

Town of Cocksackie Planning Board  
Meeting Minutes  
October 2, 2014

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I. Call to Order

Chairman Clark Pell called the regular meeting of the Planning Board to order at 7:00 p.m. at the Cocksackie Town Hall.

II. Pledge of Allegiance

III. Roll Call

Board members Frank Gerrain, George Eignor, Bill Whitbeck, Richard Bruno, Hal Beaumont were present; Gordon Pebler was absent. A quorum was duly noted. J. Theodore Hilscher, Esq., provided legal counsel to the Planning Board.

Guests in attendance were: David Hans, Amanda and Pieter Wolfe/Wolfe Modular Homes, Inc., Luciano (Frank) Agovino, Martin Kelly/Kelly's Pharmacy, Melanie Lekocevic/The Daily Mail

IV. Approval of Previous Minutes

The Chair noted that revisions to the September 4, 2014 minutes were incomplete.

A motion to table the minutes until the November 6 incorporate further revisions, was made by Bill Whitbeck; seconded by Frank Gerrain. All were in favor; none opposed. So carried.

V. Correspondence/Handouts

- Ducommun sign permit application
- Litigation correspondence reserved for Executive Session

VI. Public Hearing

**Pieter and Amanda Wolfe/Wolfe Modular Homes, Inc.**

State Route 9W, W. Coxsackie

Tax Map #55.00.5-71; Commercial Zone

- Application for Site Plan Review

A motion to open the public hearing was made by Frank Gerrain; seconded by Hal Beaumont. All were in favor; none opposed. So carried.

The Chairman requested a brief description of the proposal to construct a commercial building on State Route 9W. Mr. Wolfe related that the 11,000 s.f. Matt's Honda will occupy the majority of the post-and-beam structure; offices for Wolfe's Modular Homes will be housed in the rear. The rustic building is relatively long, with 12' high walls, and stone pillars supporting the wraparound porch facing 9W.

The Chairman verified publication of the public notice in *The Daily Mail*; notification to adjacent landowners was unnecessary. No issues were cited in correspondence received from the NYS Department of Conservation and Department of Transportation.

There being no further questions or comments, a motion to close the public hearing was made by George Eignor; seconded by Hal Beaumont. All were in favor; none opposed. So carried.

VII. Public Comment

The Chairman asked for any public comments.

David Hans stated that he doesn't think it's fair that Kerri Corrigan is allowed to disrupt the whole neighborhood but he can't mow his lawn, play music, or have a party during wedding celebrations at Owls Hoot Barn. He claims that she is operating without permits and was refused a NYS fire sprinkler variance. He stated, "we figured out why the Code Enforcement Officers don't shut her down"; and that he "will have to take the next step and reach out and touch people's wallets."

1. **Pieter and Amanda Wolfe/Wolfe Modular Homes, Inc.**

State Route 9W, W. Coxsackie

Tax Map #55.00.5-71; Commercial Zone

- Application for Site Plan Review

Applicants submitted a proposal letter and site plan sketch showing signage and landscaping which Mr. Hilscher will submit to the County Planning Board for 239-m review.

Applicants were reminded to have the zoning designation corrected on the site plan from Residential Agricultural-1 to Commercial. A sign permit will also be required. It was specifically noted that site plan approval does not include the sign permit.

Upon review of the full survey map, Frank Gerrain noted that the back corner of the parcel extends slightly over the village boundary; he also expressed concern regarding the number of tractor-trailer deliveries that Honda receives.

In response to the Board's questions, Mr. Wolfe related that the height of building is 22' to peak; a dark metal roof will complement the surroundings; inventory will be displayed outside; six trees will be planted along the driveway in place of shrubs; public storage will no longer be provided; six employees; three toilets, four sinks; sidewalks will be installed along Route 9W, and from the parking lot to the entrance; he has a commitment letter from Honda; projected showroom size is between 4,500 and 5,500 s.f.; he would like to break ground as soon as possible.

The Board completed SEQRA short form Part 2 and made a negative declaration following the asking of the short form questions by the Chairman, and the Board answering "No" to each question. Motion made by Bill Whitbeck; seconded by Hal Beaumont. All were in favor; none opposed. So carried.

Mr. Hilscher advised that an escrow account and engineer review were not required because less than one acre will be disturbed, and village water and sewer will be utilized. He requested a photograph of the building's exterior for the file. The original approved SEQR was kept for the file; a copy was provided to applicants.

A motion to approve the site plan application, contingent upon the following conditions, was made by George Eignor; seconded by Rich Bruno. All were in favor; none opposed. So carried.

1. Receipt of photo of building exterior for the file;
2. Signage is a separate matter and requires a sign permit application;
3. County 239-m approval.

Both the Chair and the applicants expressed interest in attending the County Planning Board meeting.

A copy of the approved site plan application was provided to the Wolfes; the Chairman will draft a letter of approval upon sufficient completion of the above-referenced conditions.

2. **Kelly's Pharmacy**

Coxsackie Commons

12183 Route 9W, W. Coxsackie

- Sign Permit Application

Mr. Kelly submitted a sign permit application, photographs, and letter of permission from the property owner, Russell Francis. Two signs are proposed: one on the building, the other filling the vacant space on the existing monument sign; the red acrylic building sign measures 40" x 120"; both LED signs are internally lit.

A motion to approve the application was made by Bill Whitbeck; seconded by Rich Bruno. All were in favor; none opposed. So carried.

Mr. Kelly was provided a copy of the approved application and directed to the Code Enforcement Officer, who will issue the permit.

VIII. New Business

1. **Frank Agovino**

10429 State Route 9W, Coxsackie

Tax Map #87.00-3-6; 139.9 acres; RA-2

- Peddler's Permit

Mr. Agovino owns a sheep farm on State Route 9W. He appeared before the Board to ascertain if he could operate a hot food/deli business from an 8' x 20' temporary (on wheels) food truck on his property (where an old bus shelter has been removed) to open in the spring. He proposes customers parking in his driveway.

The Chairman advised that peddler's permits are issued by the Town Clerk and do not require Planning Board approval. Bill Whitbeck suggested that Mr. Agovino contact the NYS Health Department for inspection.

Preliminary discussion ascertained that "home occupation" is permitted in RA-2 zoning; DOT/Town Code review required to possibly widen the driveway; no parking is allowed along State Route 9W; County 239-m review is also required.

The Chairman offered to contact Steve Shepard at NYS Department of Transportation in Cairo to determine their requirements.

IX. Executive Session

A motion to go into executive session to discuss litigation was made by Frank Gerrain at 8:15 p.m.; seconded by Rich Bruno. All were in favor; none opposed. So carried.

A motion to leave executive session was made by Richard Bruno at 9:25 p.m.; seconded by George Eignor. All were in favor; none opposed. So carried.

X.           Adjournment

A motion to adjourn the meeting at 9:27 p.m. was made by Richard Bruno; seconded by Frank Gerrain. All were in favor; none opposed. So carried.

Respectfully submitted,

Marlin A. Henry  
Planning Board Secretary

MAH/ccp