# Town of Catskill Planning Board

Planning Board Meeting

June 27, 2023 6:30 PM

Town Hall 439 Main St. Catskill

**Present:** Chairwoman-Teresa Golden, Jay Lesenger, William DeLuca, Angelo DiCaprio, Laurie Sprague –

 Schmidt, Bridgett Hernandez , Secretary-Patricia Case-Keel.

**Absent:** Vice Chairman- Larry Federman

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

Ms. Golden announced Board member Brittany Williams has resigned from her position as a Board member and her place will be taken by Laurie Sprague – Schmidt. If any of the Board members are aware of any residents that would like to become a planning board, they should be advised to submit an application to the Town Board

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 July 25th and August 22nd. Due to the number of applications at tonight’s meeting the Board will be limiting each applicants presentation to ten minutes Town attorney Ted Hilscher will be the timekeeper.

 For those applications that require referral to the Greene County Planning Board, their next meetings are scheduled for July 19thand August 16th. 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.**

**Special Use Permit SUP-7-2023 Alan Schneck Trust, 314 Pennsylvania Avenue, Palenville**

Ms. Golden gave a brief overview of the project to date, and then opened the Public Hearing for SUP-7-2023 Alan Schneck Trust,314 Pennsylvania Avenue, Palenville. The Notice of Public Hearing was published in the Daily Mail on June 21, 2023 and June 22, 2023.

 **NOTICE OF PUBLIC HEARING**

**The Town of Catskill Planning Board will hold a Public Hearing on application**

**Special Use Permit SUP-7-2023 pursuant to Section 160-11 of the Town of Catskill Zoning Code to allow the conversion of a machine shop into a two family dwelling on lands owned by Alan Schneck at 314 Pennsylvania Avenue, Pallenville NY Tax Map #185.00-2-10 The Public Hearing will be held on the 27th day of June ,2023 at 6:35 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 at the Planning Board Office located at 439 Main Street, Catskill, New York between the hours of 10:00 a.m. and 2:00 p.m Please call to make an appointment if you would like to view the application. By order of Teresa Golden Chairwoman, Planning Board, Town of Catskill**

Scott Lane is an engineer and is representing the applicant at tonight’s meeting. Mr. Lane gave a brief overview of this project. The applicant is requesting this Special Use Permit in order to convert a machine shop into a 2 family dwelling. The building is 46’x35’with an existing driveway. The plans will involve the upgrading of the septic along with existing landscaping. The applicant had submitted the cards, revised plans indicating mobile homes are to only be used for storage, identified lighting, and revise the application addressing question #23.

Ms. Golden asked if there were any questions or comments regarding SUP-7-2023.

There were no questions or comments.

Mr. DeLuca made a motion to close the Public Hearing for SUP-7-2023, seconded by Mr. DiCaprio

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

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

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

**Special Use Permit SUP-5-2023 Stewarts Shop Inc,700 Rt. 23B Leeds.**

Ms. Golden gave a brief overview of the project to date, and then opened the Public Hearing for SUP-5-2023 Stewarts Shop Inc, 700 Rt. 23B, Leeds. The Notice of Public Hearing was published in the Daily Mail on June 21, 2023 and June 22, 2023.

 **NOTICE OF PUBLIC HEARING**

**The Town of Catskill Planning Board will hold a Public Hearing on application**

**Special Use Permit SUP-5-2023 pursuant to Section 160-14 of the Town of Catskill Zoning Code to allow the Construction of a Stewarts Shop on lands owned by Greene County I.D.A. at 700 County Rt.23B, Leeds NY Tax Map #138.00-14-1 The Public Hearing will be held on the 27th day of June ,2023 at 6:37 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 at the Planning Board Office located at 439 Main Street, Catskill, New York between the hours of 10:00 a.m. and 2:00 p.m Please call to make an appointment if you would like to view the application. By order of Teresa Golden Chairwoman, Planning Board, Town of Catskill**

Marcus Andrews was representing this application at tonight’s meeting. The applicant is requesting a special use permit in order to develop a Stewarts Shop at the new location recently developed by the IDA. The site will consist of a 3,900 sq ft Stewarts Shop with a fueling canopy, and in the future the potential for a vehicle charging station. The applicant submitted a traffic study and the green cards for the certified mailing.

Ms. Golden asked if there were any questions or comments regarding SUP-5-2023.

There were no questions or comments.

Mr. Lesenger made a motion to close the Public Hearing for SUP-5-2027, seconded by Mr. DiCaprio

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

**Public Hearing. Closed at 6:45PM**

 **Opening of Public Hearing at 6:46PM.**

 **Subdivision SUB-23-2022 Henry Mahnken Mountain Hose Road, Catskill**

Ms. Golden gave a brief overview of the project to date, and then opened the Public Hearing for SUB-23-2023 Henry Mahnken Mountain House Road, Catskill. The Notice of Public Hearing was published in the Daily Mail on June 21, 2023 and June 22, 2023.

 **PLEASE TAKE NOTICE,**

**the Town of Catskill Planning Board will hold a public hearing in accordance with Town Law § 276 on June 27, 2023, at 6:40 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 Mountain House Road, Catskill Tax Map # 169.00-6-3.111 proposed by Hennery 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 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,**

Gary Harvey was representing the applicant at tonight’s meeting. The applicants’ original plans involved the creation of a non-developable 2nd parcel, but have since changed the request, and would like to subdivide the 177 acre parcel into a 93.20 acre parcel and a 84.44 acre parcel with both parcels having the potential for residential use. The applicant submitted revised plans indicating a right of way for the 2nd parcel.

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

Lee Ann Carrier resides at 69 Mountian House Road. Mrs. Carrier wanted to know the location for the right of way and also the types of structures the applicant intends to be building on the lots.

Mr, Harvey identified the right of way on the plat, and answered both parcels will be residential.

Bruce Buley wanted to inform the Board that the parcel located at 136 Ledgemoor Lane, is a shooting range.

Ms. Golden stated it will be noted in the minutes.

Mrs. Shoemacher asked to see the access for both parcels

Mr. Harvey indicated on the plans where the access will be located for both parcels.

Mrs. Shoemacher stated there is a steep ledge crossing the center of the existing parcel.

Mr. Hilscher stated the development of the driveway is not in the Planning Board’s purview, it will be the Code Enforcement decision to approve any access in order to obtain a building permit.

Ms. Sprague - Schmidt made a motion to close the Public Hearing for SUB-22-2022,seconded by Mr. DeLuca

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

**Public Hearing Closed at 7:04 PM**

 **Opening of Public Hearing at 6:50 PM.**

 **Subdivision SUB-9-2023 Michael Roberts Pennsylvania Avenue Palenville**

Ms. Golden gave a brief overview of the project to date, and then opened the Public Hearing for SUB-9-2023 Michael Roberts Pennsylvania Avenue, Palenville. The Notice of Public Hearing was published in the Daily Mail on June 21, 2023 and June 22, 2023.

 **PLEASE TAKE NOTICE,**

**the Town of Catskill Planning Board will hold a public hearing in accordance with Town Law § 276 on June 27, 2023, at 6:48 PM at Town of Catskill Town Hall 439 Main St. in the Village of Catskill, to consider a 4 lot minor subdivision of land located on Pennsylvania Avenue, Palenville Tax Map # 184.00-7-6 proposed by Michael Robert Builders LLC. 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,**

Gary Harvey is representing the applicant at tonight’s meeting. The applicant is requesting this subdivision for the purpose of subdividing an 11.3 acre parcel into 4 parcels, creating a 2.8, 2.2, 2.9 and 3.4 acre parcels. Lot #4 would have access from Pennsylvania Avenue and the remaining 3 lots will have access through a shared driveway. The applicant has submitted revised plans indication setbacks, approval for a curb cut and septic plans.

Ms. Golden asked if there were any questions or comments regarding SUB-9- 2023.

Jason Edwards resides at 3 Rt.3091. Mr. Roberts stated there is a house already being built on the parcel and also he has concerns regarding this subdivision because there is a stream that flows though the applicants parcel and runs onto his land.

Ms. Sprague-Schmidt asked if the applicant has obtained a building permit for the house currently being built.

Mr. Harvey answered “Yes”.

Joseph Leggio stated on the proposed 1st parcel, there is an existing stream. The Town has subdivision regulations to protect the Town from houses being built on inadequate land, and also to protect residents from any potential damage caused by development.

Vincent Maiuri resides at 3051 Rt. 23A. Mr. Maiuri has pictures of the stream and stated some of the areas are consistently wet.

Ms. Golden stated the Board will continue this Public Hearing in order to give the applicant time to amend the plans and show the location of the stream.

**Public Hearing to be continued.**

**OLD BUSINESS:**

 **Special Use Permit SUP-7-2023 Alan Schneck Trust, 314 Pennsylvania Avenue, Palenville (Board**

 **Review EAF)**

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

Mr. Lesenger made a motion to declare a Negative Declaration for SUP-7-2023, Seconded by Ms. Sprague- Schmidt

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

Mr. Lesenger made a motion to accept the application and plans as final, seconded by Mr. DeLuca

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

Ms. Sprague Schmidt made a motion to adopt the resolution approving SUP-7-2023, seconded by Mr. Lesenger

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

**Special Use Permit SUP-5-2023 Stewarts Shop Inc., 700 Rt. 23B Leeds.**

Ms. Golden stated the Board will not be moving forward with this project until the Town’s Engineer has reviewed the SWPP.

Mr. Lesenger made a motion to reclassify SUP-5-2023 as a type 2 action, seconded by Ms. Sprague- Schmidt

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

**Subdivision SUB-23-223 Henry Mahnken Mountain House Road, Catskill**

Ms. Golden stated the Board will not be moving forward with this project at tonight’s meeting in order to grant the applicant time to add the topography to the plans. Ms. Golden then asked for the Town attorney to write a resolution addressing the T turns for the driveway.

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

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

Sarah Ashcroft and Kyle Baldwell from LaBella Associates was presenting this project at tonight’s meeting. The applicant has submitted a full SWPP, grading and erosion plan, and road with center line profiles for the Towns Engineer to review. The applicant has also submitted the septic and test well locations to the D.O.H. but have not received and responses to date.

Mr. Baldwell stated in order to complete the testing for the well they have to drill 3 test wells, but the D.O.H has requested the sites be spread out , in order to be able to move the equipment to the other side of the site, it will require a temporary stream crossing permit from D.E.C. Once they obtain the temporary stream crossing permit they can submit the well tests, and then return to the Planning Board with the anticipation of obtaining preliminary approval from the Board with the condition for D.E.C, and D.O.H. approval. SHPO had requested a stage 1 review be completed, which has been and now they are waiting for a response. The only other matter to be considered is the waiver request which will be submitted for the July 25, 2023 meeting.

Ms. Golden asked if the roads will be named .

Mr. Baldwell answered naming the roads is a process.

Ms. Golden stated there is a concern regarding the viability for the bridge on Bogart road being able to sustain the traffic from construction trucks.

Mr. Baldwell stated it can be specified for the construction vehicles to travel in from the south.

Ms. Golden asked if the outcropping will be identified.

Mr. Baldwell answered the out cropping will be located.

**NEW BUSINESS:**

**Sketch Conference Lot Line Adjustment SUB-13-2023 Richard Fischer Main St. & Park Lane, Leeds**

Mr. Fisher was present at tonight’s meeting along with Gary Harvey .The applicant is requesting a lot line adjustment to improve availability of the parcel and to comply with setback requirements. The project consists of 4 lot lines being adjusted and 2 parcels being combined. The applicant has submitted an application, plans and an EAF.

The Board reviewed the Plans.

Mr. Hilscher stated the applicant will be required to merge the two Lots with Assessor

Mr. DeLuca made a motion to approve SUB-13-2023 Lot Improvement, seconded by Mr. DiCaprio

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

 **Sketch Conference Lot Line Adjustment SUB-14-2023 Danial Ellet 5290 & 5294 Rt. 32, Catskill.**

Brie Meisler was representing the applicant at tonight’s meeting. The applicants are requesting the conveyance of 100.65 acres retaining an 8.26 acre parcel and to his adjacent neighbor creating an approximately 214.65 acre parcel.

Ms. Golden stated in order for this project to move forward the applicant will be required to identify the acreage for the parcel which the lands are to be conveyed. The deed needs to identify the entire acreage for the parcel, and must be referenced on the survey.

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

There was no one present to represent SPR-4-2023 at tonight’s meeting.

**Sketch Conference SPR-5-2023** **Lauren& Richard Hendricks, 69 Allen St, Catskill.**

Lauren and Richard Hendricks were present a t tonight’s meeting along with Kevin Conklin their engineer. The applicant is requesting a site plan review for the construction of a 30’x 50 metal building for the use as an existing motor vehicle repair shop. The applicant has submitted an application, EAF and site plan.

The Board reviewed the plans.

Ms. Golden stated she is concerns with the cars parked across the street on the D.O.T. lands.

Mrs. Hendricks stated some of the cars parked there are their neighbors.

Ms. Golden asked if there will be any issues with the dumpster being kept on the D.O.T. lands.

Mr. Hendricks answered the dumpster has to be located by the road for pick up, and it’s been kept at that location since 1973.

Ms. Golden asked if there are any bathrooms for the employees.

Mr. Hendricks answered the employees use the bathroom in the house.

MS. Golden asked about the storage of any oils.

Mr. Hendricks answered he usually on keeps a single 55 gallon drum on site and it is stored inside.

The Board discussed onsite parking only.

Mr. Hilscher stated the Board purview is only with the site plan.

Mr. DeLuca asked how wide the driveway is.

Mr. Conklin answered its approximately wide enough for 2 cars to pass.

Ms. Golden stated in order for this project to move forward the Board will need confirmation for the wetlands being on site, SHPO approval, explanation for all of the items marked as N/A on application, and a copy of the deed.

**OTHER BUSINESS:**

**Subdivision SUB-18-2022 The Nest Mossy Hill Road, Catskill (Board discuss park fees)**

Ms. Golden stated the question for the Board to consider is when the applicant, who is requesting a major subdivision, is required to submit the fee in lieu of the development of a park, IAW Town Code 140-11(N).

Mr. Hilscher stated the concern would be if the Board gives final approval before the fee is submitted, the applicant may never be submitted it.

Ms. Golden based on the consensus from the Board the Board will require the fee submitted before final approval, and going forward the Planning Board will recommend for the Town Board to amend the Town Code in order to address this matter.

Ms. Golden stated she would like to remind the Board members that they are required to obtain 4 hours of training a year.

Ms. Sprague- Schmidt made a motion to approve the April 26, 2023 meeting minutes as amended, seconded by Mr. DeLuca

Ayes5 Nays 0, Absent 1, Abstained 1 (Jay Lesenger ) **Motion Carried.**

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

 Planning Board meeting ended at 8:45 PM

Respectfully Submitted,

Patricia Case-Keel

Planning Board Secretary

Approved as Amended 8/22/23