

Town of Catskill Planning Board

Planning Board Meeting

June 9, 2020 7:00 PM

Robert C Antonelli Senior Center

Present: Chairman-Tom Decker, Vice Chairman-Teresa Golden, Larry Federman (Virtual-Zoom), Charles Holtz, Joe Izzo, Bridgett Hernandez, Reid Mower, Secretary Patricia Case-Keel.

Attendance: All Present

Also Present: Elliot Fishman (Town of Catskill C.E.O.) Kevin Schwenzfeier.

Chairman Tom Decker opened the meeting with the Pledge of Allegiance to the flag.

Ms. Golden made a motion to approve the meeting minutes of March 10 2020 as amended, seconded by Mr. Izzo

7 Ayes, 0 Nays, 0 Absent, Motion Carried.

OLD BUSINESS:

Subdivision SUB-1-2020 Apple Reality Holdings Corporation, 5489 NYS Rt. 32 Catskill.

Charles Holtz recused himself from the review of SUB-1-2020.

Charles Holtz was representing the applicant at tonight's meeting. The applicant has submitted a revised drawing as requested by the Board. The revisions included utility easement existing building setbacks and location of driveway ending.

The Board reviewed the plans with no comment.

Mr. Decker stated the plans appear to be complete.

Ms. Golden made a motion to schedule a public hearing for SUB-1-2020 to be held on June 24, 2020 at 7:10 pm., seconded by Mr. Mower

Roll Call Vote

Mr. Mower Aye

Mr. Holtz Abstained

Mr. Decker Aye

Mr. Federman Aye

Ms. Hernandez Aye

Ms. Golden Aye

Mr. Izzo Aye Motion approved

Mr. Izzo asked if there are any concerns regarding a building on the remaining parcel being in two Zones.

Mr. Fishman stated at this time the existing building will be conforming to the requirement of both Zones.

Site Plan Review SPR-1-2019 Pack Rat Storage, 50 Rt. 23A, Catskill.

Kevin Conklin from Conklin Architecture was representing the applicant at tonight's meeting. The Board has received Greene Counties comments from the 239 Review and there appears to be no concerns with this proposed project.

Mr. Decker asked if there were any questions or concerns regarding this revised drawings received on 03.05.2020, (Conklin Architecture Office Expansion, # C11, revision 03.06.2020)

There were no questions or comments.

Mr. Decker read aloud the proposed resolution approving SPR-1-2020.

Mr. Holtz made a motion to adopt the resolution for SPR-1-2020 seconded by Mr. Federman

Roll Call Vote

Mr. Mower Aye

Mr. Holtz Aye

Mr. Decker Aye

Mr. Federman Aye

Ms. Hernandez Aye

Ms. Golden Aye

Mr. Izzo Aye Motion Adopted.

NEW BUSINESS:

Subdivision SUB-2-2020 Brook Stevens, 553 Mossy Hill Rd. Catskill.

Charles Holtz recused himself from the review of SUB-2-2020.

Mr. Stevens was in attendance at tonight meeting along with Charles Holtz who is representing the applicant. The applicant is requesting a two lot minor subdivision of a 10 acre parcel that is split property owned by a Central HudsonAlso there is an existing 30' right of way traveling to the back parcel, which the applicant intends to use as access to the parcel. The applicant has submitted an application, -EAF short form and a plat.

The Board reviewed the plans.

Ms. Golden asked who maintains the driveway.

Mr. Holtz answered a group of the neighbors on the end of the driveway.

Mr. Stevens stated there is a RMA for the driveway.

Mr. Decker stated the Board will require a copy of the RMA.

Mr. Fishman asked if the road access the parcels would be considered an approved private road.

Mr. Holtz answered " Yes". The road had been approved off of other subdivisions in the back

Mr. Fishman stated the Towns Highway Superintendent will have to inspect the road.

Mr. Holtz stated he will contact the Towns Highway Superintendent.

Mr. Decker asked since the previous subdivisions were approved back in the year of 2000, before the Town had Subdivision Laws, would the roadway be considered grand fathered in.

Mr. Izzo answered "No". There is no grandfathering in for subdivision law.

Mr. Fishman asked if there was a crossing easement with central Hudson.

Mr. Stevens answered "Yes". He will submit a copy for the Board.

Mr. Decker asked if the parcel to be created in the back could be considered a flag lot .if the applicant is requesting approval for a private street the applicant will have to submit a waiver for the minimum 50 ' width for a street that will be a 30 foot wide right of way (waiver submitted with application). The applicant will also have to submit a waiver from having a HOA, (waiver submitted with application). and a T turn for emergency vehicles will be required to be added to the drawing. However if the Board were to determine the access road is a shared driveway the applicant will not be required to submit a waiver from the 50 right of way requirement and the HOA, as well as having the Highway Superintendent inspect the road only where the shared driveway comes into the Town Road. The applicant will also not be required to have a T turn for emergency vehicles.

Ms. Golden asked how many lots are on the driveway.

Mr. Stevens answered seven, with a couple of cabins and trailers.

Mr. Izzo asked if there is an area for any emergency vehicles to turn around.

Mr. Holtz answered "Yes".

Mr. Decker stated this project is an unlisted action.

Mr. Izzo made a motion to declare Lead Agency on SUB-3-2020, seconded by Ms. Golden

Roll Call Vote

Mr. Mower	Aye
Mr. Holtz	Abstained
Mr. Decker	Aye
Mr. Federman	Aye
Ms. Hernandez	Aye
Ms. Golden	Aye
Mr. Izzo	Aye Motion Adopted.

Mr. Decker stated a note must be added to plans indicating what lots the driveway will be servicing, and also indicating road will not be dedicated to the Town of Catskill. The plans must also indicate parcel B, and show septic and setbacks, as well as flood plain.

Mr. Decker made a motion to hold a Public Hearing for SUB-2-2020 on Wednesday June 24, 2020, seconded by Mr. Mower

Roll Call Vote

Mr. Mower	Aye
Mr. Holtz	Abstained
Mr. Decker	Aye

Mr. Federman Aye
Ms. Hernandez Aye
Ms. Golden Aye
Mr. Izzo Aye Motion Adopted.

Subdivision SUB-3-2020 Hidden River LLC, 401 Moss Hill Rd. Catskill.

Charles Holtz recused himself from the review of SUB-1-2020.

Charles Holtz is representing the applicant at tonight's meeting. The applicant is requesting a 4 lot subdivision of land. The applicant has submitted an application, a plat as well as a short form EAF.

Mr. Decker stated this project is similar to SUB-2-2020, whereas it also has Central Hudson lands running through the parcels. Mr. Decker asked for the applicant to add sewer and water to the plat.

Mr. Fishman asked if the parcels A,B,C access could be considered a shared driveway.

Mr. Decker stated the access for the proposed parcels would be over a 1000' and would require a cul-de-sac. The driveway would only need to be 30' feet instead of 50' and this would also keep the access road further out of the wetlands.

Mr. Fishman stated the only thing he would ask for would be to have intermittent turn off, in case of an emergency.

Mr. Decker stated the Board could make a cu- de-sac a condition. Making the access a driveway instead of a private road would also eliminate the requirement for a 50' waiver and the HOA waiver and instead the applicant would only be required to submit an RMA. The street will not be required to continue as well.

Mr. Izzo asked if the lots would be considered flag lots on a shared driveway.

The Board discussed the Towns Code 138-18 (Minimum requirements for private streets).

Mr. Decker stated both applications SUB-2-2020 and SUB-3-2020 will have to be tabled until the Board can determine if the access to the proposed project can conform to either a shared driveway or private road.

Special Use Permit Aeon Holding 1187 NY Rt. 23A, Catskill.

Vitaly Bobkov is the applicant for this Special Use Permit application and participated at tonight's meeting on the Zoom video conferencing media along with his representative Adam Katzman from A&E Solar. The applicant is requesting a Special use Permit in order to install roof mounted solar array generating over 10kw of solar energy. The applicant has submitted an application and a site plan.

The Board reviewed the plans.

Mr. Katzman stated he wanted to mention according to the Towns Code 134 A, Large Scale Solar Arrays, references only ground mounted arrays, and this project is roof mounted. Also the last time he was before the Board with another similar project, it was mentioned by Board members that there was a question as to whether or not a project this scale should have to go through the Special Use Process.

Mr. Federman stated the Town of Catskill is in the process defining roof mounted over 10kw as being large scale.

Ms. Golden asked if the solar panels can be seen from the road.

Mr. Katzman answered the arrays will be facing the south side and only on the Northside of the building faces the road.

Mr. Decker stated the map does not indicate the north direction and must be corrected. Also the applicant was requested to fill out the most current special use application .

Mr. Bobkav asked if the panels were visible from the road, would that be a reason for denial.

Mr. Decker answered "No"

Mr. Fishman stated all commercial site plan reviews; include the visual aesthetics of a project.

Mr. Holtz made a motion to declare SUP-1-2020 ~~at~~ a type 2 action per NY code 617.5(C)(15), type II actions,, seconded by Mr. Izzo

Roll Call Vote

Mr. Mower Aye

Mr. Holtz Aye

Mr. Decker Aye

Mr. Federman Aye

Ms. Hernandez Aye

Ms. Golden Aye

Mr. Izzo Aye Motion Adopted.

Mr. Decker stated this project will require a 239 Review with the Greene County Planning Board. The applicant must submit the revised application no later than Monday June 15, 2020. Teh applicant must send all material by June 15

Special Use Permit SUP-2-2018R, Tiny Tines 282 , Cairo Junction Rd. Catskill.

Charles Holtz recused himself from the review of SUP-2-2018R.

Stephen Maulden is representing "Getaway Catskill East" at tonight's meeting via Zoom media. The applicant had submitted an application requesting modifications to the campsite along with a sketch plan.

Mr. Decker stated this Board had approved SUP-2-2018 back on January 22,2019 The applicant is requesting a modification to the Site Plan and are requesting a change from 4 Handicap accessible camp sites to 2 handicap accessible campsites.

The Board reviewed the plans.

Mr. Decker stated the number of ADA cabins were determined based on Federal Camping guidelines which are not law, but are recommended to give a good idea on what should be in place, based on the number of occupancies at a campsite.

Mr. Fishman stated if the Board were to deny the request for the modification he has agreed to give the applicant time to build the ADA campsites while remaining open.

Ms. Golden made a motion to hold the number of campsites at 60 and to keep the number of ADA at 4 denying request to amend the site plan approved by the Planning Board on January 22, 2019 seconded by Mr. Mower

Roll Call Vote

Mr. Mower Aye
Mr. Holtz Abstained
Mr. Decker Aye
Mr. Federman Nay
Ms. Hernandez Aye
Ms. Golden Aye
Mr. Izzo Nay Motion Adopted.

Sketch Conference – Water Shed Solar 6466 Rt. 9W Catskill .

Michael Lucini is the vice president of Watershed Solar Company and was present at tonight's meeting via Zoom Media along with Michael Tucker of VHB Engineering. The sketch conference is for the proposed Holcim Catskill Landfill solar project, a 5mw solar energy generating facility, located at 6466 Rt. 9W, Catskill NY. The solar energy system will include two array areas, one on the larger landfill and one ground mount near the Embought Road and be integrated with the final landfill closure designs. The system will connect to three phase power on Route 9W. This will be a community solar project. The applicant has submitted a written request and explanation of the proposed project dated May 26, 2020 along with a sketch plan consisting of conceptual site plan drawings.

The Board reviewed the plans.

Mr. Decker asked for information regarding why the project is considered a type 2 under the SEQRA.

Mr. Lucini answered back in 2019 the DEC in order to accelerate solar project using landfills and brownfields as long as they meet a few of the requirements are considered type 2 actions.

Mr. Tucker stated the code is listed under 617.5 type 2 actions article 14.

Mr. Decker stated the project will require the applicant to fill out the Water Consistency Survey.

Mr. Izzo stated the applicant will be required to submit a visual assessment due to the Olanna View shed and the North Lake View shed.

Mr. Izzo asked how many residents this solar project will serve.

Mr. Lucini answered the project will be a community solar farm can have anchor taxes up to 50% of the off take Holcim will probably take a little of it and Central Hudson can only take about 10 %, it will depend if off takers can be found for the remaining 40% .

Mr. Lucini stated in the Town's ordinate it requires a copy of the lease terms and agreement and would like to instead submit a redacted letter of intent.

Mr. Izzo stated the matter would have to be discussed with the Towns attorney.

Mr. Izzo asked if the applicant will be seeking a pilot program.

Mr. Lucini answered "Yes".

Mr. Izzo stated all pilot programs go through the Town Board.

Mr. Decker stated the applicant can go the town's website and review the Towns requirements for Specials Use Permit and Site Plan Review, and also 134 A Solar Law , when they are ready can submit an application and then the Board can move forward with the review of this project.

Mr. Lucini asked if there was a process for submitting a waiver .

Mr. Decker stated to make a list of all the waivers being requested for this project and submit it with the application .The Board will require an Escrow account be set up for \$10,000.00 for an engineering on the Towns behalf.

Mr. Lucini stated a utility study should be completed within a few months.

Mr. Decker thanked the applicant.

OTHER BUSINESS:

Ms. Hernandez stated she would like to have a discussion on the number of solar farms the Town is going to allow.

Mr. Izzo stated that is a matter for the Town Board to decide.

Mr. Mower made a motion to adjourn , seconded by Ms. Golden

Planning Board meeting ended at 9:45 PM

Respectfully Submitted,

Patricia Case-Keel
Planning Board Secretary

Approved as Amended June 24,2020