# Town of Catskill Planning Board

Planning Board Meeting

April 12, 2022 6:30 PM

Town Hall 439 Main St. Catskill

**Present:** Chairwoman-Teresa Golden, Vice Chairman- Larry Federman (Zoom Media), Bridgett Hernandez

(Zoom Media ),William DeLuca, Heather Bagshaw Secretary Patricia Case-Keel.

**Absent:** Angelo DiCaprio.

**Also Present:** Kevin Schwenzfeier (Town Engineer) Ted Hilscher (Town Attorney).

Due to a lack of a quorum, the opening of tonight’s meeting was delayed until 6:50 PM.

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

Ms. Golden gave a few opening remarks for tonight’s meeting. The Planning Board’s next regularly scheduled meetings will be April 26, 2022 and May 10, 2022. For applications requiring a 239 Review, the Greene County Planning Board’s next scheduled meeting will be held on April 16, 2022 any May 18, 2022. Any application requiring a 239 Review must submit all required materials including full size drawings 12 days prior to their scheduled meetings. Tonight’s meeting will be the last Planning Board meeting held at the Senior Center. The Planning Board meetings will reconvene at the Town of Catskill, Town Hall.

During the public meetings, 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. 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.

eaHearing is still open

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

**Subdivision SUB-3-2022 Catskill Golf Resort 27 Brooks Lane, Catskill.**

Ms. Golden gave a brief overview of the project to date, and then opened the Public Hearing for SUB-3-2022

Catskill Golf Resort, 27 Brooks Lane, Catskill. The Notice of Public Hearing was published in the Daily Mail on April 6, 2022 and April 7, 2022.

 PLEASE TAKE NOTICE,

the Town of Catskill Planning Board will hold a public hearing in accordance with Town Law § 276 and the Town of Catskill Subdivision Regulations on April 12 , 2022 at 6:35 PM at Robert C Antonelli Senior Center 15 Academy St. in the Village of Catskill, to consider a 3 lot minor subdivision of land located on 27 Brooks Lane , Catskill proposed by Catskill Golf course 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 (Due to the COVID- 19 Pandemic 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 Golden Chairwoman of the Town of Catskill Planning Board.

Mr. Vipler was present at tonight’s meeting along with his surveyor Charles Holtz. Mr. Holtz gave a brief overview of the proposed project. Mr. Vipler is requesting a 3 lot subdivision creating 2 .25 acre parcels and leaving a remaining 136.9 acre parcel in order to develop two 2 family duplexes.

The applicant submitted the green cards for the certified mail, and revised plans.

Ms. Golden asked if there were any questions or comments.

Mary Learnihand resides at 44 James Place. She wanted to know if the homes were going to be for sale or rentals.

Mr. Vipler answered the duplexes will be sold and then the owners may live in one and rent out the other.

Daniel Trainer resides at 23 James Place. Mr. Trainer wanted to know what the direction the houses will be facing and also what will happen to the 9th hole, also he has concerns regarding the duplexes being added to the site and how it may affect the golf course.

Mr. Vipler answered the houses will be facing Brooks Lane. The ninth hole will become par 3.

Kathren Schulz resides at 27 James Place. Ms. Schulz wanted to know how many stories would the building be, and if there is going to be anything built on top of them.

Mr. Vipler answered the dwellings will be 2 stories, and he has no intentions of building anything on top, except he may have a pergola behind the structures, with solar panels, but they will not be as tall as the houses.

Barbara Sanson resides on Brook Lane. Mrs. Sanson asked if the addition of the duplexes will have any effect on the water pressure.

Mr. Vipler answered he has been in touch with the Village Waters Works and two duplexes will not have an effect on the water pressure.

Ms. Golden asked three times if there were any questions or comments regarding SUB-3-2022.

There were no questions or comments.

Mr. DeLuca made a motion to close the Public Hearing, seconded by Mr. Federman

**Roll Call Vote**

Mr. DeLuca Aye

Mr. DiCaprio Absent

Mr. Federman Aye

Ms. Hernandez Aye

Ms. Golden Aye

Ms. Bagshaw Aye Motion Approved

**Public Hearing Closed at 7:15 PM**

**Continuation of Public Hearing**

**Site Plan Review SPR-5-2021 Mach-360 Rt. 32, Catskill.**

Ms. Golden gave a brief overview of this project. Ms. Golden then stated since this public hearing for this application has been open for almost 90 days, she would like to recommend that the Planning Board close the Public Hearing and if the applicant does not return to the Planning Board by the next meeting ,with revised plans then the Board should deny the application.

Mr. DeLuca made a motion to close the Public Hearing for SPR-5-2021, seconded by Mr. Federman

**Roll Call Vote**

Mr. DeLuca Aye

Mr. DiCaprio Absent

Mr. Federman Aye

Ms. Hernandez Aye

Ms. Golden Aye

Ms. Bagshaw Aye Motion Approved

Public Hearing closed at 7:32 PM

**OLD BUSINESS:**

**Subdivision SUB-3-2022 Catskill Golf Resort 27 Brooks Lane, Catskill.**

Mr. Schwenzfeier read aloud part 2&3 of the EAF.

Mr. Hilscher stated since the date of the public hearing being scheduled for this project,the Board has been informed that the lands east of Brooks Lane is not in the water and sewer district . The applicant will be required to show proof for a water supply in order for the Board to approve a subdivision. If the applicant intends on hooking into the Town’s Water and sewer, he will have to request an expansion of the district to include his parcel on the east Side of Brooks Lane, from the Town Board.

Mr. Federman made a motion to declare a Negative Declaration for SUB-3-2022, seconded by Mr. DeLuca

**Roll Call Vote**

Mr. DeLuca Aye

Mr. DiCaprio Absent

Mr. Federman Aye

Ms. Hernandez Aye

Ms. Golden Aye

Ms. Bagshaw Aye Motion Approved

Ms. Bagshaw made a motion to accept the application and plat as final, seconded by Mr. DeLuca

**Roll Call Vote**

Mr. DeLuca Aye

Mr. DiCaprio Absent

Mr. Federman Aye

Ms. Hernandez Aye

Ms. Golden Aye

Ms. Bagshaw Aye Motion Approved

The Board discussed a conditional approval requiring the applicant to obtain an extension for the water and sewer district to include the prosed parcel on the east side of Brooks Lane.

Ms. Golden stated the applicant would be required to obtain the water and sewer district extension within 180 days and/or request 2 extensions for the approval and if the water and sewer extension is not obtained then the application will be denied and then the applicant will have to re-apply for a subdivision.

Mr. DeLuca made a motion to approve SUB-3-2022 with the conditions on the resolution, seconded by Ms. Bagshaw

**Roll Call Vote**

Mr. DeLuca Aye

Mr. DiCaprio Absent

Mr. Federman Aye

Ms. Hernandez Aye

Ms. Golden Aye

Ms. Bagshaw Aye Motion Approved

**Special Use Permit SUP-1-2022 ELP Catskill Solar 555 Cauterskill Rd. (Sketch Conference )**

Ms. Golden gave a brief overview of this project to date.

Cort Grob is the current owner of this 87.8 acre parcel located at 555 Cauterskill Road. Mr. Grob was not in attendance at tonight’s meeting. The application is being represented by Will Smith and Wendy DeWolf from Easy Light Partners LLC. The applicants are requesting a Special Use Permit in order to develop a 1.7-megawatt, community solar array facility, and will be connected to Central Hudson’s distribution system on Cauterskill Rd. The solar farm will be co-located with agricultural and agroforestry activities. The placement of the solar arrays will involve 15 acres for the panels, and an additional 3 acres of land clearing for maximum photoelectric affect. The area containing the solar panels will be fenced, and the fencing will have wild life passages. The facility will be offering individuals in the community a 10% discount. Since the last meeting the applicant submitted a revised set of plans and additional material addressing the, visual impact analysis, revised EAF, decommissioning plan, wild life report, Central Hudson connection, copy of the deed, information pertaining to solar impact on potential contamination, and effect to the local real estate value , information regarding additional solar projects in the general area, plans submitted to the Catskill fire department , and information indicating pesticides will not be used on the site, also an escrow account has been established with the Town.

Ms. Golden stated some of the Board members had conducted a site visit.

The Board reviewed the plans.

Mr. Federman stated he has concerns regarding the lime stone out cropping to the south of the site, also the site consist of young forest and the project could affect species of bird nesting. He has spoken with the biologist

who will be doing the survey on the site and it was discussed that the survey would consist of plant species in the wetlands but also a bird study addressing bird species that are on the decline as well. The study will be a single season survey and would take place in the end of May or beginning of June. He also wanted to state for full disclosure, that he has worked with the biologist in the past. He also wanted to mention on part 3-c of the EAF should indicate Greene County Sheriff Department.

Mr. Smith stated he had spoken with the biologist this afternoon and the biologist had indicated a bird study would not be required since the site does not have any known endangered species on it.

Discussion ensued regarding for wild life survey and potential for mitigating offset of lost to natural resources by donating to local conservative agencies.

Ms. Wolf stated because this site does not hold new robust forest, and there is only a small amount of the land being impacted, it would not be considerable to mitigate the loss of natural resources , but would be willing to discuss the matter after the biologist submits the survey. The biologist will be asked to assess the wetlands and plant species, and will ask if any other studies should be required.

Ms. Golden asked if the survey will be completed for the Public Hearing.

Ms. Wolf answered the biologist should be conducting the study within the week.

Mr. Hilscher asked in regards to the two building on the site and the cemetery to the proximity to the road, and he would also like to know what the plans are for the agricultural lands.

Ms. Wolf answered the agricultural lands have been maintained, and there are no definitive plans for their use at this time .The cemetery has not been surveyed yet but will be before the public hearing and they are also waiting on SHPO regarding it .The house is dilapidated and will probably be removed, but that is not part of this project.

Mr. Schwenzfeier asked if there will be a drainage report.

Mr. Smith answered “Yes”.

Discussion ensued regarding removal the solar panels as part of the decommissioning plans, and the requirement for a bond.

Ms. Golden stated the outstanding items required are a drainage plan, SHPO approval, location of cemetery, the biology study, and response from the local fire department. The project will require a 239 Review with the County.

Ms. Bagshaw made a motion to accept the plans for SUP-1-2022 as preliminary, seconded by Mr. DeLuca

**Roll Call Vote**

Mr. DeLuca Aye

Mr. DiCaprio Absent

Mr. Federman Aye

Ms. Hernandez Nay

Ms. Golden Aye

Ms. Bagshaw Aye Motion Approved

Ms. Bagshaw made a motion to schedule a Public Hearing at 6:35 PM on May 24, 2022, seconded by Mr. Federman

**Roll Call Vote**

Mr. DeLuca Aye

Mr. DiCaprio Absent

Mr. Federman Aye

Ms. Hernandez Nay

Ms. Golden Aye

Ms. Bagshaw Aye Motion Approved

Mr. Federman stated he would recommend the applicant research the wildlife openings comparable to other solar projects.

**Special Use Permit SUP-10-2021 Stay Lokal Kabins 875 Rt. 23B, Catskill.**

Ms. Golden gave a brief overview of this project to date.

Caryn Mlodzianowski from Boehler Engineering was representing this application at tonight’s meeting along with Alix Betke. Mr Ludeman attended via Zoom-Media . The applicant is requesting a Special Use Permit for the redevelopment and revitalization of what had once been called Astoria Motor Court. The site will consist of 31 cabins, restaurant with a lobby, a parking area with a canopy consisting of a 10 megawatt solar array, walking trails, and a swimming pool. The Board had opened and closed a Public Hearing for this application on February 22, 2022.Since then the applicant submitted revised plans with updates addressing landscaping, lighting, location of pool, rearranged cabins to address phase 3 of the project in conjunction with phase 3 archeological assessments, revisions to the parking area, and a drainage report.

Ms. Golden asked if the restaurant will be open to the Public or if the site will be used for group events.

Mr. Ludeman answered “No”.

Mr. Hilscher stated the Board can approve the project at what would be considered phase 1, if the applicant agrees to wave the requirement for final approval 62 days after the close of the public hearing. Also there is a concern for when the Chairwoman signs the plat that shows both phases of the proposed project.

Mr. Betke answered the applicant would agree to waive the requirement for 62 days. He would also add that when they apply for a building permit, the application will indicate for phase 1 only. If SHPO grants approval from the archeological assessment then the project will come back before the Board to obtain approval for phase 2. He will also submit something in writing for the Board indicating the applicant is waiving the approval after 62 days from the close of the public hearing.

Mr. Schwenzfeier read aloud part 2&3 of the EAF with all answered being “No”, except questions # 12 Impact on Historical and Archeological Resources was answered, “moderate to large impact”, Reason supporting this determination. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places. - Moderate Impact without an archeological phase 3 assessment.

Ms. Bagshaw made motion to declare a Negative Declaration for SUP-10-2021, seconded by Mr.DeLuca

**Roll Call Vote**

Mr. DeLuca Aye

Mr. DiCaprio Absent

Mr. Federman Aye

Ms. Hernandez Nay

Ms. Golden Aye

Ms. Bagshaw Aye Motion Approved.

Ms. Bagshaw made a motion to accept this application and plat for SUP-10-2021 as final, seconded by Mr. Federman

**Roll Call Vote**

Mr. DeLuca Aye

Mr. DiCaprio Absent

Mr. Federman Aye

Ms. Hernandez Nay

Ms. Golden Aye

Ms. Bagshaw Aye Motion Approved.

Ms. Golden read aloud the conditions of approval on the resolution dated April 12, 2022.

Mr. DeLuca made a motion to accept the resolution as amended, seconded by Ms. Bagshaw

**Roll Call Vote**

Mr. DeLuca Aye

Mr. DiCaprio Absent

Mr. Federman Aye

Ms. Hernandez Nay

Ms. Golden Aye

Ms. Bagshaw Aye Motion Approved.

Ms. Golden thanked the applicant for attending .

**Subdivision SUB-2-2022 Zaxkill LLC 122 Cauterskill Road, Catskill.**

Ms. Golden gave a brief overview of this project to date.

Darren Elson from Kaaterskill Associates was representing the applicants at tonight’s meeting. The applicant is requesting a 2 lot subdivision in order to subdivide an existing 29.15 acre parcel into an 11.48 acre parcel and a 17.66 acre parcel. The applicant submitted revised plans addressing the driveway, location of proposed leach field, and indicated existing foundation to be crushed. Mr. Elsom stated he will be submitting acknowledgement from SHPO, and will be submitting a SWPP.

Ms. Golden stated this subdivision will require a RMA for a shared driveway.

Mr. Federman made a motion to declare Lead Agency for SUB-2-2022 as an unlisted action and uncoordinated review, seconded by Ms. Bagshaw

**Roll Call Vote**

Mr. DeLuca Aye

Mr. DiCaprio Absent

Mr. Federman Aye

Ms. Hernandez Nay

Ms. Golden Aye

Ms. Bagshaw Aye Motion Approved.

Mr. DeLuca made motion to accept the application as complete, seconded by Ms. Bagshaw

**Roll Call Vote**

Mr. DeLuca Aye

Mr. DiCaprio Absent

Mr. Federman Aye

Ms. Hernandez Nay

Ms. Golden Aye

Ms. Bagshaw Aye Motion Approved.

Mr. DeLuca made a motion to schedule a Public Hearing for SUB-2-2022

**Roll Call Vote**

Mr. DeLuca Aye

Mr. DiCaprio Absent

Mr. Federman Aye

Ms. Hernandez Nay

Ms. Golden Aye

Ms. Bagshaw Aye Motion Approved.

Rodger Edwards resides at 835 Main St. and stated he has concerns regarding storm water runoff from the site of the posed subdivision.

Mr. Elsom stated he will look into the current drainage and see if he can’t configure something to prevent any additional run off.

 **NEW BUSINESS:**

**Special Use Permit SUP-2-2022 Ray Cottrell 3049 Old Kings Road, Catskill.**

No one representing SUP-2-2022 was present at tonight’s meeting.

**Lot Line Adjustment SUB-6-2022 Kaaterskill 75 LLC Mossy Hill Road, Catskill.**

**Subdivision SUB-5-2022** **Rosana Thompson 361 Mossy Hill Road, Catskill.**

Charles Holtz was representing both of the applicants in this Subdivision and a lot line Adjustment. The applicant is requesting a 2 lot subdivision from a 13.60 acre parcel, into a 6.47 acre parcel, and 6.86 acre parcel, and also the conveyance of. 23 acres to Kaaterskill 75. The applicants submitted an application, plans and an EAF.

The Board reviewed the plans.

Ms. Golden asked what the reason for requesting the lot line adjustment is.

Mr. Holtz answered for open space.

Ms. Golden stated the plans are required to show soil types.

Mr. Hilscher stated he would send Mr. Holtz language to add to the plans indicating lot #1 and #2 have access to the right of way. Mr. Hilscher then asked where Kaaterskill 75 has access for their parcel.

Mr. Holtz answered Old Quarry Road.

Discussion ensued regarding flag lots, and private roads.

Mr. Hilscher stated the 2nd lot will require a 20’ right of way in order to qualify as a flag lot. If the 2nd lot were to be granted a 50’ at the end of the access onto Mossy Hill Road, the parcel would not be considered a flag lot.

Mr. Holts stated he will revise the plans.

**OTHER BUSINESS:**

Mr. Federman made a motion to approve the recommendations made at the December 7, 2021 Special Meeting , regarding the revisions of the Towns Code, seconded by Mr. DeLuca

**Roll Call Vote**

Mr. DeLuca Aye

Mr. DiCaprio Absent

Mr. Federman Aye

Ms. Hernandez Aye

Ms. Golden Aye

Ms. Bagshaw Nay Motion Approved.

Ms. Bagshaw made a motion to for the Planning Board to establish a procedure for any application older or pending, but not acted upon within 6 months, to automatically be denied and closed out, and discarded after 7 years, seconded by Mr. Federman

**Roll Call Vote**

Mr. DeLuca Aye

Mr. DiCaprio Absent

Mr. Federman Aye

Ms. Hernandez Aye

Ms. Golden Aye

Ms. Bagshaw Aye Motion Approved.

Approval of meeting minutes of March 22, 2022 was tabled.

Ms. Hernandez made a motion to close tonight’s meeting, seconded by Mr. Federman

Planning Board meeting ended at 10:01 PM

Respectfully Submitted,

Patricia Case-Keel

Planning Board Secretary

Approved as Amended 5/24/22