

Town of Catskill Planning Board

Planning Board Meeting

January 26, 2021 6:30 PM

Robert C Antonelli Senior Center

Present: Meeting was Held Virtually through Zoom Media- Chairman-Teresa Golden, Vice Chairman-Larry Federman , Brenda VanDermark William DeLuca , Heather Bagshaw, Secretary Patricia Case-Keel.

Absent: Angelo DiCaprio, Bridgett Hernandez..

Also Present: Kevin Schwenzfeier (Delaware Engineering).

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

Ms. Golden gave few opening remarks for tonight's meeting . Due to the higher number of Covid cases in Greene County, The Planning Board will be strictly enforcing the mask requirement for all of the meetings held at the Senior Center. Everyone attending Planning Board meetings in person will be required to wear a face mask. If anyone is unwilling or unable to wear a face mask, it would be recommended for them to participate virtually through the Zoom platform. The link for the meetings will be posted on the Towns website along with the Planning Boards agenda. There is still a possibility for future Planning Board meetings having to be entirely virtual. This will necessitate the receipt of any updated information on the agenda prior to the meeting to ensure that the information can be distributed electronically. The Board will try to have some physical presence for these meetings.

The next Planning Board meetings are scheduled for February 9th and 23rd. For those applications that require referral to the Greene County Planning Board, those meetings are scheduled for February 17th and March 17th. Please note that Greene County requires all referrals with supporting documentation to be submitted 12 days prior to their meetings.

As we are in the winter season, please note 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.

Because tonight's meeting has a full agenda including a public hearing, she would like to move the approval of the minutes to the end of this meeting.

.Public Hearing Opens : 6:45 P.M.

Site Plan Review SPR-4-2020 Happy Clown Ice Cream –BakeShop 1136 Rt. 23 Catskill.

Chairwomen Teresa Golden stated the first item on tonight's agenda is a site plan review for Happy Clown Ice Cream and Bake Shop. A preliminary application was received by the Planning Board on August 3rd. The Board reviewed the application on August 11th. An updated drawing was received on November 30th and reviewed at the Planning Boards December 8th meeting, at which time the application and drawing were accepted as preliminary. The application was referred to Greene County for their review and a public hearing was scheduled for tonight.

Ms. Golden opened the Public Hearing for Special Use Permit SPR-4-2020 Happy Clown Ice Cream – Bakeshop 1136 Rt 23. Catskill. The Notice of Public Hearing was published in the Daily Mail on January 20 2020 and January 21, 2020. The Planning Board Clerk read the Public Hearing notice aloud

NOTICE OF PUBLIC HEARING

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

Site Plan Review SPR-4-2020 pursuant to Section 160-14 of the Town of Catskill Zoning Code to allow the use of a ice cream stand and bakery on lands owned by Keith Valentine located at 1136 Rt. 23, Catskill NY Tax Map # 156.10-1-25. The Public Hearing will be held on the 26th day of January 2021 at 6:35 PM, at the The Robert C. Antonelli Senior Center, 15 Academy St. 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 Boards 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 Chairwoman, Planning Board, Town of Catskill.

Ms. Golden Stated during this public hearing, the board respectfully asks all speakers to give their name, address and organization (if any) and limit remarks to 3 minutes if possible, and keep true to the purpose of this public hearing. All remarks should be address to the Planning Board as a whole and not to any specific member. As appropriate, the Board will ask for the applicant to respond once the Board has heard from all anyone wishing to speak . The Board will also request that participants to speak up since the meeting id being held visa virtually. Speakers should present all 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 the 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.

Joann Styckles gave a brief overview of the proposed project. Mrs. Styckles stated she intends on having a bake shop ice cream stand combination where she will be serving customers ice cream and bake goods, and intends on being open 10 months out of the year .

Ms. Golden stated since tonight's meeting is being held virtually the Board cannot close the Public Hearing for SPR-4-2020 and will keep the Public Hearing open until the Boards next scheduled meeting. The Greene County Planning Board has submitted the 239 referral for this application. The referral indicates the County approves of this project but have recommended landscaping on the site. Ms. Golden asked the applicant if any landscaping is a possibility.

Mrs. Styvkles answered she intends to make the site aesthetically pleasing and plans on having flowers on the deck , there will be picnic tables , the grass will be mowed, and the building will be painted.

Ms. Golden stated she believes the County is suggesting some type of shrubbery in the front of the site.

Mrs. Stykles stated the front of the site has curbs and is in the states right of way .Also she would be concerned with blocking pedestrian view when they are trying to pull out onto Rt. 23.

Ms. Bagshaw stated in looking over the Counties comments it indicates landscaping, but does not require for the landscaping to be along the road.

Ms. Golden stated if no one has any comments regarding SPR-4-2020. The Board will adjourn the public Hearing for the next Planning Boards meeting on February 9, 2020.

Ms. Golden thanked the applicant for attending tonight's meeting .

NEW BUSINESS:

Subdivision SUB-3-2021 Ohayon Catskill Holdings LLC 1583 High Falls Rd. Catskill.

Mr. McDonald was representing the applicant at tonight's meeting. The applicant is requesting a 4 lot subdivision from a 18.73 acre parcel, creating a 2.33 acre parcel with an already existing house, a 2.49 acre parcel which will have a shared driveway with lot 3 which will be a 5.2 acre parcel and will also be gaining access through lot 4 which is proposed to be 7.40 acre parcel. The applicant has submitted an application, EAF, and a survey of the site.

Mr. McDonald stated he has contacted SHPPO due to the EAF Mapper indicating a possible archeological site in the area and has cc'd the Board with SHPPO acknowledgments. He has spoken with the Town of Catskill Highway Superintendent Shawn Beers and Mr. Beers has indicated the Town has no involvement with Wilhelm Road because it is a private road. He has also reached out to the secretary for the Town of Saugerties Highway Superintendent and it was indicated that the Town of Saugerties jurisdiction ends as indicated on Google Maps, and the Highway Superintendent indicated they will not be involved with any permitting for accessing the private road. The reason for the shared driveway for lots 2&3 is due to a ridge line running through lot 2 and the plans show the topography. The plans were modified in order to show lot 2 entirely in Greene County.

Ms. Golden asked if the applicant will be presenting this project to the Saugerties Planning Board since parts of the lands are in Saugerties.

Mr. McDonald's answer was he does not have that answer at this time. He was not sure if the T.O.C Planning Board would be coordinating with the Town of Saugerties.

Ms. Golden stated it appears this project will require a coordinated review with the Town of Saugerties with the T.O.C Planning being the lead agency since it appears that the proposed dwellings will be in Greene County.

Mr. Schwenzfeier stated the project can be coordinated as a single SEQR action but the lands in Ulster County would have to be subdivided by the Town of Saugerties.

Ms. Bradshaw asked if lots 3 and 4 will have a shared right of way.

Mr. McDonald answered the applicant is proposing to keep the access for lots 3 and 4 as a shared driveway.

Mr. McDonald stated there is an association for Wilhelm Road.

Mr. Schwenzfeier stated the Town's attorney will have to review the association because the language must reflect the private road will be serving more than one parcel.

Ms. Golden stated the application will require an RMA for lots 3, 4, and access for Mr. Devitto, and also another RMA for lots 2&3.

Mr. Schwenzfeier asked if lot 2 could somehow be reconfigured so the driveway would not have to go through lot 3.

Mr. McDonald stated part of the issue involving the driveway for parcel 2 is the topography. Also it would require 50' on the road and this project is part of a family's estate planning. Also if he moves the boundary line for lot 2 then the parcel will be partially in the Town of Saugerties.

Ms. Golden asked if the applicant could offer an alternate plan for this project in order to address the issue with the driveways.

Mr. McDonald answered he will ask his client.

Ms. Golden stated the TOC Planning Board will send notification regarding this project to the Town of Saugerties.

Discussion ensued regarding over flow parcels.

Mr. Federman stated he has concerns regarding lot 4 proposed septic and reserve area, being placed in the flood zone.

Mr. Schwenzfeier stated the Planning Board can declare lead agency on an uncoordinated review for SUB-3-2021 and send the Town of Saugerties a referral.

Ms. Bagshaw made a motion to declare lead agency for SUB-3-2021 and an unlisted, uncoordinated review, seconded by Mr. Federman.

Roll Call Vote

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

Ms. Golden stated the Board will table the discussion on SUB-3-2021 in order to give the applicant time to distribute material to the Board members.

Mr. McDonald reviewed with the Board the topography on the plans .At this time he will have to find out if the Town of Saugerties will allow the driveway for lot 2 to since it is only fifty feet wide and their code requires a lot width of 187'.

Mr. Federman made a motion to accept the plat for SUB-3-2021 as preliminary, seconded by Mr. DeLuca

Roll Call Vote

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

Ms. Bagshaw made a motion to schedule a Public Hearing for SUB-3-2021 to be held on February 23, 2021 at 6:35 P.M. seconded by Ms. VanDermark

Roll Call Vote

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

Sketch Plan Review Special Use Permit SUP-1-2021 Ainsley Morris 134 Park Lane , Leeds

Mr. Morris was in attendance at tonight's meeting . The applicant is requesting a special use permit In order to convert his single family home in to a two family home, by turning his basement into livable space. The applicant has submitted an application, EAF, and a sketch plan.

The Board reviewed the sketch plan

Ms. Golden asked how large is the parcel .

Mr. Morris answered 2.3 acres..

Ms. Golden asked how many cars will there be parking for

.Mr. Morris answered there is enough parking for 8 vehicles.

Ms. Golden asked if the lighting on the house is dark sky compliant.

Mr. Morris answered the motion light shines down and out, the light on the basement door shines down and the pool light shines outward .

Ms. Golden asked if any of the lights are shielded.

Mr. Morris answered the pool light is shielded, and the motion light is shielded.

Mr. Deluca asked if the applicant would identify the dimension of the lot, and parking area, and add the setbacks to plans as well.

Ms Golden stated the items on the application check list must be on the plans

Mr. Schwenzfeier stated the plans should show setbacks , acreage , access to downstairs , adjoining neighbors , grating , and a north arrow .

Mr. Morris asked if he could draw the plans himself in order to save on the cost of an a engineer.

Ms. Golden stated the property owners authorization must be signed.

Mr. Morris will speak with the CEO for details required for the site plan.

Ms. Golden stated as soon as the applicant submits the revised plans. The Board can send this application to the county for a 239 Review because the site is within 500' of the County Route 23

..

Special Use Permit SUP-2-2021 Apple Reality Holdings LLC (The Ranch) 5389 Rt. 32 Catskill.

Darren Elsom is an engineer from Kaaterskill Associates and is representing the applicant at tonight's meeting. The applicant has submitted an application and a sketch plan.

Mr. Elsom stated the site plans is for a proposed commercial use as an outdoor recreational facility . it will consist of a miniature golf course . a batting cage, and a go cart track . There has been soil testing for the site and the plans show the preliminary lay out for a proposed septic system . He has received the comments from the Towns engineer and will be adding more information to the plans . The plan is to drill a new well for this project and since it is considered a public water supply the Department of Health will be involved with approving the water on the site. The Towns Engineer has made him aware that the zoning on the back of the parcel is different than the zoning in the front so there may be changes in the configuration of the site or possible apply for a lot line adjustment. The hours of operation are expected to be 10:00 am to 10:00P.M.He will be contacting D.O.T. but at this time there is already an entrance to the site. He is not sure about the food and drink for the concession stand but will get the information. At this time he has only submitted a sketch plan but will be submitting a full EAF and also a storm water plan for this project.

Ms. Golden stated the Board will require an escrow account to be established for the Towns engineers' assistance on this project.

Mr. Deluca made a motion to request the Town Engineer to review this project and to request a \$2000.00 escrow account be established, seconded by Mr. Federman

Roll Call Vote

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

Ms. Golden asked if there will be any signs for the site.

Mr. Elsom stated he will submit detailed plans for the sign along with all of the other information required for the project.

Ms. Golden stated the property owner authorization form must be signed.

Mr. Schwenzfeier asked if the well shown of the drawing on the adjoining parcel will be used for this site.

Mr. Elsom answered the plans is to drill anew well .The well shown services an apartment building on the adjoining parcel.

Ms. Golden stated because the site is on Route 32 the project will have to be sent to the County for a 239 Review.

Ms. Bragshaw made a motion to declare lead agency for SUP-2-2021 as an unlisted action and uncoordinated review, seconded by Mr. DeLuca

Roll Call Vote

Roll Call Vote

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

Site Plan Review SPR-1-2021 John Iannace 5265 Rt 32 Catskill .

John Iannace was present at tonight's meeting along with his engineer Jordan Valdina. Mr. Iannace is requesting a site plans review for a proposed motor cycle repair and sales shop ,and 3 storage rental units on 13 acres located at 5265 Rt. 32 Catskill. He is also considering building a single family dwelling towards the back of the parcel at a later date The applicant has submitted an application, site plan, and an EAF.

Ms. Golden asked if the applicant has received the comments from the Towns engineer.

Mr. Valdina stated the plans show the proposed well and septic system and he will be submitting soil tests. The proposed storage units will be 32'x 100' the project will require an area variance obtained by the Town of Catskill Zoning Board for the northern most storage unit .The cycle shop is a proposed 50.x100' metal building with a 12' deck along the 100' side .

Ms. Golden asked if there's a reason for the placement of the storage units so close to the road.

Mr. Valdina answered the placement of the storage units is partially based on the topography because the front of the parcel is flatter.

Ms. Golden asked if there has been any consideration for screening.

Mr. Valdina answered it could be a consideration.. Since the County owns the right of way it may require their input.

Ms. Golden asked if there are any plans for signage.

Mr. Valdina answered eventually, but at this time there are no specs for a sign.

Mr. Iannace stated he could reduce the number of storage sheds if needed.

Ms. Golden stated one of the issues with the plans is one of the entrances appears to be going right into the building opposed to around the building

Mr. Iannace stated that entrance does not exist .only the south entrance exit . He is planning on building a house on the back of the lot and added the second entrance as access to the house.

Mr. Schwenzfeier stated a single family house would require a subdivision of the land.

Ms. Golden asked what the hours of operation will be .

Mr. Iannace answered the hours are 10:00A.M to 6:00 P.M. and he is closed Sunday and Tuesdays and Saturday 9:00 A.M to 3:00PM.

Ms. Golden stated the plans show the elevations for the cycle shop but not for the storage sheds. With the current configurations of the storage sheds the project will have to go the Zoning Board in order to obtain an area variances because the two sheds on the north end do not meet the setback requirements. Also because of the amount of disturbance the project will also require the long EAF.

Mr. Schwenzfiere stated the EAF should also include the mapper.

Ms. Golden stated since the project will require a SWPP, and the Board will require the Towns engineer for the review of this project.

Mr. Federman made a motion to request the Town Engineer to review this project and to request a \$2000.00 escrow account be established, seconded by Mr. Federman

Roll Call Vote

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

Ms. Golden stated the project will require a 239 Review with the County after the plans are accepted by the Board.

Mr. Schwenzfeier asked if the flat areas on the plans are impervious.

Mr. Valdina answered he will have to follow up on what is actually impervious.

Ms. Golden read aloud the lists of requirements for the site plan, submitted by the Towns Engineer.

Mr. Valdina stated he would like to access the secondary mean of egress from an emergency vehicle perspective and he intend to analyses the matter more.

Mr. Federman asked if when reviewing pervious compared to impervious is it taken into account the oils and chemicals to be used on the site.

Mr. Schwenzfeier answered "Yes" the applicant will have to identify proper containment for chemicals and oils.

Ms. Golden stated when the plat is updated it should show the zoning districts .Also because the EAF indicates the brown bat on the site there will be restriction for tree cutting.

Ms. Bagshaw made a motion to declare lead agency for SPR-1-2021 as an unlisted action and uncoordinated review, seconded by Ms. VanDermark

Roll Call Vote

Mr. DeLuca	Aye
Mr. DiCaprio	Absent
Ms. VanDermark	Aye

Mr. Federman	Aye	
Ms. Hernandez	Absent	
Ms. Golden	Aye	
Ms. Bagshaw	Aye	Motion Approved.

Ms. Golden stated the Board will need something in writing from D.O.T regarding the entrance for the site.

OTHER BUSINESS:

Special Use Permit SUP-8-2018 Piaule Catskill Landscaping Retreat, Mossy Hill Rd.Catskill

Mr. Elsom was representing the applicant at tonight's meeting. This project had been approved by the Planning Board on February 26, 2019. The site plans consist of a 24 cabin, rental units and a main dining hall.

Mr. Elsom stated at the time of this projects review with the planning Board, it was also reviewed and approved by the Department of Health. In the documents submitted to the D.O.H it was clearly indicated that the dining facility was not going to be open to the public. The site has 24 cabins and it was estimated the dining hall was to facilitate 48 individuals for breakfast and 48 for dinner. The only exceptions would for the wedding venue that considered a possible 80 people maximum. However the owners have been having difficulty obtaining a liquor license because the facility is not open to the public. The septic and water was designed for number of occupants staying at the facility In considering the possibility of the site opening up to the public the owners would like to be able to open for the public, for dinners only, any by reservation only so they would not exceed the 48 individual; occupancy therefore it will not affect the sewer and water. A letter has been submitted to the D.O.H. regarding this proposed change to the site, but no response form them has been received yet. In discussing this matter with the Town CEO, the CEO had indicated the Towns definition for a resort includes a restaurant on the site with the inclusion of the cost of meals and does not incde being open to the public . The CEO officer also suggested taking this matter to the Zoning Board for an interpretation. He does recognize this request is different from what the Planning Boards approved, but would like to know what would be required to modify the approval.to be open to the public.

Ms. Bragshaw stated there are other facilities in Greene County that operate in the same fashion as how this project operates and they have liquor licenses.

Mr. Elsom stated he has seen the emails from the attorney and the hospitality consultant and it was indicated that if this operation was open to the public it would solve the problem. Also after considering the idea of being open to the public, the owners are in favor of the idea.

Mr. Schwenzfeier stated his concern would be for the parking on the site.

Mr. Elsom stated in his review of the matter .This would be a tradeoff for when the site is at 60% capacity.

Mr. Federman stated individuals staying at the resort may not eat at the resort, but will still have cars parked on the site. Also there must be a consideration for the increase in traffic. At at the Public Hearing for this project many residents had concerns regarding an increase in traffic on Mossy Hill Rd, and the applicants indicated people stating at the site would not likely be travelling.

Ms. Golden stated the site is very tight on parking considering the parking must accommodate customers and staff working at the site , and also during the review for this project, the applicants had indicated people coming on to the site would be bused in ,which was also supposed to help with minimizing traffic flow on the road.

Mr. Elsom stated he may be able to add another half a dozen parking spaces to the site.

Ms. Golden stated the applicant must address the matter concerning the parking spaces and can limit the number of customers in the restaurant the Board could consider the request. The amendment would require revised plans and the project will also require a public hearing.

Mr. Elsom stated he will look into reconfiguring the parking area and also a way to police the parking area so there is no over flow, and also he find out about the details for the issue with the liquor license.

Mr. Schwenzfeier asked if there is any possibility the site will have a to- go element.

Mr. Elsom he does not think so. Mr. Elsom then asked if the revision will require changes to the SEQRA .

Mr. Schwenzfeier answered " No".

Ms. Golden thanked the applicant.

Ms. Golden stated she wanted to remind Board members to submit any training they may have obtained for the year 2020 to the Planning Board secretary.

Mr. DeLuca made a motion to approve the Meeting minutes for December 8, 2020, as amended seconded by Mr. Federman

Roll Call Vote

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

Motion Approved.

Mr. Federman made a motion to amend and approve the Meeting minutes for November 24, 2020, seconded by Ms. VanDermark

Roll Call Vote

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

Motion Approved.

Ms. Golden stated she wanted to remind the Board members to remember to add to their vouchers for tonight meeting

Mr. Bagshaw made a motion to adjourn, seconded by Mr. DeLuca

Planning Board meeting ended at 9:08 PM

Respectfully Submitted,

Patricia Case-Keel
Planning Board Secretary

Approved as Amended 2/23/21

