

## **Town of Catskill Planning Board**

Planning Board Meeting

April 13, 2021 6:30 PM

Robert C Antonelli Senior Center

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

**Absent :** William DeLuca.

**Also Present:** Ted Hilscher (Town Attorney)present, Kevin Schwenzfeier (Delaware Engineering )via Zoom media .

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 Covid-19 pandemic, the Planning Board is strongly encouraging everyone to wear a mask, and If anyone is unwilling or unable to wear a face mask, she would recommend that they participate in the meetings virtually through the Zoom platform.

The next Planning Board meetings are scheduled for April 27 and May 11th. For applications that require referral to the Greene County Planning Board, please note that Greene County requires all referrals with supporting documentation to be submitted 12 days prior to their meetings.

During the Planning Board meeting the board respectfully asks anyone participating to follow the rules and address the entire Planning Board and not to any specific member 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. 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.

### **NEW BUSINESS:**

#### **Lot Line Adjustment SUB-5-2021 Patrick Gillis 1645 High Falls Road, Catskill.**

Alton McDonald from Santos Associates was representing the applicant at tonight's meeting. Mr. Gillis is requesting a Lot Line Adjustment in order to increase the suitability of the parcel for future development and reconfigure a recently approved Lot Line Adjustment for this parcel approved back in January of 2021. The applicant would like to reconfigure the Lot Lines placing the current driveway on lot 1A and holding an even conveyance of acreage. The applicant has submitted an application an E.A.F. and plans.

The Board reviewed the plans.

Mr. Federman made a motion to approve SUB-5-2021, seconded by Ms. Bagshaw

### **Roll Call Vote**

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

Ms. Golden                      Aye  
Ms. Bagshaw                Aye    Motion Approved

**Lot Line Adjustment SUB-4-2021 Gary Harvey Woodland Ave. Palenville.**

Gary Harvey was present at tonight's meeting .The applicant is requesting this Lot Line Adjustment. The applicant is requesting this Lot Line Adjustment in order to convey 3.66 acres form a 14.45 acre parcel and add it to an 88.87 acre parcel, increasing suitability for development. The applicant has submitted an application, an EAF and plans.

The Board reviewed the Plans.

Ms. Bagshaw made a motion to approve SUB-4-2021 , seconded by Ms. VanDermark

**Roll Call Vote**

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

**Special Use Permit SUP-6-2021 Reid Mower 1696 High Falls Road, Catskill .**

Reid Mower was present at this nights meeting along with Charles Holtz the surveyor for this project .The applicant is requesting this Special Use in order to extract shale . The applicant has submitted an application, EAF and a site plan.

Mr. Hotlz stated the site is an existing shale bank and the applicant is intending on extracting 750 cubic yards per year, therefore a DEC permit will not be required.

Ms. Golden asked taking into consideration the requirement for a SWPP, how much land will be disturbed.

Mr. Holtz stated the only disturbance will be what is extracted, and he calculates it at 2000 Sq feet.

Mr. Federman asked if it matters that half of the original disturbance on the site is almost half the size of the parcel .

Mr. Schwenzfeier answered the land was already disturbed.

Mr. Holtz stated the amount of land proposed to be disturbed will be less than 2000 Sq feet.

Mr. Federman asked how large of an area will the extraction disturb.

Mr. Mower answered the area would be approximately 30'x20' and it will be 10' down.

Mr. Hilscher stated the Board can add a condition to an approval indicating the foot print of the site will not change.

Mr. Schwenzfeier asked in regards to the archeological sensitive area on the EAF Mapper.

Mr. Holtz explained the EAF Mapper was triggered by a section of land off of the project site.

Ms. Golden asked in regards to question # 17 of the EAF.

Mr. Holtz stated the answer is No.

Ms. Bragshaw made a motion to declare the Town of Catskill Planning Board as lead agency for this unlisted action and uncoordinated review, seconded by Ms. VanDermark

#### **Roll Call Vote**

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

Ms. Bagshaw made a motion to accept the application and plat as preliminary, seconded by Mr. Federman

#### **Roll Call Vote**

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

Ms. Bagshaw made a motion to schedule a Public Hearing for SUP-6-2021 on May 11, 2021 at 6:35 P.M. seconded by Mr. DiCaprio

#### **Roll Call Vote**

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

#### **Lot Line Adjustment SUB-6-2021 Reid Mower 1400Rt. 23A, Catskill.**

Reid Mower was present at this night's meeting along with Charles Holtz the surveyor for this Lot Line Adjustment .The applicant is requesting a Lot Line Adjustment in order to convey .63 acres to 2.06 acre parcel and add open space to the parcel. . The applicant has submitted an application, and a site plan.

The Board reviewed the plans.

Ms. Bagshaw made motion to approve SUB-3-2021 Lot Line Adjustment, seconded by Ms. VanDermark

**Roll Call Vote**

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

**OLD BUSINESS:**

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

Dalina Gjergi was not present at this night's meeting but was being represented by her brother Anthony Gjergi . The applicant is requesting the change of use from a single family dwelling to a two family dwelling. At the Board March 23, 2021 meeting the Board had requested a copy of a deed granting access to a right of way, which the applicant has submitted along with revised plans ,and the description of proposed outside lighting, and the check list .

Mr. Hilsher stated the original owner of the private road passed away, so at this time the owner of the road is unknown. To create a RMA it would most likely require litigation.

Mr. Gjergi stated he maintains the road and has no problem with the current arrangement.

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

**Roll Call Vote**

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

Mr. DiCaprio made a motion to schedule a Public Hearing for May 25, 2021 at 6:35 P.M seconded by Mr. Federman

**Roll Call Vote**

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

Ms. Golden stated the project will be sent to the County for the required 239 Review .

### **Special Use Permit SUP-5-2021 Tomas Banik, Palace Road. Catskill**

Charles Holtz was representing the applicant at tonight's meeting. SUP-5-2021 had last been before the Board on March 23, 2021. The T.O.C. Engineer had submitted a memo requesting additional information dated April 7, 2021 .The applicant has submitted revised plans.

The Board reviewed the plans.

Ms. Golden stated subsequent to the last Board meeting the T.O.C. Code Enforcement Officer has submitted correspondence indicating a concern regarding the lack of bathroom facilities.

Mr. Holtz stated in response to the concern for bathroom facilities, there is an OSHA law stating if it is not feasible to install a septic system you are allowed to have a portolet on the site.

Discussion ensued regarding the EAF and NYS DEC and NYSDOT approvals.

Mr. Federman stated the applicant is required to have his license, then bring the equipment on to the site, perform the stack test, and if it passes, he will receive a DEC permit, but concurrently he must obtain a license from the DOS.

Ms. Bagshaw stated she is concerned that it would be outside of the Board's purview to require approvals from other agencies, when it is already required for a specific operation to obtain those licenses and approvals in order to legally operate.

Ms. Hernandez asked if the applicant has applied for any of the licenses.

Mr. Holtz answered "Yes, he is on the process of complying with all of the required licenses.

Me. Schwenzfeier asked what type of lighting would be on the site.

Mr. Holtz answered there will be no outside lighting

Discussion ensued regarding hours of operation.

Ms. Bagshaw made a motion to accept the plat as preliminary, seconded by Ms. VanDermark

### **Roll Call Vote**

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

Ms. Golden stated this project is already scheduled to have Public Hearing on April 27, 2021. Since the Board has accepted the plans the project can be sent to the County for a 239 Review.

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

Scott Ouimet from Kaaterskill Engineering was representing the applicant at tonight's meeting. The applicant is requesting a Special Use Permit in order to develop an outdoor recreational facility. The Planning Board had declared lead agency for this project at the January 26, 2021 meeting. The Planning Board engineer had submitted a memo to Mr. Ouimet with a list of outstanding items required dated January 25, 2021, in order for this project to move forward. The applicant has submitted revised plans.

Mr. Ouimet stated he has submitted additional information addressing the type of lighting to be used on the site, and the plans were revised in order to address the grading, drainage, lighting and a full EAF. He also has been working with the DOH regarding the well on the site and public water supply, and he has been in communication with NYSDOT regarding the entrance to the site. At this time the applicant has decided to abandon the subdivision granted by the planning Board last year, in order to contain the water supply on the same site as the proposed facility. The plans will be modified to reflect the parcel combination once it has been approved by the Board

The Board reviewed the plans.

Ms. Golden asked where the go carts will be stored.

Mr. Ouimet answered in the concession stand.

Ms. Golden asked when in the evening will the lights be shut off .

Mr. Ouimet answered 10:00 P.M. Mr. Ouimet stated the details for the mini golf have not been laid out on the plans because the applicant is not sure of all of the details, but the amount of impervious ground has been identified.

Ms. Golden asked how much noise the golf carts will be emitting.

Mr. Ouimet answered at 100' away the noise is about 40 decibels, and the golf carts will have governors on them reducing the speed to ¼ throttle.

Mr. Federman asked if the sound decibels being considered are cumulative.

Mr. Ouimet answered it was based on multiple golf carts.

Mr. Hilscher stated the plans are required to identify the structures and neighboring parcels within 500' of the boundary lines.

Mr. Ouimet stated he had revised the EAF and would be submitting it to the Board after the meeting.

Ms. Golden stated because the EAF indicates the Brown bat is on the site; any approval will have tree cutting restrictions. The outstanding items for this project at this time is; permits from DEC, from DOH, permits from DOT, property owner authorization has to be signed, and neighboring property owners must be added to the site plan . The site plan must show the whole parcel. Once the applicant submits the revised plans the Board can accept the plat and send it to the County for a 239 Review. This application will be rescheduled for the Planning Boards April 27, 2021

**OTHER BUSINESS:**

## **Apple Realty Holding Corp, Tax Parcel Combination.**

Mrs. Keel stated she has received a Tax Map Parcel Combination requisition to abandon a subdivision approved by the Planning Board on June 24, 2020.

Ms. Bagshaw made a motion to abandon subdivision located at tax map # 136.00-8-46, and 136.00-8-46.2 5489 NYS Rt. 32, IAW State Law 560- Real Property , seconded by Ms. VanDermark

### **Roll Call Vote**

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

Mr. Hilscher stated he will look into this matter and find out what if any other requirements might needed for this process.

The Board discussed Town Code Requirements for Site Plan Review and Special Use Permit.

Mr. Hilscher stated If there is language in the Town Code that the Board is not applying to these reviews, the matter needs to be addressed .The Town Board will be forming a committee and will be reviewing and revising some of the Town Codes in the near future .

Ms. Golden stated the Board members should review the information Mr. Hilscher has distributed to the Board regarding private roads and access.

Mr. DiCaprio made a motion to approve the meeting minutes for March 9, 2021 as amended, seconded by Ms. Bagshaw

### **Roll Call Vote**

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

Meeting minutes of March 23, 2021 were tabled.

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

**Planning Board meeting ended at 8:40 PM**

Respectfully Submitted,

Patricia Case-Keel  
Planning Board Secretary

Approved as Amended 5/11/2021



