

Town of Catskill Planning Board

Planning Board Meeting

August 10, 2021 6:30 PM

Robert C Antonelli Senior Center

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

Attendance: All Present

Also Present: Ted Hilscher (Town Attorney) Keven Schwenzfeier (Town Engineer)

Chairwoman 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, everyone attending in person is asked to maintain social distancing and it is strongly encouraged for any one not vaccinated to continue to wear masks. Anyone unwilling or unable to wear a face mask is recommended to participate in the meetings virtually through the Zoom platform.

The next Planning Board meetings will be August 24, 2021, September 14, 2021. The Greene County Planning Board's next meetings will be August 18, 2021 and September 15, 2021. Any application requiring a 239 Review must submit all of the required materials including full size drawings 12 days prior to their scheduled meetings.

At tonight's meeting the Planning Board will be continuing a Public Hearing for T&T Auto Sales and thus anyone participating is asked to state their name and address. Participants should address 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 and good taste. 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.

CONTINUATION OF PUBLIC HEARING: 6:35 PM

Site Plan Review SPR- 2-2021 T&T Auto Sales 1136 Rt. 32 Catskill.

Mr. Ivery was present at tonight's meeting.

This application was first before the Board on May 11, 2021 for a sketch conference. The application returned to the Board at the June 22, 2021 meeting with revised plans. On that date the Board classified the application as an unlisted action and uncoordinated review and declared the Town of Catskill as lead agency. The drawing and application was accepted as preliminary and the Board scheduled a Public Hearing to be held on July 27, 2021. The Public Hearing was opened but the Board did not have a quorum in order to close the Public Hearing therefore the Public Hearing was held open for tonight's meeting

Mr. Ivery gave a brief overview for this project. He stated he would like to open a used car lot for approximately 15 used cars, retail only, no mechanical work on site.

Ms. Golden asked if there were any questions or comments regarding SPR-2-2021.

There were no questions or comments.

Mr. DeLuca made a motion to close the Public Hearing for SPR-2-2021 seconded by Ms. VanDermark

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.

OLD BUSINESS:

Site Plan Review SPR- 2-2021 T&T Auto Sales 1136 Rt. 32 Catskill.

Ms. Golden asked if any of the Board members had any comments regarding SPR-2-2021

There were no Comments.

Kevin Schwenzfeier read aloud part 1 & 2 of the EAF.

Ms. Hernandez asked if there will be a sign.

Mr. Ivery answered "yes". He will contact the CEO(Code Enforcement Office) when he has decided on what type of sign he plans on obtaining.

Mr. Federman made a motion to declare a Negative Declaration for SPR-2-2021, 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.

Ms. VanDermark made a motion to accept the application and plat as final for SPR-2-2021, seconded by Ms. Bagshaw

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-5-2021 Tomas Banik Tool House Road, Catskill.

Mr. Banik was present at tonight's meeting. This application was first before the Board on March 23, 2021 at that time the proposed was located on Olympic Palace Road. On that date, the Board declared lead agency on this project as an unlisted, uncoordinated review and accepted the plat as preliminary, and then scheduled a Public Hearing for April 27, 2021 where the Board heard from local neighbors with a range of concerns. The Public Hearing was continued until the Planning Board's May 11, 2021 meeting, at that time it was closed. The applicant returned on May 25, 2021 when the Board encouraged the applicant to move the project site onto a parcel that was at least 600' from any neighbors. The applicant revised the site plan and moved the project to Tool House Road, a different location on the same parcel. The Board reviewed the revised plans on June 22, 2021 and accepted the plans as preliminary and scheduled a second public hearing to be held on July 13, 2021. The Public Hearing was closed at the July 13, 2021 and the Board made a negative declaration meeting but due to discussion regarding recommended changes to several of the proposed conditions, the application was rescheduled for tonight's meeting.

Ms. Hernandez asked if the applicant was intending on manufacturing diamonds from the dust ash particles.

Mr. Banik answered "No".

The applicant had been sent a copy of the proposed resolution. The Board continued discussions, regarding proposed conditions for the approval resolution.

Ms. Golden stated the amendment to the resolution requested by the applicant were not added to the resolution because the changes involved matters that CEO and the Board are most concerned about.

Mr. Banik stated if he provides the calculations for the Board. The Board will then have to refer to the DEC for a review and DEC will already have had their review. He does not understand why the Board is requesting duplication for the process. Mr. Banik then asked why he required to have a perc test.

Ms. Golden answered the CEO wants to insure that the business can sustain expansion and thus the perc test.

Mr. Banik stated the matter would be covered because he would have to come back in order to expand. He does not plan on expanding for at least 2-3 years and by then the test will have expired.

Ms. Bagshaw stated the Board needs to consider if the requirement for a perc test is viable at this time and if the current regulations call for any action on a future development.

Mr. Hilscher stated If the CEO requires a perc test before granting a building permit, then the requirement is under the CEO purview.

Discussion ensued regarding all of the conditions involving DEC requirements being brought under one line item.

Mr. Hilscher asked what the harm is, to list the conditions for DEC requirements individually.

Mr. Banik answered it involves proprietary information because the information involves a private business and not for distribution.

Discussion ensued.

Ms. Bagshaw made a motion to accept the application and plans for SUP-5-52021 as final. 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.

Mr. Federman stated for the record he believes there is a lot of gray areas in the approval of this project, but the Town does not have the ability to go beyond DEC regulations.

Ms. Bagshaw made a motion to approve the resolution as amended with the removal of item #13, seconded by Ms. VanDermark

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.

Lot Line Adjustment SUB-7-2021 Country Woodlands LLC 776 Bogart Road, Catskill

Mr. Federman recused himself from the review of SUB-7-2021.

Dan McCarthy from Praetorius & Conrad was representing the applicant at tonight's meeting. The applicant is requesting the conveyance of and .865 acres from a 67.0 acre parcel creating a .865 acre parcel and a 6.87 acre parcel,. The applicant is requesting the lot line adjustments in order to increase suitability of the parcel for building development.

Mr. McCarthy gave a brief overview for this project.

Ms. Golden asked if there were any questions from the Board.

Mr. DeLuca made a motion to approve SUB-7-2021,seconded by DiCaprio

Roll Call Vote

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

Ms. Bagshaw Aye Motion Approved.

Lot Line Adjustment SUB-9-2021 Country Woodlands LLC 730 Bogart Road, Catskill.

Mr. Federman recused himself from the review of SUB-9-2021.

Dan McCarthy from Praetorius & Conrad was representing the applicant at tonight's meeting. The applicant is requesting the conveyance 2.903 acres from a 66.0 acre parcel and conveying it to a 5.00 acre parcel creating a 7.903 acre parcel. The purpose for this lot line adjustment is to add availability open space.

Mr. McCarthy gave a brief overview for this project.

Ms. Golden asked if there were any questions from the Board.

Ms. VanDermark made a motion to approve SUB-9-2021, seconded by Ms. Bagshaw.

Roll Call Vote

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

Subdivision SUB-8-2021 Country Woodlands LLC 776 Bogart Road, Catskill.

Mr. Federman recused himself from the review of SUB-9-2021.

Dan McCarthy from Praetorius & Conrad was representing the applicant at tonight's meeting. The applicant is requesting the subdivision of a 6.687 acre parcel in order to create a 2.72 acre parcel and a 3.979 acre parcel. The applicant submitted a revised plat. The Board had also received approval from the Towns Highway Superintendent for the curb cuts. The applicant has also submitted a copy if the easement with Central Hudson indicating Central Hudson only has an easement though the land.

The Board reviewed the plans.

The applicant was asked to remove the note indicating the request was for a lot line adjustment.

Ms. Golden asked where the septic is on the plans.

Mr. McCarthy answered the septic is shown on the plans dated July 15, 2021.

Mr. DeLuca 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. DiCaprio

Roll Call Vote

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

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

Roll Call Vote

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

Ms. Golden Aye
Ms. Bagshaw Aye Motion Approved.

Mr. DeLuca made a motion to September 14, 2021 at 6:35 P.M., seconded Ms. VanDermark

Roll Call Vote

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

Special Use Permit SUP-7-2021 Desantis Apartments 14 Poney Lane , Catskill

Scott Quimet from Kaaterskill Associates was representing the applicant at tonight's meeting. The applicant is requesting a special use in order to renovate two existing dwellings into two, two bedroom apartments in each building. The site had been granted a special use permit by the Planning Board back in January 12, 2021 for the use of one building to be turned into 4 apartments and the second building demolished. The property has since been sold and the new owner is asking to change the plans. The applicant has submitted an application, and a set of plans. The applicant has requested to apply the EAF submitted for SUP-3-2020 for this review.

The Board reviewed the plans.

Mr. Quimet stated he will be adding lights to the plans but at this time the layout has not been determined.

Mr. Federman asked if the applicant is planning on any screening.

Mr. Quimet answered since there are a lot of trees already on the site; screening was not considered at this time.

Ms. Golden asked if there would be any lighting by the dumpster.

Mr. Quimet answered at this time there are no plans for a light near the dumpster.

Ms. Golden stated the project will require a 239 Review with the County .

Ms. Bradshaw 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 Ms. VanDermark

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 stated the site had obtained approval from SHPO back in January so the Board will not require SHPO be involved, but any approval for this project will be conditioned for tree cutting to be limited according to DEC requirements for the long eared bat . The site may also have to be ADA compliant.

Mr. DeLuca made a motion to accept the plans as preliminary with the condition that lighting for dumpster may have to be added, 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. Bagshaw made a motion to schedule a Public Hearing for September 14, 2021. At 6:45 P.M., 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.

NEW BUSINESS:

Lot Line Adjustment SUB-10-2021 Cisco 395 Cairo Junction Road, Catskill .

Patricia Cisco was present at tonight's meeting. The applicant is requesting the conveyance of .213 acres from parcel A-1 an existing 6.8 acre parcel to parcel B-1 an existing 1. 287 acre parcel and conveying .213 from parcel B-1 to parcel A-1, leaving both parcels with the same amount of land. The applicant is requesting this lot line adjustment in order to correct the location of a barn belonging to owners of parcel B-1. The applicant submitted an application and plans.

The Board reviewed the plans.

Ms. Golden asked where the location of the septic for the dwelling on parcel A-1.

Ms. Cisco answered the septic is behind the house.

Ms. Bagshaw made a motion to approve SUB-10-2021, 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.

Lot Line Adjustment SUB-11-2021 Andrew Davis Grove School Road, Catskill.

Gary Harvey is representing the applicant in this application. The applicant is requesting this lot line adjustment in order to convey .6 acres from a 3.8 acre parcel to an existing 1.5 acre parcel creating a 2.08 acre parcel and the remaining 3.2 acre parcel. The reason for this request is to improve the ability of the parcel to comply with setbacks standards, and to add availability for open space. The applicant submitted an application, plans and a copy of the deed.

The Board reviewed the plans.

Ms. Golden stated she wanted to make the applicant aware that the deck on the house does not meet the setback requirements, which is not an issue for this lot line adjustment, but may be an issue for the home owner in the future.

Ms. Bagshaw made a motion to approve SUB-11-2021, 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.

OTHER BUSINESS:

Sketch Conference- Reid Mower 1696 High Falls Road.

Reid Mower was present a tonight's meeting along with Charles Holts his surveyor. The applicant is requesting a site plan review in order to construct a garage on his site which is used as a commercial shale bank.

Ms. Golden stated in order for this project to move forward the Board will require a site plan and an application.

Ms. Golden stated she would like to remind the Board members to consider any ideas for changes to the Towns Code. The Board cannot approve the minutes and all business that can be conducted has been conducted.

Discussion ensued regarding requiring public hearing.

Ms. Golden stated Brook Stevens has been reaching out to the planning Board regarding the naming of a the private road he resides on, but the Planning Board does not have any involvement with the naming of roads.

Mr. Hilscher stated he will send Mr. Stevens a letter indicating the road is recognized by the Town as a private road, and he believes that is all that is required for 911 and the post office is a letter from the Town.

Ms. Golden asked how the Town will ensure that the private road is accessible for emergency vehicle.

Mr. Hilscher answered before the CEO will sign off on any certificate of occupancy; the road will have to be brought up to standards. According to NY State Building Code, a fire truck must be able to get within 300' of a resident.

Ms. Golden stated she would like to remind the Board to send Ted Hilscher any recommendations for changes to the Zoning Code.

The Board discussed scheduling a special meeting for September 21, 2021 at 6:30 PM in order to discuss changes to the Town Code.

Mr. Schwenzfeier stated he submitted an application to the CFA for the Towns potential updating to the comprehensive plan. Any changes to the Town's Codes will have to be reflective in the comprehensive plan.

Ms. Golden stated the matter with CJ Properties escrow account needs to be resolved.

Mr. Schwenzfeier stated he will revise the invoices in order to reflect what is currently in the account.

Ms. Bagshaw asked if the Town's Code is updated on the Town's website with the current revisions.

Mr. Federman answered "Yes".

Mr. DeLuca made a motion to approve the meeting minutes of June 22, 2021 as amended, 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.

Meeting minutes for July 13, 2021 and July 27, 2021 were tabled.

Ms. Bagshaw made a motion to adjourn, seconded by Ms. VanDermark

Planning Board meeting ended at 8:33 PM

Respectfully Submitted,

Patricia Case-Keel
Planning Board Secretary

Approved as Amended 9/14/2021

