

Town of Catskill Planning Board

Planning Board Meeting

February 23, 2021 6:30 PM

Robert C Antonelli Senior Center

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

Attendance : All Present.

Also Present: Kevin Schwenzfeier (Delaware Engineering) Ted Hilscher (Town of Catskill attorney).

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 pandemic, the Board strongly encourages everyone to wear a mask at the meetings at the Senior Center. If anyone is unwilling or unable to wear a face mask, it is recommended that they participate in these meetings virtually through the Zoom platform. A link to these meetings, it can be found on the Planning Board agenda on the T.O.C. web site.

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

The 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 a public hearing this evening, the approval of the Planning Board minutes was moved to the end of the agenda .

Ms. Golden stated the first item on this evening's agenda is for a 4 lot minor subdivision for OHAYON Catskill Holdings LLC located at 1583 High Falls Road. This application was received on January 14, 2021 and a sketch review was held by the planning board on January 26th. At that time, the Town of Catskill Planning Board classified this as an unlisted action with an uncoordinated review and declared the TOC Planning Board as lead agency. The Board also scheduled a public hearing to be held at tonight's meeting.

During this public hearing, the Board respectfully asks that all 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. All 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.

OPENING OF PUBLIC HEARING: 6:35 P.M.

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

Chairwoman Teresa Golden opened the Public Hearing for Subdivision SUB-1-2021 Ohayon Holdings LLC. 1583 High Falls Road Catskill. The Notice of Public Hearing was published in the Daily Mail on February,3 2021 and February 4, 2021. The Planning Board Clerk read the Public Hearing notice aloud.

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 February 23, 2021 at 6:35 PM at Robert C Antonelli Senior Center 15 Academy St. in the Village of Catskill, to consider a 4 lot minor subdivision of land located on 1583 High Falls Rd., Catskill, proposed by Ohayon Catskill Holdings L.L.C. 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 (Due to the COVID-19 Pandemic 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.

Alton McDonald is from Santos Associates and was representing the applicant at tonight's meeting and gave a brief over view on the proposed project.

Ms. Golden asked if there was anyone from the public that would like to speak regarding SUB-3-2021.

Fred DiVito resides at 350 Wilhelm Rd. Mr. and was in a attendance at tonight's meeting through Zoom media. Mr. DiVito has submitted an email dated 2/19/21 along with pictures demonstrating storm water flow around the site and on Wilhelm road. Mr. DiVito stated he originally owned the land involved in this project. He also wanted to make the Planning Board aware that he has been in contact with the Town of Saugerties in regard to a major subdivision on the other end of Wilhelm Road, and this time that project is being required to identify the layout of the project and also any proposed improvements to be made to the existing private road. He believes the EAF submitted for this project is incorrect and reviewed with the Board what he believes to be discrepancies involving critical environmental areas, critical archeology areas, storm water runoff and erosion. Also for the past year a family of bald eagles has been hunting the Kaaterskill Creek. He would like for the Board to require a Long EAF be submitted for this project, and In accordance with the T.O.C. Code 140section B He would also like for the Board to have the Town Highway Superintendent to inspect Wilhelm Road review this matter and give recommendations regarding Wilhelm Road.

Erik DeVito was in attendance through Zoom media. Mr. DiVito stated he has concerns regarding this proposed project because of the potential increase traffic on Wilhelm Road including more delivery trucks, and the road's existing condition. Also he has concerns regarding emergency vehicles being able to travel on the road's, and he is particularly concerned for pedestrian safety.

Jessica Fish resides at 124 Wilhelm Road in the County of Ulster and was in attendance at tonight's meeting through the Zoom media. Mrs. Fisher asked if there will be any studies conducted for storm water runoff. Her property is directly affected by the runoff coming from the direction of the proposed project.

Tim Morgan resides across from the proposed access to lot 3 and 4 and was in attendance at tonight's meeting through the Zoom media. He would like to know if there have been any perc tests done for those proposed lots because the land is always wet and has concerns regarding water runoff and leaching from any potential sewer system .He also has concerns regarding traffic on the road since the road is a single lane road.

Ms. Golden asked if there will be a storm water plans for this project.

Mr. McDonald answered "No". The area of impact is so small, there should be no discharge off of the parcel .The only disturbance will be for three houses to be constructed sometime in the future and the septic areas for those houses .There will be few trees removed but the overall atmosphere on the land will be retained.

Ms. Golden asked is there a potential for an increase of storm water runoff into the stream.

Mr. McDonald answered there is a potential but his clients vision for the land is to maintain the character with the surrounding woods.

Ms. Bradshaw asked where the other proposed subdivision is located in relation to the map.

Mr. McDonald answered the subdivision is in Ulster County and is a major 5 lot subdivision on Wilhem Road and is over 900' to the south of SUB-3-2021.

Discussion ensued regarding fire and emergency fire district.

Ms. Golden stated the applicant has already been asked to obtain notification form the Kiskatom fire department regarding serviceability for the parcels.

Mr. McDonald stated he has contacted the Chief for the Kiskatom fire department and it was indicated that they are not responsible for certifying serviceability on private roads.

Discussion ensued regarding fire department serviceability and archeological findings on the site.

Mr. McDonald stated the project will be overviewed by SHPO, and if something has to be moved because of SHPO, it will not be problem. Also in response to the EAF, The EAF is generated automatically by DEC.

Mr. Federman stated the DEC is 2 to 3 years behind on the bald eagles nests location.By completing a Full EAF it would allow for some time and more accurate information.

Discussion ensued regarding the flood plains.

Mr. McDonald stated for transparency purposes, he has worked for Mr. Di Vito in the past.

Ms. Golden asked where on Wilhelm Road is the road way only 12' wide.

Mr. McDonald answered its located at 259 Wilhelm Road and is on the Ulster County end of the road.

Ms. Golden stated the Board requires evidence that emergency vehicles can access and traverse on Wilhelm Road, and which fire department will be providing services to the proposed subdivisions. In order for this subdivision to be approved, the private road must meet the T.O.C. private road regulations.

Discussion ensued regarding the RMA.

Ms. Golden stated in order for this project to move forward the issue regarding the road will have to be resolved. The Board can ask the Town if there is any interest in taking the road over, but that is highly unlikely. Also because of the environmental concerns the applicant will be asked to submit a long EAF.

From the information provided by the long form, the Board can decide if a SWPP is required.

Mr. McDonald stated he submitted the Wilhelm Road RMA to Mr. Hilscher.

Mr. Hilscher stated he would recommend as a courtesy someone from the Board reach out to the emergency and fire company for input on accessibility for the private roads. 140-18 k indicates the Town Highway Superintendent may inspect or approve a private road, but in case the Town Highway Superintendent does opt out from making any recommendations or approvals, the Board can have the Town Engineer inspect and make recommendations. The Town Code 138 Private Streets and 138a focuses on the construction of a new road. The Board will have to decide if the Town Code is applicable to this preexisting private street and if so, to what degree. Because this project is a new proposal, his position would consider the Board applying the regulations to the existing private street in order for the Board to grant an approval.

Ms. Golden stated the Board will have to set up a site visit with the T.O.C engineer. This will require an escrow account be established.

Discussion ensued regarding septic plans.

Ms. Fisher asked if the septic plans could be added to the site plans and also the details and location of the proposed structures.

Mr. Hilscher stated the Town Code does indicate the Board can request a perc test. If the perc test fails the Board can request septic design. If the perc test passes then the test site will be indicated on the plans.

Larry Federman asked how the nesting sites for the bald eagles will be determined.

Mr. McDonald answered He will have a wildlife biologist (Norbert Quenzer) conduct a survey.

Ms. Golden stated in light of the amount of discussion generated for this project she would recommend the Public Hearing be continued to the next Board meeting. This will give enable more public input and provide the Board the opportunity to determine if these plans will need to be modified.

Ms. Golden thanked everyone for attending tonight's public hearing.

OLD BUSINESS:

Special Use Permit SUP-3-2021 Doreen Stewart 32 Woven Rd. Catskill (Sketch Conference).

Ms. Stewart was in attendance at tonight's meeting via Zoom media. The applicant is requesting a special use permit in order to convert her basement into an apartment. She had been before the Board on February 9, 2021 for a sketch conference and has since submitted revised plans along with detailed pictures of the site.

The Board reviewed the plans.

Ms. Bagshaw made a motion to classify SUP-3-2021 as an unlisted uncoordinated review and declare the Town of Catskill Planning Board are lead agency , seconded by Mr. Federman

Roll Call Vote

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

Mr. DeLuca made a motion to accept the plans as preliminary, seconded by Ms. Bagshaw

Roll Call Vote

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

Mr. Federman made a motion to schedule a Public Hearing for SUP-3-2021 to be held on March 23, 2021 at 6: 35 P.M. seconded by Ms. Bagshaw

Roll Call Vote

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

OTHER BUSINESS:

Ms. Bagshaw made a motion to approve the meeting minutes of January 26, 2021 as amended, seconded by Mr. DeLuca

Roll Call Vote

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

Meeting minutes for February 9, 2021 were tabled.

Ms. Bagshaw stated she is still working on reviewing the major application format

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

Planning Board meeting ended at 7:45 PM

Respectfully Submitted,

Patricia Case-Keel

Planning Board Secretary

Approved as Amended 3/9/2021

