

## **Town of Catskill Planning Board**

Planning Board Meeting

March 9, 2021 6:30 PM

Robert C Antonelli Senior Center

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

**Attendance : All Present.**

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

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

### **CONTINUATION OF PUBLIC HEARING: 6:35 P.M.**

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

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 26<sup>th</sup>. 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 Town of Saugerties Planning Board was notified of this project on February 10, 2021. A Public Hearing was opened for this project on February 23, 2021 and due to the volume of input from neighbors the Board had decided to hold the Public Hearing open until tonight's meeting to give the public a chance to be heard.

Subsequent to the last meeting the Planning Board has received recommendations from the Town of Catskill Ambulance Administrator who indicated Wilhelm Road is not suitable for emergency vehicles. The Department of Parks and Recreation has submitted their survey recommendations and they have indicated a phase 1 A archeological survey is warranted. The Town of Catskill Highway Superintendent has also indicated in order for the Town of Catskill to take over the Town of Catskill's portion of Wilhelm Road it would have to be brought up to private road specs first.

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.

Alton McDonald is from Santos Associates and was representing the applicant at tonight's meeting and gave a brief overview on the proposed project. The applicant submitted revised plans indicating Mr. Di Vito's driveway leading down to the creek, and also the neighbor's driveways. Mr. McDonald stated he has contacted a wildlife biologist who will be conducting a survey for the bald eagles. He will also be conducting a site survey with Delaware Engineer regarding the private road within the week.

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

Fred DiVito who resides at 350 Wilhelm Rd., stated he has concerns regarding the access for the proposed lots 3 & 4 , and also the plans do not show the elevation for the two parcels .The proposed access for lots 3, and 4 were granted to him as an agreement between himself and the Williams it was intended to be used as a walking trail and was not intended for traffic, said Mr. Divito.

Discussion ensued regarding the RMA.

Mr. McDonald stated the RMA indicates the road can be used for traffic.

Ms. Golden asked if there were any additional comments or questions regarding SUB-3-2021.

There were no questions or comments.

Ms. Golden asked if the applicant would be willing to wave the 62 day requirement for the Board to make a determination.

Mr. McDonald answered "Yes"

Ms. Bagshaw made a motion to close the Public hearing with the condition that the applicant will waive the 62 day requirement for the application review be completed, 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                 |
| Ms. Bagshaw    | Aye Motion Approved |

Public Hearing Closed 7:10 P.M.

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#### **NEW BUSINESS:**

##### **Special Use Permit SUP-4-2021 Dalina Gjergii 4 Forest Hill Rd. Catskill**

Dalina Gjergii was not present at this night's meeting but was being represented by her brother Anthony Gjergii . The applicant is requesting the change of use from a single family dwelling to a two family dwelling. The applicant has submitted an application and a sketch plan and an EAF.

The Board reviewed the plans.

Ms. Golden stated the owner of the strip of land between the property boundaries and Catskill Drive will need to be identified and it will also have to be identified if the applicant has a right of way over the lands.

Mr. Hilscher asked for a copy of the deed to the property located at 4 Forest Hill Drive and the parcel across from the parcel.

Ms. Golden stated the Board will want to see the lighting for the outside of the building and will require and proposed lighting be dark sky compliant.

Mr. Hilscher asked if Catskill Drive is a Town Road.

Mr. Gjergi answered "No".

Ms. Golden stated the map must indicate north. Once the Board has all the required material this project will have to be sent to County for a 239 Review.

Ms. Bagshaw made a motion to classify this project as an unlisted action and uncoordinated review and the Town of Catskill Planning Board as the lead agency, 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                 |
| Ms. Bagshaw    | Aye Motion Approved |

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

#### **OLD BUSINESS:**

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

Ms. Golden stated the Board must determine if a Full EAF will be required for this project . The concerns is in regards to the location and proximity to the Kaaterskill Creek and the amount of ground disturbance for any construction to the road.

Mr. McDonald stated the Board had indicated at the last meeting a long EAF would not be required, provided all of the concerns regarding this proposed project were addressed.

Ms. Bagshaw asked if the storm water plans would be more for the development of the road and not so much for the development of the houses.

Mr. Schwenzfeier answered the one section of the road is eroding down the hill.

Discussion ensued.

Ms. Golden stated the issues needing to be addressed for this project include, the Town of Saugerties having adequate information and time to look at this project . If the Town of Highway Superintend is not making recommendation for the private road then Delaware Engineering will be reviewing it and making their recommendations.

The Board reviewed the memo submitted by Delaware Engineering dated March 3, 2021.

Mr. McDoanld stated not all of the neighbors accessing Wilhelm Road are on the RMA, and he would like to make it clear this client has no intention of conveying the road to the Town.

Ms. Golden asked how the applicant will address the concern regarding the wetlands.

Mr. McDonald stated the plans identify the project is 100 feet from the Creeks corridor.

Ms. Golden stated thus project would need approval from emergency services.

Mr. McDonald stated there will need to be clarification for which emergency service will be servicing the site.

Ms. Golden stated the applicant has submitted RMA for Wilhelm Road and the Town's attorney is reviewing the RMA . The Board will also need SHPOs findings regarding the archeological review.

Mr. Federman asked if the report from the biologist will be confirming weather or not there is eagle nesting near the site .

Mr. McDonald answered the biologist will be basing his report on the review of documentation and also a site visit.

Mr. Federman stated for full disclosure that he has done contract work with Mr. Quenzor.

Mr. Federman made a motion to request the Long EAF for SUB-3-2021, 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                 |
| Ms. Bagshaw    | Aye Motion Approved |

#### **Special Use Permit SUP-1-2021 Ainsley Morris 134 Park Lane Leeds**

Mr. Morris was present for this meeting. This application was first before the Board on January 26, 2021 for a sketch conference and has since submitted revised plans. The applicant is requesting the conversion of a single family dwelling to a two family dwelling.

The Board reviewed the plans.

Ms. Golden asked if the existing outside lighting is shielded.

Mr. Morris answered 'Yes'.

Ms. Golden stated although it is not a Planning Board matter the CEO office has indicated the entrance for the proposed apartment is entering the garage but in order to obtain a building permit the garage can no longer be used as a garage.

Mr. Schwenzfeier asked if there is a well on the site.

Mr. Morris answered there is but he is serviced by the village water.

Ms. Golden stated the applicant will need to submit an EAF. Once the application is complete the Board can send it to the County Planning Board and schedule a public hearing.

#### **OLD BUSINESS:**

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

Mr. Iannace is requesting this Site Plan Review in order to develop a motorcycle repair shop. The applicant has been before the Board on January 26, 2021 and the Board had declared lead agency, and the project is an unlisted uncoordinated review. The applicant has revised the plans along with application, EAF and plans.

The Board reviewed the plans.

The applicant was instructed to remove the storm water retention pond and the diversion swales from the plat.

Mr. Federman asked for the location of the dumpsters on the site plan along with any intended screening.

Ms. Golden stated the proposed private entrance should be removed from the site plan.

Mr. Iannace stated the existing entrance is a temporary residential entrance according to NYS D.O. T. He was told he may have to obtain commercial permit.

Ms. Golden asked for copies of the proposed lighting to be used on the site.

Mr. Federman asked what is the distance from the sewer to the proposed building .

Mr. Iannace answered 200'

Ms. Golden stated in order for this project to move forward the applicant has been asked to remove the retention pond and diversion lines from the site plan as well as add the location of the septic and topography lines and remove the 2<sup>nd</sup> entrance .Once the applicant submits the revised plans, the project will be sent to the County for a 239 Review and the Board can schedule a public hearing.

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

Mr. Hilscher stated instead of requiring a letter form D.O.T. regarding the entrance to this site, the board can add the requirement as a condition of approval for this project.

#### **OTHER BUSINESS:**

Ms. Bagshaw made a motion to approve the meeting minutes of February 9, 2021 as amended, seconded by Ms. VanDermark

#### **Roll Call Vote**

|                |           |
|----------------|-----------|
| Mr. DeLuca     | Aye       |
| Mr. DiCaprio   | Aye       |
| Ms. VanDermark | Aye       |
| Mr. Federman   | Aye       |
| Ms. Hernandez  | Abstained |

Ms. Golden            Aye  
Ms. Bagshaw        Aye   Motion Approved

Meeting minutes for February 29, 2021 were tabled.

Ms. Golden stated she just wanted to make the Board members aware that Subdivision SUB-3-2020 will be coming back before the Board on March 23, 2021.

Me. DiCaprio made a motion to adjourn, seconded by Mr. DeLuca

**Planning Board meeting ended at 8:32 PM**

Respectfully Submitted,

Patricia Case-Keel  
Planning Board Secretary

Approved as Amended April 13, 2021



