, make impertinent or slanderous remarks, or generally conduct themselves in an inappropriate manner, shall be barred from further participation and will forfeit any balance of time remaining for their comments. Thank you.

**Opening of Public Hearing at 6:35 PM.**

**Subdivision SUB-23-2023 Henry Mahnken Mountain House Road, Catskill.**

Gary Harvey was representing SUB-23-2023 at tonight’s meeting. The applicant had submitted revised plans at the first Public Hearing held for this application at the Planning Boards July 25, 2023 meeting identifying an alternate access from Mountain House Road travelling through the easement granted by the NYSDEC. The Board had also received a written response from the Kiskatom Fire Department dated August 21, 2023 indicating the gate at the west end of Mountain House Road is not locked and therefore emergency vehicles would have access .

Ms. Golden opened the Public Hearing for SUB-23-2023 Henry Mahnken, Mountain House Road The Notice of Public Hearing was published in the Daily Mail on August 16, 2023 and August 17, 2023.

 **PLEASE TAKE NOTICE,**

 **the Town of Catskill Planning Board will hold a public hearing in accordance with Town Law § 276 on August 22, 2023, at 6:35 PM at Town of Catskill Town Hall 439 Main St. in the Village of Catskill, to consider a revision to a 2 lot minor subdivision of land located on Mountain House Road, Catskill Tax Map # 169.00-6-3.111 proposed by Henry Mahnken & Daniel Ellet. The above application is open for inspection at the Planning Board Office located at 439 Main Street, Catskill NY 12414 between the hours of 10:00 A.M and 2:00 P.M Monday – Friday. Please call and make appointment for inspection of application. The Public is welcomed to attend the Public Hearing in person or through the digital Zoom.com platform. Detailed information for the Zoom platform will be posted with the Planning Boards Meeting Agenda on the Towns website. Written and oral comments will be accepted until the close of the public hearing. By order of Teresa Gol**den **Chairwoman of the Town of Catskill Planning Board,**

Ms. Sprague Schmidt asked if the applicant has contacted any of the mutual aid responders regarding accessing the site.

Mr. Harvey answered Kiskatom Fire Department has submitted an email.

Ms. Golden asked if there were any questions or comments regarding SUB-23-2023.

There were no questions or comments.

Mr. Deluca made a motion to close the Public Hearing for SUB-23-2023

Ayes 7, Nays 0, Absent 0, Abstained 0 **Motion Carried.**

**Public Hearing Closed at 6:37PM**

**Opening of Public Hearing at 6:40 PM.**

**Site Plan Review SPR-5-2023** **Lauren& Richard Hendricks,69 Allen St, Catskill.**

Kevin Conklin was representing the applicants at tonight’s meeting; both Lauren and Richard Hendricks were present as well**.** The Public Hearing is being held at tonight’s meeting for the requested site plan review by Lauren & Richard Hendricks for the construction of a 30’x 50 metal building for the use as an existing motor vehicle repair shop.

The Board had received the Greene County’s 239 Review.

Ms. Golden opened the Public Hearing for SPR-5-2023 Lauren& Richard Hendricks, 69 Allen St,Catskill. The Notice of Public Hearing was published in the Daily Mail on August 16, 2023 and August 17, 2023.

 **NOTICE OF PUBLIC HEARING**

The Town of Catskill Planning Board will hold a Public Hearing on application Site Plan Review SPR-5-2023 pursuant to Section 160-14 of the Town of Catskill Zoning Code to allow the construction of automobile repair shop on lands owned by Lauren& Richard Hendricks located at 69 Allen Street, Catskill NY Tax Map #156.09-5-7 The Public Hearing will be held on the 22nd day of August ,2023 at 6:40 PM, at the Town of Catskill Town Hall , 439 Main Street. Catskill NY. The Public is also welcomed to attend through the digital Zoom.com platform. Detailed information for the Zoom platform will be posted with the Planning Boards Meeting Agenda on the Towns website. Written and oral comments will be accepted until the close of the public hearing. The above application is open for inspection by appointment, at the Planning Board Office Monday – Friday located at 439 Main Street, Catskill, New York between the hours of 10:00 a.m. and 2:00 p.m. By order of Teresa Golden Chairwoman, Planning Board, Town of Catskill.

Ms. Golden asked three times if there were any questions or comments regarding SPR-5-2023.

There were no questions or comments.

Mr. DeLuca made a motion to close the Public Hearing for SPR-5-2023, seconded by Ms. Sprague- Schmidt

Ayes 7, Nays 0, Absent 0, Abstained 0 **Motion Carried.**

**OLD BUSINESS:**

**Subdivision SUB-23-2023 Henry Mahnken Mountain House Road, Catskill (Board Review EAF)**.

Mr. DeLuca read aloud part 2 of the EAF “with all answers being No or small impact”

Mr. DeLuca made motion to declare a negative declaration for SUB-23-2023, seconded by Mr. Federman

Ayes 7, Nays 0, Absent 0, Abstained 0 **Motion Carried.**

Mr. DeLuca made a motion to accept the plat as final, seconded by Mr. DiCaprio

Ayes 7, Nays 0, Absent 0, Abstained 0 **Motion Carried.**

Mr. Lesenger made a motion to accept the resolution approving SUB-23-2023, seconded by Mr. DeLuca

Ayes 6, Nays 1, Absent 0, Abstained 0 **Motion Carried.**

**Site Plan Review SPR-5-2023** **Lauren& Richard Hendricks, 69 Allen St, Catskill( Board Review EAF)**

Mr. DeLuca made a motion to approve the final plat, seconded byMs. Sprague- Schmidt

Ayes 7, Nays 0, Absent 0, Abstained 0 **Motion Carried.**

Mr. DeLuca made a motion to adopt the resolution approving SPR-5-2023 as amended, seconded byMs. Sprague- Schmidt

Ayes 7, Nays 0, Absent 0, Abstained 0 **Motion Carried.**

**Subdivision SUB-22-2022** **Vita Foras, Bogart Road, Palenville.**

Ms. Golden gave an overview of this project to date.

Sarah Ashcroft was representing this application at tonight’s meeting along with Stuart Mesinger from Labella Engineering.

Mr. Mesinger stated at this time DOH has been reviewing the proposed project and has requested a few minor changes involving one of the test wells, but before they can obtain approval it will be required to obtain a stream crossing permit from DEC to move the equipment to the required location. DEC is also requiring wetland permits but they cannot apply for the permits until they obtain preliminary approval from the Planning Board. Central Hudson has been on the site regarding service to the site and also the Highway Superintendent will be inspecting the road in response to one of the proposed waivers, and they have reached out to the Fire Department.

Ms. Golden asked if the private road has been named.

Mr. Mesinger answered they are in the process of naming the road; they will be submitting the request for naming the road to the Town Board.

Ms. Golden asked what the status of the HOA and the RMA is.

Ms. Ashcroft answered it is in the process of being developed and the attorney should be finished reviewing in within the next week.

Mr. Mesinger reviewed with the Board the 7 waiver requests submitted by the applicant date July 10, 2023.

Ms. Golden asked in reference to the survey for Penny Lane.

Mr. Mesinger answered the survey will be submitted before the public hearing in addition to the information requested by Delaware Engineering’s memo dated August 14, 2023 .

Mr. Federman stated he has concerns regarding any impact on vernal pools and indicated on the plans where he believes vernal pools exist.

Discussion ensued.

Mr. Mesinger stated he will look into the matter.

Ms. Golden asked in regards to Central Hudson’s approval

Ms. Ashcroft answered Central Hudson has been to the site and will be submitting their approval at a later date.

Ms. Golden stated Central Hudson response can be considered a condition for the preliminary approval. At this time the other outstanding issues are in regards to the HOA and restrictions on pesticide use on the site. All the required materials must be submitted to the Planning Board Office before the Public Hearing Notices are sent out.

Ms. Hernandez stated she has concerns there will not be enough time to review any additional information submitted before the public hearing.

Mr. Federman made motion to schedule Public hearing for SUB-22-2022 and submitted waivers, to be held on October 10, 2023 at 6:25 PM, seconded by Mr. Lesenger

Ayes 7, Nays 0, Absent 0, Abstained 0 **Motion Carried.**

**Special Use Permit SUP-5-2022** **Catskill Grid LLC, 8006 Rt. 9W, Catskill.**

There was no one representing SUP-5-2022 at this night’s meeting

**Site Plan Review SPR-4-2023** **Good Company Local Market, 791 Rt. 23B, Leeds.**

There was no one representing SPR-4-2023 at tonight s meeting.

 **NEW BUSINESS:**

**Subdivision SUB-16-2023** **Jerome Misevis 445 Easy Street, Catskill.**

Al McDonald from Santos Associates was representing the applicant a tonight’s meeting. The applicant is requesting a 2 lot subdivision from an 11.775 parcel into 2 5.877 acre parcels. The applicant had submitted an application, survey and EAF.

The Board reviewed the plans.

Mr. McDonald stated he will add the driveways to the plans.

Mr. Lesenger made a motion to declare this project as an unlisted, uncoordinated review and declare the Town of Catskill Planning Board as the Lead Agency, seconded Mr. Federman

Ayes 7, Nays 0, Absent 0, Abstained 0 **Motion Carried.**

Ms. Hernandez made a motion to accept the plans as preliminary, seconded by Mr. DiCaprio

Ayes 7, Nays 0, Absent 0, Abstained 0 **Motion Carried.**

Mr. Federman made a motion to schedule a Public Hearing to be held on October 10, 2023 at 6:40 P.M., seconded by Ms. Sprague –Schmidt

Ayes 7, Nays 0, Absent 0, Abstained 0 **Motion Carried.**

**Special Use Permit SUP-9-2023** **Greene County Visitor Center 705 County Rt. 23B, Leeds.**

Rene VanSchaack is the executive Director for the Greene County I.D.A and was representing this application at tonight’s meeting. The Ida is requesting site plan review in order to relocate the Greene County Visitor across the street from its current location and to the Stewarts Shop for the use as the Visitor Center, after the Stewarts Shop relocates to its new site. The applicant has submitted an application, site plan, elevations for the renovated building , an EAF and a “No Effect Notice” form SHPO.

The Board reviewed the plans.

Mr. Van Schaack stated the IDA may be purchasing some more land from Home Depot in order to be able to better landscape the land in the back better.

Ms. Golden asked the applicant to submit a spec sheet for the lights and a list of native plantings.

Mr. Federman declared this project as a type 2 action and the Town of Catskill as lead agency

Ayes 7, Nays 0, Absent 0, Abstained 0 **Motion Carried.**

Mr. DeLuca made a motion to accept the plans as preliminary, seconded by Mr. Federman

Ayes 7, Nays 0, Absent 0, Abstained 0 **Motion Carried.**

Mr. DiCaprio made a motion to schedule a public hearing to be held on October 10, 2023 at 6:45 PM, seconded by Mr. Lesenger

Ayes 7, Nays 0, Absent 0, Abstained 0 **Motion Carried.**

 **Lot Line Adjustment SUB-17-2023** **Gjerji Enterprise LLC 8 Forest Hill Ave, Leeds.**

Charles Holtz was representing the applicant at tonight’s meeting. The Applicant is requesting a lot line adjustment from a .59 acre parcel and convey .20 acres to an existing 1.98 acre parcel in order to improve availability for parking access. The applicant had submitted an application EAF and plans.

The Board reviewed the plans.

M.s Golden stated there are issues with the project involving a preexisting parcel that does not meet the minimum lot size requirement, along with existing setbacks that are nonconforming. The applicant will need to obtain variances from the Zoning Board before the Planning Board can move forward with this lot line adjustment.

**Sketch Conference Site Plan Review SPR-6-2023 Brian Ryan 24 North Jefferson Avenue, Catskill.**

Brian Ryan was in attendance at tonight’s meeting. The applicant is requesting a site plan review to construct a 2 story, 4 units, 1 bedroom apartment building on .207 acers. The applicant had submitted an application EAF and site plan.

Ms. Golden stated because the site EAF calls out the land as within an archeological sensitive area, the applicant will be required to contact SHPO.

Mr. Federman stated he would recommend a condition if approved for no construction during any funeral services at the Temple of Israel Cemetery or the Catholic Cemetery on the adjoining parcels and to actively coordinate this with the cemetery managers/caretakers.

Mr. Hilscher stated the applicant may want to consider conserving the trees on the site and may also consider moving the proposed structure over 3’ for the benefit of adequate drainage due to the topography.

Ms. Golden stated the Board will require a spec sheet for the lighting, and a final elevation of the building. The applicant will also be required to reach out to the Town’s Water Works to make sure there is enough water pressure for a 4 unit building. This project is required to be sent to the County for a 239 Review.

Mr. Lesenger made motion to declare SPR-6-2023 as an unlisted, uncoordinated review and to declare the Town of Catskill Planning Board as Lead Agency

Ayes 7, Nays 0, Absent 0, Abstained 0 **Motion Carried.**

Mr. Federman made a motion to the accept the plans submitted for SPR-6-2023 as preliminary, seconded by Mr. DeLuca

Ayes 7, Nays 0, Absent 0, Abstained 0 **Motion Carried.**

Mr. Lesenger made a motion to schedule a Public Hearing for SPR-6-2023 to be held on October 10, 2023 at 6:50 PM, seconded by Mr. Federman

Ayes 7, Nays 0, Absent 0, Abstained 0 **Motion Carried.**

**OTHER BUSINESS:**

The Board discussed continuing holding the Planning Board meeting once a month.

Ms. Golden asked if the Board will be required to revise the Planning Board Rules and Regulations in order to indicate the Planning Boards meeting schedule.

Mr. Hilscher stated he will look into the matter and requested for the Planning Board Clerk to send him a copy if the Rules and Regulations.

The Board discussed the revision made to the Town Code submitted on July 19, 2023.

Mr. DeLuca made a motion to approve the submitted revisions, seconded by Ms. Sprague- Schmidt

Ayes 7, Nays 0, Absent 0, Abstained 0 **Motion Carried.**

Mr. Lesenger made a motion to approve the July 11, 2023 Special Meeting minutes as amended, seconded by Mr. Federman

Ayes 7, Nays 0, Absent 0, Abstained 0 **Motion Carried.**

Mr. DeLuca made a motion to approve the June 27, 2023 meeting minutes as amended, seconded by Mr. Lesenger

Ayes 7, Nays 0, Absent 0, Abstained 0 **Motion Carried.**

Meeting minutes for July 25, 2023 were tabled

Ms. Sprague- Schmidt made a motion to close tonight’s meeting, seconded by Mr. Lesenger

 Planning Board meeting ended at 8:25 PM

Respectfully Submitted,

Patricia Case-Keel

Planning Board Secretary

Approved as Amended 10/10/2023