# Town of Catskill Planning Board

Planning Board Meeting

August 9, 2022 6:30 PM

Town Hall 439 Main St. Catskill

**Present:** Chairwoman-Teresa Golden, Vice Chairman- Larry Federman( Zoom-Media) William DeLuca, Bridgett Hernandez, Heather Bagshaw(Zoom- Media), Angelo DiCaprio, Brittany Williams, Jay Lesenger (Alternate member), Secretary Patricia Case-Keel.

**Attendance: All present.**

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 August 23, 2022 and September 13, 2022. For applications requiring a 239 Review, the Greene County Planning Board’s next scheduled meeting will be held on August 17, 2022 and September 14, 2022. Any application requiring a 239 Review must submit all required materials including full size drawings 12 days prior to their scheduled meetings.

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.

**Opening of Public Hearing:**

**Subdivision SUB-12-2022 Barry Hill Pennsylvania Ave., Palenville.**

Ms. Golden gave a brief overview of the project to date, and then opened the Public Hearing for SUB-13-2022 198 Pennsylvania Avenue, Palenville. The Notice of Public Hearing was published in the Daily Mail on August 3, 2022 and August 4, 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 August 9th, 2022 at 6:35 PM at Town of Catskill Town Hall 439 Main St. in the Village of Catskill, to consider a 2 lot minor subdivision of land located on 198 Pennsylvania Avenue proposed by Barry Hill 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. (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,**

The applicant submitted the green cards from the certified mailing.

Mr. Federman recused himself from the review of SUB-13-2022.

Gary Harvey was representing the applicant at tonight’s meeting. The applicant is requesting a 2 lot subdivision in order to create a 3.37 acre parcel and leave a remaining 12.11 acre parcel.

Ms. Golden asked three times if there were any questions or comments regarding SUB-13-2022.

There were no questions or comments.

Mr. DiCaprio made motion to close the Public Hearing for SUB-13-2022, seconded by Mr. Lesenger

**Roll Call Vote**

Mr. DeLuca Aye

Mr. DiCaprio Aye

Mr. Federman Abstained

Ms. Hernandez Aye

Ms. Golden Aye

Ms. Bagshaw Aye

Brittany Williams Aye

Jay Lesenger Aye (Voting in place of Larry Federman) Motion Approved.

**Public Hearing Closed at 6:36 PM**

**OLD BUSINESS:**

**Subdivision SUB-13-2022 Barry Hill Pensylvania Ave., Palenville.**

Mr. DeLuca read aloud part 2 of the EAF with all answered being “No or Small Impact”.

Mr. Lesenger made a motion to declare a Negative Declaration for SUB-13-2022, seconded by Mr. DeLuca

**Roll Call Vote**

Mr. DeLuca Aye

Mr. DiCaprio Aye

Mr. Federman Abstained

Ms. Hernandez Aye

Ms. Golden Aye

Ms. Bagshaw Aye

Brittany Williams Aye

Jay Lesenger Aye (Voting in place of Larry Federman) Motion Approved.

Mr. Lesnger made a motion to accept the application and plat as final for SUB-13-2022, seconded by Ms. Williams

**Roll Call Vote**

Mr. DeLuca Aye

Mr. DiCaprio Aye

Mr. Federman Abstained

Ms. Hernandez Aye

Ms. Golden Aye

Ms. Bagshaw Aye

Brittany Williams Aye

Jay Lesenger Aye (Voting in place of Larry Federman) Motion Approved.

Mr. Lesenger made a motion to accept the resolution approving SUB-13-2022, seconded by Mr. DiCaprio

**Roll Call Vote**

Mr. DeLuca Aye

Mr. DiCaprio Aye

Mr. Federman Abstained

Ms. Hernandez Aye

Ms. Golden Aye

Ms. Bagshaw Aye

Brittany Williams Aye

Jay Lesenger Aye (Voting in place of Larry Federman) Motion Approved.

Ms. Golden thanked the applicant

**Subdivision SUB-9-2022 Samantha Butts 1516 Rt. 23B, Leeds.**

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

Gary Harvey was representing the applicant at tonight’s meeting. The applicant submitted a “No Effect Notice” “in response to SEQRA form SHPO.

Mr. DeLuca made read aloud part 2 of the EAF with all answers bring “No or Small Effect”

Mr. DeLuca made motion to declare a Negative Declaration for SUB-13-2022, seconded by Mr. Federman

**Roll Call Vote**

Mr. DeLuca Aye

Mr. DiCaprio Aye

Mr. Federman Aye

Ms. Hernandez Aye

Ms. Golden Aye

Ms. Bagshaw Aye

Brittany Williams (Not Voting) Motion Approved.

Mr. DiCaprio made a motion to accept the application and plat as final for SUB-9-2022, seconded by Ms. Williams

**Roll Call Vote**

Mr. DeLuca Aye

Mr. DiCaprio Aye

Mr. Federman Aye

Ms. Hernandez Aye

Ms. Golden Aye

Ms. Bagshaw Aye

Brittany Williams (Not Voting) Motion Approved.

Mr. Bagshaw made a motion to accept the resolution approving SUB-9-2022 as amended, seconded by Mr. DeLuca

**Roll Call Vote**

Mr. DeLuca Aye

Mr. DiCaprio Aye

Mr. Federman Abstained

Ms. Hernandez Aye

Ms. Golden Aye

Ms. Bagshaw Aye

Brittany Williams Aye

Jay Lesenger (Not Voting) Motion Approved.

**NEW BUSINESS:**

**Lot Line Adjustment SUB-15-5055 Bart Gottesman 4 Country Club Estate, Catskill**

Mr. Harvey was representing the applicant at tonight’s meeting. Mr. Gottesman is requesting the conveyance of .02 acres from his existing .05 parcel leaving a remaining .48 acre parcel and his neighbor Mr. Slauson will be increasing his parcel to a .29 acre parcel. The reason for this request is to improve availability to the parcel in order to comply with setbacks, and also to add open space. The applicant has submitted an application, copy of deed, and a survey.

The Board reviewed the plans.

Mr. Deluca made a motion to approve SUB-15-2022, seconded by Ms. Bagshaw

**Roll Call Vote**

Mr. DeLuca Aye

Mr. DiCaprio Aye

Mr. Federman Abstained

Ms. Hernandez Aye

Ms. Golden Aye

Ms. Bagshaw Aye

Brittany Williams Aye

Jay Lesenger (Not Voting) Motion Approved.

**Sketch Conference Reid Mower 1349 Rt. 23B, Leeds.**

Ms. Golden and Ms. Hernandez recused themselves from the review of this project. Ms. Golden stated Vice Chairman Larry Federman will be chairing this application.

Ms. Golden and Ms. Hernandez left the room.

Mr. Mower was in attendance at tonight meeting along with his surveyor Charles Holtz. The applicant is requesting for the Board to review his project for a special use permit, while in the process of obtaining a Use Variance with the Town of Catskill Zoning Board. Mr. Mower would like to use the 13.12 acre parcel for the construction of a garage to use for parking and servicing his trucks and excavating equipment. The applicant has submitted an application and sketch plan.

The Board reviewed the Plans.

Mr. Federman stated provided the applicant does obtain a use variance from the Zoning Board, if this project were to move forward with the Planning Board, the applicant will have to apply for a site plan review because the Town Code does not list this type of operation under special uses.

Ms. Bagshaw asked the applicant to explain the timing for this application and why the applicant has asked to come before the Board tonight.

Mr. Holtz stated the Zoning Board had reviewed this application for a use variance at their July 27, 2022 and scheduled a public hearing to be held on August 24, 2022. In the hope that Zoning Board grants an approval, he would like to ask for the Planning Board to schedule a public hearing at the August 23, 2022 meeting for September 13, 2022 with the condition the Zoning Board grants the use variance.

Ms. Bagshaw asked if the project will require 2 public hearings, and she would look for some of the Planning Board to attend the Zoning Board’s Public Hearing in order to hear some of the comments.

Mr. Federman stated at this time the County does not have a Planning Board to review projects for 239 Reviews. However the Board has been counselled, not to schedule a Public hearing until after the Zoning Board has made their determination.

Ms. Bagshaw stated going forward she would ask that any recommendations from counseling be backed up with an explanation.

Discussion ensued regarding scheduling public hearings conditionally.

Mr. Federman stated the Board will need some guidance on this matter from counsel, and whatever recommendations the attorney offers will be shared with the Board.

Ms. Bagshaw stated she would also like to encourage the Board to review this type of policy, and if it’s not helping projects to go through, the Board may want to recommend something else.

Discussion ensued regarding waiving the 15 day requirement for public hearing notices.

Mr. Holtz stated the site is not located in a flood way, it is located in a flood zone. He has also submitted a report from an engineer regarding a proposed septic on the site, as well as the impact raising the area 8’ for the construction of the garage, and it indicates it will not affect the flood zone at all . He also stated that he will add the revision date to the plans that indicate the flood zone and the setbacks.

Mr. Federman stated he will refer to counsel regarding the potential for scheduling a public hearing for September 27, 2022, and also the request for a waiver regarding 14 days for the certified mailing instead of 15 days.

Mr. DeLuca asked what exactly will the site be used for.

Mr. Mower answered he operates a trucking excavating business. His employees will come on to the site at 7:00 AM and retrieve the equipment, then return approximately at 5:00 PM. Also he plans to do some maintenance on the equipment.

Mr. DeLuca asked if the site plan should indicate the location of the septic.

Mr. Holtz answered the letter form the engineers indicating the site is approved for a septic. The location of a septic is a Code Enforcement issue.

Mr. Federman stated with the site being in a flood plain he has concerns for the potential of contamination and then asked if the applicant intends on using the site for maintenance on the equipment, and will there be a designated spot for storing materials.

Mr. Mower answered the site is 8’ above the flood plain plus the slab will be 2’ higher, and all of the maintenance will be inside the garage.

Mr. Federman asked for the applicant to amend the narrative in the application, and indicate all materials will be stored inside of the garage, and then asked if the applicant will be cutting trees on the site.

Mr. Mower answered “No” to cutting any trees.

Mr. Federman thanked the applicant for attending tonight’s meeting.

At 7: 20 PM Board Member Heather Bagshaw left tonight’s meeting.

eaHearing is still open **OTHER BUSINESS:**

Ms. Golden stated the Board has been contacted by Mr. Conklin regarding Rip & Wolf’s site plan. The applicant would like to make some changes to the type of fencing on the site. The question from Mr. Conklin is will the Board require that the applicant return for the amendment of the site plan.

Discussion ensued.

Ms. Golden stated the Board will inform the applicant to submit pictures and sketch of the proposed fencing and the Board will review the changes.

Mr. Schmidt resides in Leeds, and stated he is very interested in the application for Reid Mower. Mr. Schmidt asked for the applicants schedule for returning back to the Planning Board in order to continue his review.

The Board provided the scheduled dates and time for Mr. Mowers application.

The Board discussed the process and purpose for the Planning Boards Prep meeting.

Ms. Golden stated the purposed of the prep meeting, is to help make the Planning Boards meetings efficient. In the past the Planning Board was holding meetings 3-4 hours long, and since the implementation of the prep meeting, the meeting have gone down the approximately 2 hours.

Mr. Federman stated the pre meetings allows for the application to be reviewed by the Towns Engineer, Code Enforcement Officer, and the Planning Board clerk or completeness, to help stream line the Planning Board meetings.

Mr. DeLuca made a motion to approve the Planning Board’s meeting minutes of July 12, 2022 as amended, seconded by Mr. Federman

**Roll Call Vote**

Mr. DeLuca Aye

Mr. DiCaprio Abstained

Mr. Federman Aye

Ms. Hernandez Aye

Ms. Golden Aye

Ms. Bagshaw Absent

Brittany Williams Abstained

Jay Lesenger Aye Motion Approved

Meeting Minutes for July 26, 2022 were tabled

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

Planning Board meeting ended at 7:45 PM

Respectfully Submitted,

Patricia Case-Keel

Planning Board Secretary

Approved as Amended 9/13/2022