# Town of Catskill Zoning Board of Appeals

**Monthly Meeting**

July 20, 2022 6:00PM

439 Main St. Catskill

**Present:**, Chairman- Gary Harvey , , Lee Heim., Margie Garafalo, Albert Gasparini (alternate member) Patricia Case-Keel- Zoning Board Secretary.

**Absent:** Vice Chairman-Ben Decker, Marybeth Lange .

Mr. Harvey stated that Mr. Gasparini would be voting in place of Board Member Ben Decker at tonight’s meeting .

**Roll Call Vote:**

***Chairman- Gary Harvey Present***

***Ben Decker Absent***

***Mary Beth Lange Absentt***

***Margie Garafalo Present***

***Lee Heim Present***

***Albert Gasparini Present***

*Ms. Garafalo made a motion to approve the meeting minutes of June 22, 2022 meeting, seconded by Mr Heim .*

**Roll Call Vote:**

***Chairman- Gary Harvey Aye***

***Ben Decker Absent***

***Mary Beth Lange Absent***

***Margie Garafalo Aye***

***Lee Heim Aye***

***Albert Gasparini Aye Motion approved.***

**OPENING OF PUBLIC HEARING 6:05 pm**

**Area Variance V-4-2022** **Michael & Rene Rodriguez 586 High Falls Road**

Chairman Gary Harvey opened the Public Hearing for Area Variance V-4-2022 Michael & Rene Rodrdriguez. The Notice of Public Hearing was published in the Daily Mail on July 20, 2022 and July 22, 2022

 **NOTICE OF PUBLIC HEARING**

The Town of Catskill Zoning Board of Appeals will hold a Public Hearing

pursuant to Article 160-10 of the Town of Catskill Zoning Laws to allow

Construction of addition on lands owned by Michael & Rene Rodriguez located at 586 High Fall Road, Catskill. Application Area Variance V-4-2022 Tax Map # 185.04-1-4 The Public Hearing will be held on the 27th day of July 2022 At 6:05 PM, at the Town Hall located at 439-441 Main Street, Catskill, NY.to allow public comment on the application .The above application is open for inspection at the Office of the Zoning Board of Appeals located at 439 Main Street, Catskill, New York between the hours of 10:00 a.m. and 2:00 p.m., or by appointment. The public is also welcomed to attend the Public Hearing through digital Zoom platform . Detailed information for the Zoom platform will be posted on the Zoning Board meeting agenda on the Town website By order of Gary Harvey Chairman, Zoning Board of Appeals, Town of Catskill

The applicant submitted the green cards form the certified mailing. and revised plans indicating set back includes overhang on proposed roof.

The Board members had conducted a site visit.

Mr. Harvey asked 3 times if anyone present or attending Zoom media, has any questions or comments regarding V-4-2022.

There were no questions or comments,

Ms. Garaflo made a motion to close the Public Hearing for V-4-2022, seconded by Mr. Heim..

**Roll Call Vote:**

***Chairman- Gary Harvey Aye***

***Ben Decker Absent***

***Mary Beth Lange Absent***

***Margie Garafalo Aye***

***Lee Heim Aye***

***Albert Gasparini Ayet Motion approved.***

***Public Hearing closed 6:06 PM***

**OLD BUSINESS:**

**Area Variance V-4-2022** **Michael & Rene Rodriguez 586 High Falls Road**

The Board reviewed the Findings & Decision for V-1-2022 with all answers being “No” except question # 3 indicating request for a Variance was substantial.

Mr. Heim made a motion to approve V-4-2022, seconded by Ms. Garafalo

**Roll Call Vote:**

***Chairman- Gary Harvey Aye***

***Ben Decker Absent***

***Mary Beth Lange Absent***

***Margie Garafalo Aye***

***Lee Heim Aye***

***Albert Gasparini Absent Motion approved.***

**Area Variance V-2-2022 Michael Ellis 210 Jefferson Heights ,Catskill**

There was no one representing V-2-2022 at tonight s meeting.

Mr. Harvey stated this application has been on the agenda since May of 22 and no one representing has aver appeared before the Zoning Board for a presentation. He would like to ask for the Zoning Board Clerk to notify the applicant that this application will be withdrawn and if they decide to come back for this variance the applicant will have to reapply with a new application.

**NEW BUSINESS:**

**UV-1-2022 Use Variance Reid Mower 1349 Jefferson Heights , Leeds.**

Reid Mower owns the parcel consisting of 113 acres located at 1349 Rt. 23B and has requested a Use Variance in order to establish an area for parking his equipment that are used for his trucking and excavating business and to construct a 40’x 60’ garage in a Moderate Density Zone The applicant has submitted an application, EAF, Agricultural survey ,and a site plan.

The Board reviewed the site plan.

Mr. Harvey stated there has been some discussion regarding changing the Zoning up through 23B to general commercial zoning due to the spotty zoning in that area . The Town Planning and Zoning Board will be having meeting in September and this matter may be addressed then . The Zoning board had a similar issue with the trucking business across the street from this site.

Mrs.& Mr. Schmidt resides at 1400 Rt. 23B . Mrs. Schmidt stated it was to her understanding when the Zoning Board granted a Use Variance to the business across the street; the applicant was required to address potential flooding from the berms that were created, but to her knowledge that never was addressed. The A.C.O.E. had built a tributary to help with the flooding in that area there because it is so prone to flooding, and with the increase of additionally construction and material being brought in, she is very concerned for the potential of an increase of flooding. She would like to know what the status is W&B Handlings site plan Review.

Mr. Harvey stated the Site Plan Review is in the purview of the Planning Board.He then asked Mr. & MRs Schmidt if there is any documentation regarding the drainage ditch constructed by the A.C.O.E.

Mr. Schmidt answered he is not sure.

Mr. Harvey read aloud a letter dated March 22, 2022 submitted to the applicant from Elliot Fishman who was the CEO at that time, indicating the parcel is not in a designated floodway.

Mr. Harvey stated the Zoning Boards consideration consists of the requested use in that particular zone. The issue regarding flooding and the flood zone would fall under the Planning Boards purview and would be addressed in the site plan review. Mr. Harvey asked the applicant to submit a revised map indicating the flood zone and if although it’s not a requirement for the use variance, the elevations would be helpful. This application will be sent to the County Planning Board for a 239 Review as well. The Zoning Board will schedule a Public Hearing to be held on August 24, 2022 at 6:05 PM.

Mr. Heim asked if the applicant can clarify what the geological features are in reference to question #2 of the Use Variance application as well as more information for question #4..

Mr. Harvey thanked the applicant for attending.

**OTHER BUSINESS:**

Mrs.. Garafalo made a motion to adjourn, seconded by Mr. Gasparini

**Meeting Adjourned at 7:01 P.M.**

***Sincerely***

***Patricia Case –Keel***

***Zoning Board Secretary***

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