

Town of Catskill Planning Board

Planning Board Meeting

January 12, 2021 6:30 PM

Robert C Antonelli Senior Center

Present: Chairman-Teresa Golden, Vice Chairman- Larry Federman (Virtual-Zoom), Brenda VanDermark William DeLuca, Bridgett Hernandez, Angelo DiCaprio. Heather Bagshaw, Secretary Patricia Case-Keel.

Attendance: All Present

Also Present: Kevin Schwenzfeier (Delaware Engineering) Elliot Fishman (T.O.C. C.E.O).

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

Ms. Golden gave a few opening remarks for tonight's meeting. She introduced Heather Bagshaw as a newly appointed member of the Planning Board. Another change is the appointment of a new Town Attorney. Ted Hilscher has experience working with both municipal law as well as land use law. The next Planning Board meetings are scheduled for January 26th, February 9th and February 23rd. For those applicants requiring referrals to the Greene County Planning Board, those meetings are scheduled for January 20th and February 17th. The Greene County Planning Board requires all referrals with supporting documentation to be submitted 12 days prior to their meetings. As it is now in the winter season, she noted that Planning Board meetings will be automatically cancelled if the Town Hall is closed due to inclement weather. Any scheduled public hearings will be automatically carried over to the next regularly scheduled meeting. Due to the growing number of cases of COVID in Greene County, there is also a possibility for the Planning Board meetings to go entirely virtual. This will necessitate the receipt of any updated information on agenda items prior to the meeting to ensure that they can be distributed electronically.

The Planning Board has 2 public hearings this evening as well as 2 new applications; therefore Ms. Golden moved the approval of minutes to the end of this meeting. During these public hearings, the Board respectfully asks that all speakers give their name, address, and organization (if any) and limit your remarks to 3 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, observe the commonly accepted rules of decorum, dignity, 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.

Public Hearing Opens : 6:35 P.M.

Special Use Permit SUP3-2020 Keicher 14 Pony Lane Catskill .

Chairwomen Teresa Golden stated the first item on tonight's agenda is a site plan and special use review for Michael and Margaret Keicher located on 14 Pony Lane. The application was dated October 30, 2020 and was first reviewed by the planning board on November 10th and again on November 24th at which time a public hearing was scheduled for this evening to concurrently review both the site plan and the special use permit.

Ms. Golden opened the Public Hearing for Special Use Permit SUP-3-2020 Keicher 14 Pony Lane. Catskill. The Notice of Public Hearing was published in the Daily Mail on January 6 2020 and January 7, 2020. The Planning Board Clerk read the Public Hearing notice aloud

The Town of Catskill Planning Board will hold a Public Hearing on application Special Use Permit SUP-3-2020 On January 12, 2021 at 6:35 p.m. pursuant to Section 160-11 of the Town of Catskill Zoning Code to allow Renovation and development of multiple family dwelling. Located at 14 Pony Lane Catskill NY Tax Map #156.10-1-29 at the Robert C Antonelli Senior Center located at 15 Academy Street, Catskill, NY. to allow public comments on the application. 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.

By order of Teresa Golden Chairman, Planning Board, Town of Catskill.

Ms. Golden stated to refresh the Board's memory, the multi-family apartments on this parcel are pre-existing but as they have been vacant for over a year, a new special use permit is required. Property owner authorizations and the requested long form environmental assessment form have been received. We have a letter from the Commissioner for Historic Preservation indicating that there are no impacts from this project. The presence of the northern long-eared bat will necessitate restrictions on the timing of any tree clearing as a condition for approval. The project has been classified as an unlisted action with an uncoordinated review, and ~~have~~ the Town of Catskill Planning Board has declared Lead agency status. The Board has also determined that a Stormwater Management/Pollution Prevention Plan was not required. On December 16th, the Greene County Planning Board has approved this project's 239 referral. ~~and has submitted a notice of determination to the Planning Board.~~ On December 2nd, the applicant met with the Highway Superintendent to discuss the placement of a sleeve for the septic line under Pony Lane. On January 6th, we received confirmation from Shawn Beers of his approval for this to be done. Updated drawings reflecting the extension of the sleeve were received on January 8th.

Ms. Golden asked for the applicant to please step forward and to provide an overview of this project to the public.

Mr. Elsom gave a brief overview regarding this request for a Special Use Permit. Mr. Elsom stated this project consists of two existing apartment buildings with 4 apartments in each of the buildings. One of the buildings will be demolished leaving only the single 4 family apartment building. One of the two wells will be abandoned. The sewer will be upgraded and there will be a sewer pipe running under Pony Lane. Also, he has contacted the T.O.C Highway Superintendent regarding this matter.

Ms. Golden asked if there were any questions or comments regarding SUP-3-2020.

Christopher Hilton resides at 47 Rt. 385. the apartment building are behinds his residents. He has no problem with the renovation of the apartment building; his only concern is in regards to water standing in his back yard because there is no access to the ditch on the site.

Mr. Elsom stated the Board has requested for his client to do his best to keep the drainage ditch open and a note was added to the site plan to indicate this maintenance must be met.

Ms. Golden asked if there are any questions or concerns regarding this project.

There were no questions or concerns.

Mr. DeLuca made a motion to close the Public hearing for SUP-3-2020, seconded by Ms. VanDermark.

Roll Call Vote

Mr. DeLuca	Aye
Mr. DiCaprio	Aye

Ms. VanDermark Aye
Mr. Federman Aye
Ms. Hernandez Aye
Ms. Golden Aye
Heather Bagshaw Aye Motion Approved.

Public Hearing closed at 7:15 P.M.

Public Hearing Opens : 7:35 P.M.

Subdivision SUB-18-2020 Thomas Kelly Bogart Rd. Catskill.

Chairwomen Teresa Golden stated next on our agenda is an application for Thomas Kelly for a 2 lot minor subdivision of a 11.65 acre parcel with two existing dwellings, one per proposed subdivided parcel. This application was received on 11/30/2020. The Planning Board reviewed the application on December 8th and scheduled a public hearing for this evening. As requested, updated maps were received on January 4th. opened the Public Hearing for Subdivision SUB-18-2020 Thomas Kelly Bogart Road, Catskill . The Notice of Public Hearing was published in the Daily Mail on January 6 ,2020 and January 6, 2020.

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 January 12, 2021 at 7:00 PM at Robert C Antonelli Senior Center 15 Academy St. in the Town of Catskill, to consider a 2 lot minor subdivision of land located on Bogart Rd., Catskill, proposed by Thomas Kelly. 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. Written and oral comments will be accepted until the close of the public hearing.

Charles Holtz gave a brief overview on the proposed 2 lot subdivision of a 11.65 acre parcel.

Ms. Golden asked if the parcel behind the proposed subdivision site has access to a road .

Mr. Holtz answered he believes the parcel in the back has an easement through -another parcel leading to Game Farm Rd.

Ms. Golden asked if there were any questions or comments regarding SUB-18-2020

There were no questions or comments.

Mr. DiCaprio made a motion to close the Public Hearing for SUB-18-2020, seconded by Mr. Federman

Roll Call Vote

Mr. DeLuca Aye
Mr. DiCaprio Aye
Ms. VanDermark Aye
Mr. Federman Aye
Ms. Hernandez Aye
Ms. Golden Aye
Heather Bagshaw Aye Motion Approved.

Public Hearing Closed at 7:53 P.M

NEW BUSINESS:

Subdivision SUB-1-2021 Alfie Beers 5422 Cauterskill Rd. Catskill.

Gary Harvey was representing the applicant at tonight's meeting. The applicant is requesting a 4 acre parcel to be subdivided from a 112 acre parcel. The applicant has submitted an application EAF, soil survey and a plat.

The Board reviewed the plans

Mr. Harvey stated the proposed 4 acre parcel is at least 1,500' from the Solar Project site . Also an application has been filed with the Greene County Highway Department for the curb cut accessing Cauterskill Rd.

Mr. Schwenzfeier stated the EAF mapper indicates there is an archeological site near the proposed project , therefore before the Board can make a determination on the subdivision it will require something in writing from SHPPO.

Mr. DeLuca made a motion to declare the T.O.C. Planning Board as lead agency for this unlisted action and uncoordinated review , seconded by Mr. DeLuca

Roll Call Vote

Mr. DeLuca	Aye
Mr. DiCaprio	Aye
Ms. VanDermark	Aye
Mr. Federman	Aye
Ms. Hernandez	Aye
Ms. Golden	Aye
Heather Bagshaw	Aye Motion Approved.

Mr. DeLuca made a motion to accept this plat as preliminary for SUB-1-2021, seconded by Mr. Federman

Roll Call Vote

Mr. DeLuca	Aye
Mr. DiCaprio	Aye
Ms. VanDermark	Aye
Mr. Federman	Aye
Ms. Hernandez	Aye
Ms. Golden	Aye
Heather Bagshaw	Aye Motion Approved.

Ms. Bagshaw made a motion to schedule a Public Hearing for SUB-1-2021 to be held on February 9, 2021 at 6:35 P.M., seconded by Ms. VanDermark .

Roll Call Vote

Mr. DeLuca	Aye
Mr. DiCaprio	Aye
Ms. VanDermark	Aye
Mr. Federman	Aye
Ms. Hernandez	Aye
Ms. Golden	Aye
Heather Bagshaw	Aye Motion Approved.

Ms. Golden thanked the applicant.

Lot Line Adjustment SUB-2-2021 Robert Patrick Gillis 1654 High Falls Road, Catskill.

Alton McDonald was representing the applicant at this night's meeting. The applicant is requesting a Lot Line Adjustment in order to convey 9.78 acres from an existing 14.303 acre parcel to an existing 60.44 acre parcel to ad open space. The applicant has submitted an application along with a plat.

The Board reviewed the plans.

Ms. VanDermark made a motion to approve SUB-2-2021 ,seconded by Mr. DeLuca

Roll Call Vote

Mr. DeLuca	Aye
Mr. DiCaprio	Aye
Ms. VanDermark	Aye
Mr. Federman	Aye
Ms. Hernandez	Aye
Ms. Golden	Aye
Heather Bagshaw	Aye Motion Approved.

OLD BUSINESS:

Special Use Permit SUP3-2020 Keicher 14 Pony Lane Catskill.

The Board reviewed part 2and 3 of the EAF.

Ms. Golden read aloud the SEQRA Determination Resolution for SUP-3-2021 dated January 12, 2021

Mr. Federman made a motion to accept this SEQR Negative Declaration for SUP-3-2021, seconded by Ms. Hernandez.

Roll Call Vote

Mr. DeLuca	Aye
Mr. DiCaprio	Aye
Ms. VanDermark	Aye
Mr. Federman	Aye
Ms. Hernandez	Aye
Ms. Golden	Aye
Heather Bagshaw	Abstained Motion Approved.

Ms. Golden read aloud the Resolution dated January 12, 2021 granting approval for SUP-3-2020.

Ms VanDermark made a motion to approve the resolution for SUP-3-2020, seconded by Mr. DeLuca

Roll Call Vote

Mr. DeLuca	Aye
Mr. DiCaprio	Aye
Ms. VanDermark	Aye
Mr. Federman	Aye
Ms. Hernandez	Aye
Ms. Golden	Aye

Heather Bagshaw Abstained Motion Approved.

Subdivision SUB-18-2020 Thomas Kelly Bogart Rd. Catskill.

The Board reviewed part 2~~and~~ of the EAF .

Mr. DeLuca made a motion to Declare a Negative Declaration on SUB-18-2020, seconded by Mr. .DiCaprio

Roll Call Vote

Mr. DeLuca	Aye
Mr. DiCaprio	Aye
Ms. VanDermark	Aye
Mr. Federman	Aye
Ms. Hernandez	Aye
Ms. Golden	Aye

Heather Bagshaw Abstained Motion Approved.

Ms. Golden read aloud the Resolution dated January 12, 2021 granting approval for SUP-3-2020.

Roll Call Vote

Mr. DeLuca	Aye
Mr. DiCaprio	Aye
Ms. VanDermark	Aye
Mr. Federman	Aye
Ms. Hernandez	Aye
Ms. Golden	Aye

Heather Bagshaw Abstained Motion Approved.

Ms. Golden thanked the applicant.

OTHER BUSINESS:

Subdivision SUB-2-2020 Brook Stevens (Black Stone Builders Holding Co. LLC) 533 Mossy Hill Road, Catskill.

Mr. Stevens was in attendance at tonight's meeting via Zoom media.

Ms. Golden stated to refresh the Board's memory, on August 25, 2020, the Planning Board granted conditional approval for a Blackstone Builders Holding Co., LLC Minor Subdivision located at 533 Mossy Hill Road. The question in front of the Planning Board is whether this application has met the subdivision approval condition to complete the private road per Town Code Standards (Chapter 138). Delaware Engineering has sent the Board a summary of their inspection reports on December 11, 2020. On December 15th, the Board received a note from Blackstone Builders Holding Co. indicating that section of road under the power lines was graded, a top coat was applied and that the Road Maintenance Agreement will continue to maintain this private street to a plowable and drivable standard. On January 6th, 2021, Brook Stevens sent the Planning Board a waiver request for an approximately 75 foot section of road that is 16-16.5 feet wide versus the proposed 18 foot with one lane signs posted on that portion of the private street. The Board has received photos indicating that the appropriate one-lane signage has been posted. Also on January 6th, Joseph Caputo, Fire Chief, Kiskatom Fire District/Department sent a letter confirming that the road provides adequate access for Fire department personnel and apparatus to properly gain access to the property. On January 7th, George June from the Town of Catskill Ambulance confirmed that the width and grade of the road are acceptable but requested that existing numbering signage on Mossy Hill Road be improved to be visible to approaching emergency vehicles from either direction and signage had to clearly differentiate 533 and 537 Mossy Hill Road. The same day, Brook Stevens sent photos showing that the signage issue was addressed. And on January 8th, 2021 the Board received a final approval letter from Delaware Engineering regarding the construction of this private street. At this time the applicant is requesting a waiver for a portion of the private road to be one lane, therefore not meeting the letter of the Town Code. The other question will be whether the Planning Board will require a public hearing on this waiver request (per chapter 140-20 of the Town Code) before potentially moving forward with an approval motion for the waiver.

Mr. Federman stated since the Board has received confirmation from the T.O.C. attorney, he would say a public hearing for the waiver request is not required. Also in reviewing the Town's Code 140-20 b, it indicates a public hearing may be held for any application having an impact on adjoining properties, where this application is only impacting the two properties reviewed and approved by the Board.

Mr. Federman made a motion to waive the requirement for holding a Public Hearing for the waiver request for the 75 foot portion of a private street associated with Blackstone Builders to be 16-16.5 feet in width with one way signs posted on that portion of the private street to be one lane, seconded by Mr. DeLuca

Roll Call Vote

Mr. DeLuca	Aye
Mr. DiCaprio	Aye
Ms. VanDermark	Aye
Mr. Federman	Aye
Ms. Hernandez	Aye
Ms. Golden	Aye
Heather Bagshaw	Abstained

Motion Approved.

Mr. DeLuca made a motion to approve the waiver request for the 75 foot portion of a private street associated with Blackstone Builders to be 16-16.5 feet in width with one way signs posted on that portion of the private street to be one lane, seconded by Ms. VanDermark

Roll Call Vote

Mr. DeLuca	Aye
Mr. DiCaprio	Aye
Ms. VanDermark	Aye
Mr. Federman	Aye
Ms. Hernandez	Aye
Ms. Golden	Aye
Heather Bagshaw	Abstained

Motion Approved.

Ms. Golden asked will the road have the required drainage ditch, and 3' wide shoulders, and will it meet the Town's private road specs.

Mr. Schwenzfeier answered he was not aware that the 30' right of way included the clearing of trees until this evening.

Mr. Fishman stated he would suggest the Board consider a waiver for cutting the trees on the right of way because it seems excessive. He would suggest cutting the trees within 3' of the travelled surface and he would be more concerned with the trees on the down sloped side.

Mr. Brooks stated there would only be approximately three trees within the three foot side of drivable surface and that shouldn't be a problem to remove them. He would ask though that the condition be added to the building permit and not holdup the subdivision.

Ms. Golden stated once the trees have been cut, she will sign the plat.

Mr. Schwenzfeier stated he had measured the turnaround at 60' but it was at a diagonal.

Mr. Stevens stated he recalls the turnaround was 60' to the right side, he does not recall the exact measurement to the left side but he would have imagined when the T. O.C. engineers came out they would have measured it. Also the Kiskatown Fire Department inspected the turn around and approved it for emergency vehicles as well as the Town of Catskill ambulance.

Mr. Schwenzfeier stated he recall there were a couple of trees that needed to be cleared for the hammer head.

Mr. Stevens stated there is one tree he really likes and would prefer not to cut down.

Mr. Scwenzfeier stated the turnaround does exceed the requirements.

Ms. Golden stated there are concerns regarding the north and south egress and ingress and would need to be improved.

Mr. Stevens stated he had discussed the matter with the Town's Engineer and was added to the road designed provided to the Planning Board. He had also discussed the matter with the Town's Highway Superintended and was determined that the south side there is a south exit and to the north it provides north and south ingress and egress.

Mr. Schwenzfeier stated he believes there is room to widen the south egress and ingress.

Discussion ensued.

Mr. Stevens stated on the north exit there is a Town culvert he does not want to interrupt, and on the south exit there are three to four, twenty inch diameter trees which he does not want to disturb. The Town Highway Superintendent had inspected the entrance back in June and in the August 25 meeting minutes the Town Engineer had indicated this component of the road design did meet the requirements as is.

Mr. Fishman asked how wide is the north exit and entrance.

Mr. Stevens it approximately 12' to 14' wide, but this matter was addressed by the Towns Highway Superintendent and had indicated it is sufficient for ingress and egress, and because there is a Town culvert along with Central Hudson powerlines running along Mossy Hill Road. The surface was improved along with the rest of the road. The Town Highway Superintendent approved the entrance, the Town of Catskill engineer had approved the rest of the road by way of Travis, and also the Kiskatown Fire Department and the Town of Catskill Ambulance have all approved of the road.

The applicant submitted a waiver for cutting trees in lieu of the entire 30' right of way.

Mr. DeLuca made a motion to accept the waiver request for the cutting of trees within 3' of the downhill side of the length of the 30' right of way, seconded by Mr. Federman

Roll Call Vote

Mr. DeLuca Aye

Mr. DiCaprio Aye

Ms. VanDermark Aye

Mr. Federman Aye

Ms. Hernandez Aye

Ms. Golden Aye

Heather Bagshaw Abstained Motion Approved.

Ms. Golden stated the T.O.C. engineer will send a request to the Town of Catskill Highway Superintendent requesting DO Not Enter on the South egress along with a Right Turn Only sign. .Once the applicant has cut the trees as requested, the T.O.C. Engineer along with the T.O.C. C.E.O will inspect the site and advised the Board that the plans can be signed as final process in approving this subdivision.

Ms. Golden thanked the applicant.

Ms. Golden asked if everyone had reviewed the Planning Board minutes for November 24, 2020

Mrs. Keel stated Board member Bridget Hernandez had requested a statement she made at the meeting be added to the minutes.

Mr. Federman made a motion to approve the November 24, 2020 minutes as amended, seconded by Mr. DiCaprio

Roll Call Vote

Mr. DeLuca Aye

Mr. DiCaprio Aye

Ms. VanDermark Aye

Mr. Federman Aye

Ms. Hernandez Aye

Ms. Golden Aye

Heather Bagshaw Abstained Motion Approved.

Meeting minutes for the December 8, 2020 Planning Board meted were tabled.

Mr. Schwenzfier stated C J Properties will be submitting a road design for their proposed private road. He had put a stop work order on the project because there was an intermittent stream running along the proposed road, but it doesn't appear to be disturbed by the construction.

Mr. DeLuca made a motion to adjourn, seconded by Ms. VanDermark

Planning Board meeting ended at 8:38 PM

Respectfully Submitted,

Patricia Case-Keel

Planning Board Secretary

Approved as Amended 2/9/2021

