# Town of Catskill Planning Board

Planning Board Meeting

December 13, 2022 6:30 PM

Town Hall 439 Main St. Catskill

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

**Attendance:** Angelo DiCaprio, Brittany Williams.

**Also Present**: Adam Yagelski (Delaware Engineering), Ted Hilscher (Town Attorney)

Laurie Sprague –Schmidt will be voting in place of Angelo DiCaprio at tonight’s meeting.

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. Tonight is the last Planning Board meeting for this yea.r The Planning Board’s next regularly scheduled meeting will be January 10, 2023 she would like to wish everyone a happy and healthy holiday season . Later in tonight’s meeting, the Board will be discussing the possibility of changing the Boards frequency of the Boards meetings to once a month. If that is decided, the Towns website will be updated. For applications requiring a 239 Review, the Greene County Planning Board’s next scheduled meeting will be held on December 21, 2022 and any application requiring a 239 Review must submit all required materials including full size drawings 12 days prior to their scheduled meetings. As we are approaching the winter season please note that the Planning Board’s meeting will be automatically canceled if the Town Hall is closed due to inclement weather. Any scheduled Public Hearings will automatically be re-scheduled for the next Board meeting

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.

**Continuation of Public Hearing at 6:30 PM.**

**Subdivision SUB-20-2022 Moore 206 Pine Avenue & Pennsylvania Avenue Palenville**

Ms. Golden gave a brief overview of the project to date and then opened the Public Hearing. The notice of Public Hearing was published in the Daily Mail on December 7, 2022 and December 8, 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 December 13, 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 206 Pine Avenue,Palenville proposed by Ryan Moore & Heather Aran 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,**

Charles Holtz was representing the applicant at tonight’s meeting and gave a brief overview on this request for a 17 acre parcel to be subdivided into a 16 acre parcel and a 1 acre parcel .

Ms. Golden asked three times if there were any questions or comments regarding SUB-20-2022.

There were no questions or comments.

Mr. DeLuca made a motion to close the Public Hearing for SUB-16-2022, seconded by Mr. Lesenger

Ayes 6, Nays 0, Absent 2, Abstained 0 Motion Carried.

 **Public Hearing Closed at 6:35 PM**

**OLD BUSINESS:**

**Subdivision SUB-20-2022 Moore 206 Pine Avenue & Pennsylvania Avenue Palenville.**

The applicant had submitted curb cut approval form the Town of Catskill Highway Superintendent, and septic plans.

Mr. DeLuca read aloud part 2 of the EAF with all answers having no or small impact.

Mr. Federman made a motion to declare a Negative Declaration for SUB-1-2022, seconded by Ms. Sprague-Schmidt

Ayes 6, Nays 0, Absent 2, Abstained 0 Motion Carried.

Mr. Federman made a motion to accept the plat and application as final for SUB-20-2022, seconded by Mr. Lesenger

Ayes 6, Nays 0, Absent 2, Abstained 0 Motion Carried.

Ms. Sprague – Schmidt made a motion to adopt the resolution approving SUB-20-2022, seconded by Ms. Hernandez.

Ayes 6, Nays 0, Absent 2, Abstained 0 Motion Carried.

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

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

Bruce D Utter from Praetorius and Conrad P.C. was representing the applicant at tonight’s meeting. The applicant is requesting a site plan review in order to construct a 6’ x 120’ ware house for the wholesale of custom windows and doors. The site will be accessed from Green Road and will consist of 12 parking spaces for employees. The trucks used for pick up and deliveries will be smaller than a tractor trailer and they anticipate only 1-2 trucks per day. The applicant had submitted revised plans on December 8, 2022 and the plans were reviewed by Delaware Engineering.

Ms. Hernandez asked if the business will be open to the public.

Mr. D Utter answered “No”.

Mr. Yagelski stated Delaware Engineering has reviewed the plans including the SWPP and erosion control. There will be an increase in flow to two of the design points; they will be less than 5% over the predevelopment conditions. There will be a maintenance plan, and some of the rock will be removed and replaced with clay. He would recommend Delaware Engineering or an engineer, to monitor the development of the site during construction.

Discussion ensued.

Mr. Hilscher stated he would recommend the Planning Board add a condition to the resolution for the site to obtain final inspection as an issuance of a certificate of occupancy.

Ms. Golden asked if there will be delineation for the wetlands.

Mr. D Utter answered “No” At this time the project is not near the wetlands.

Mr. Hilscher stated if the Board has any concerns regarding the wetlands a condition can be added to the approval, or a note could be added to the plans indicating the wetlands are not to be disturbed.

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

Mr. Deluca made a motion to declare a Negative Declaration for SPR-5-2021, seconded by Mr. Federman

Ayes 6, Nays 0, Absent 2, Abstained 0 Motion Carried.

Mr. Lesenger made a motion to accept the plans and application as final , seconded by Ms. Sprague –Schmidt

Ayes 6, Nays 0, Absent 2, Abstained 0 Motion Carried.

Mr. Federman made a motion to accept the resolution approving SPR-5-2021, seconded by Mr. DeLuca

Ayes 6, Nays 0, Absent 2, Abstained 0 Motion Carried.

**NEW BUSINESS:**

**Sketch Conference Subdivision Henry Mahnken Mnt. House Road Catskill.**

Gary Harvey was representing the applicant at tonight’s meeting. The applicant is requesting a 2 Lot subdivision of a 177 acre parcel. The Parcel had been purchased 25 years ago by the applicant and a business partner Dan Ellis, but now they have decided to subdivide the parcel into an 84 acre parcel and 93 acre parcel. The applicant submitted an application and a sketch plan.

The Board reviewed the plans.

M. Golden stated the parcel must have access onto a public or private road.

Mr. Harvey stated Mnt. House road is had ben mapped since 1836, and was pre-existing to the Towns Subdivision regulations.

Mr. Federman stated Mnt. House Road is gated and asked how that would affect access to the parcel.

Mr. Harvey stated the applicant has a key to the gate. Also there are a half a dozen other parcels further up on Mnt. House Road. The deed gives the applicant access to Mnt. House Road and D.E.C maintains the road.

Ms. Golden asked if the road is accessible for emergency vehicle.

Mr. Harvey answered he does not believe and emergency vehicle could make it up. The applicant is not proposing to build a house on the land and is only using the plans for hunting.

Mr. Hilscher read aloud Town Code 138-18(G). Mr. Hilscher stated the access to the posed parcel is not even a road it’s a public path. The Board could approve the subdivision with a condition that there can never be a house built on it.

Ms. Golden stated the Board would have to proceed with the project as a coordinated review with DEC. In order for this project to move forward the applicant will have to submit copies of the deed to the Towns attorney.

**Special Use Permit SUP-5-2022 Griffin House Inn 3311 Rt. 23A, Palenville.**

**Site Plan Review SPR-3-2022 Griffin House Inn 3311 R.t 23A, Palenville.**

Kevin Conklin was representing the applicant at tonight’s meeting. The applicant is requesting a special use permit in order to reinstates the hotel units on the 2nd floor of the structure, and the site plan review is for the reinstating of the restaurant and bar**.** The site consists of a 1 acre parcel and, a 38 acre parcel; between both parcels there will be 47 parking spaces. The total amount for occupancy will be 150- 200 persons which will include staff. The applicant submitted an application, site plan, EAF.

Mr. Hilscher stated in order for the .38 acre parcel to be accepted as part of this project the applicant will be required to submit a declaration of easement.

Ms. Golden stated there is a concern regarding overflow for parking.

Mr. Harvey stated in the event there was a need for additional parking accommodations could be made for parking with the tow local churches and the fire house.

Mr. Hilscher stated the Board could consider a condition requiring all parking be off street, and if the applicant needs to make arrangements with the fire department or church, it will be their responsibility.

Ms. Golden stated in order for this project to move forward the site plan needs to be revised to identify the hatch marks. The applicant will also be required to obtain a no effect letter from SHPO, and the project will have to be sent to the County for a 239 Review.

Mr. Federman made a motion to declare SUP-5-2022 & SPR-3-2022 as an unlisted, uncoordinated review and declare the Town of Catskill Planning Board as Lead Agency, seconded by Ms. Hernandez

Ayes 6, Nays 0, Absent 2, Abstained 0 Motion Carried.

Ms. Sprague-Schmidt made motion to accept the application and plans as preliminary with the condition for the applicant to submit a declaration of easement for “no on street parking”, seconded by Mr. DeLuca

Ayes 6, Nays 0, Absent 2, Abstained 0 Motion Carried.

Mr. Deluca made a motion to schedule a Public Hearing for this special use permit, and site plan review to be held on January 24, 2023 at 6:30 PM, seconded by Mr. Federman.

Ayes 6, Nays 0, Absent 2, Abstained 0 Motion Carried.

**Subdivision SUB-24-2022 IDA 704 Rt. 23B, Catskill.**

Rene VanShaack is the Executive Director for the IDA and was attending tonight s meeting via Zoom Media. Also in attendance was Alton McDonald from Santos Associates.The applicant is requesting a 3 lot subdivision of a 6.914 acre parcel into a 2.083, 1.721 and a 2.626 acre parcel along with the development of a County Road. At this time the site is being developed for the relocation of the Stewarts Shop, and a Hampton Hotel. The applicant had submitted a major subdivision application, short EAF and a survey of the site. The applicant has also submitted a copy of a letter sent to SHPO , and has received correspondence form The Town of Catskill Department of Public works indicating the Town will be able to supply water and sewage

The Board reviewed the plans.

Discussion ensued regarding open space requirements.

Mr. Hilscher stated he will look into the matter of requiring common open space for this project.

Ms. Golden asked why the plans do not indicate grading.

Mr. McDonald answered as each of the parcels are developed for their commercial use, they will be required to obtain a site plan approval from the Planning Board and will have to submit all of the required details such as SWPP and grading for the sites. The road is already paved and should not make a significant change to the SWPP.

Mr. Federman stated the applicants for the commercial uses, may be required to submit a traffic study.

Mr. Yagelski stated he will look into the matter of the Planning Board closing SEQRA with Delaware Engineering representing the IDA at this time.

Ms. Golden stated a Town Engineer will be required, and it was to her understanding the County is looking into another firm besides Delaware Engineering.

Mr. Hilscher stated the Planning Board may not require an engineer if the subdivision does not require a SWPP and the road is to be built by the County for their own dedication.

Mr. VanShaack stated there was a lot of consideration regarding the SWPP, which is why a lot of the impervious ground was left intake after the demolishing of the structures on the site. All of the potential owners are aware that they are going to have to address the SWPP themselves when they proceed with site plan reviews.

Mr. Federman stated as part of this subdivision approval the Board can add a condition indicating the SWPPs will be filled by individual parcel owners.

Mr. DeLuca made a motion to classify this project as an unlisted, coordinated review with Greene County, and the IDA, and to declare the Town of Catskill Planning Board as Lead agency, seconded by Mr. Lesenger

Ayes 6, Nays 0, Absent 2, Abstained 0 Motion Carried.

Ms. Golden review with the applicant ali of the required material for a preliminary plat.

The applicant was instructed to submit the following material, topography plans , Name of project , note commercial lots on plans , name for road, waiver for water and sewer direction of flow, sedimentation control plan , notification from Central Hudson for service , waiver for SWPP, waiver for grading , waiver for 10% open space .

Mr. Hilscher sated In order for any of the parcels to be used for a hotel, the Town Board will have to adopt changes to the Town’s Zoning which they are planning on doing in February.

**Special Use Permit SUP-7-2022 Eagle Ridge A Frames 107 Jefferson Heights, Catskill.**

Liz Saunier from Dimension Architect was representing the applicant at tonight’s meeting. The applicant is requesting a Special Use Permit in order to merge 3 tax parcels for the purpose of developing 4- 1 bedroom single units, to be used for short term rentals. The applicant submitted an application sketch plan and an EAF.

The Board reviewed the plans.

Ms. Golden stated the Towns Code does not allow more 2 dwellings on a single parcel and in the use of a motel is not allowed in the General Commercial Zone. The applicant could confer with the Code Enforcement Officer to find out if the interpretation for the use could be reconsidered.

**Other Business:**

Ms. Golden stated she had a meeting with the Town Supervisor, the Town Attorney, the Town Code Enforcement Officer and Delaware Engineering, and it was recommended that the Planning Board hold 1 meeting a month instead of 2 with a cutoff date for all submittal 15 days prior to the meeting and the CEO will be reviewing all of the projects for completeness, to try and improve the project flow with the Planning Board.

The Board discussed the matter.

Mr. Federman made a motion the Planning Board will hold their regularly scheduled meeting starting in February 2023 the 4th Tuesday of every month, seconded by Ms. Golden

Ayes 4, Nays 2, Absent 2, Abstained 0 Motion Carried.

The Board discussed changes to the Zoning Code.

Ms. Hernandez stated that there should be cap on battery and solar farms.

Mr. Hilscher stated he would recommend discussing the matter with the Town Board, because it is not in the Planning Board purview.

The Board discussed potential cyber attacks

Mr. Yagelski discussed NYSERDA recommendations fo solar power and battery plants.

Mr. DeLuca made a motion to forward the recommended changes of the Town’s Code to the Town Board, seconded by Mr. Lesenger

Ayes 6, Nays 0, Absent 2, Abstained 0 Motion Carried.

The Planning Board voted 6 Ayes with 2 members absent, to recommend Teresa Golden to serve as Chairwomen for the year 2023.

The Planning Board voted 6 Ayes with 2 members absent, to recommend Larry Federman to serve as Vice -Chair for the year 2023.

Mr. DeLuca made a motion to approve the Planning Board November 8, 2022 meeting minutes as amended, seconded by Ms. Sprague- Schmidt

Ayes 5, Nays 0, Absent 0, Abstained 1 (Jay Lesenger) Motion Carried.

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

 Planning Board meeting ended at 9:10 PM

Respectfully Submitted,

Patricia Case-Keel

Planning Board Secretary

Approved as amended 1/10/2023