

Town of Coxsackie Planning Board
Meeting Minutes
January 8, 2015

I. Call to Order

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

II. Pledge of Allegiance

III. Roll Call

Board Members: Clark Pell, Hal Beaumont, Richard Bruno, Frank Gerrain, George Eignor and Bill Whitbeck were present. A quorum was duly noted.

Guest in attendance: Don Schel, P.L.S./Maser Consulting P.A.

IV. Approval of Previous Minutes

A motion to approve the meeting minutes of December 4, 2014, was made by Hal Beaumont; seconded by Frank Gerrain. All were in favor; none opposed. So carried.

The Chairman noted that the permeability stats pertaining to Wolodkevich appeared to be reversed; after review, the correction was made by the Secretary.

A motion to approve the correction to the meeting minutes of December 4, 2014, was made by Hal Beaumont; seconded by Frank Gerrain. All were in favor; none opposed. So carried.

The Chairman will alert the Town Board at their next meeting that the Planning Board minutes on the Town's website are not current, and that October's minutes are incorrectly posted.

V. Correspondence/Handouts

- NYPF Conference Registration Form @ the Sagamore (4/12-4/14/15).

- Copies of two letters were provided to the Board Members which referenced the August 7, 2014 Planning Board meeting minutes. Although dated 10/17/14, the letters were dated stamped 12/22/14 by the Town Clerk. It was noted that the format and several sentences were identical although signed by two different residents.

The Chairman advised that he would take responsibility for his actions but that the letters are totally inaccurate. He intends to address the overall pattern, to reflect badly on the Planning Board, with the Town Board. Planning Board meetings are now digitally recorded for this reason.

The Chairman noted for the record that Gordon Pebler has resigned from the Planning Board effective 12/31/14, creating a vacancy. Mr. Pell recommended Betty Cure be appointed to the Board; she was a former business administrator at Coxsackie-Athens Central School District, and currently the proprietor of a consulting business specializing in obtaining state and federal grants for school districts state-wide. Board Members: Clark Pell, George Eignor, Bill Whitbeck and Rich Bruno also have business backgrounds.

Hal Beaumont was appointed for another 7-year term. The Secretary will update the member listing and expiration dates for distribution.

A motion to approve the recommendation of Betty Cure to the Town Board for appointment to the Planning Board was made by Frank Gerrain; seconded by Richard Bruno. All were in favor; none opposed. So carried.

The Chairman will prepare the recommendation to the Town Board. Board Members agreed that an alternate who does not attend meetings has no knowledge of the issues when their vote is required to complete a quorum and, therefore, unnecessary.

VI. Public Comment

There were no members of the public in attendance.

VII. New Business

Don Schel, P.L.S./Maser Consulting P.A.

o/b/o **CSX Corporation, Inc.**

Flats Road, Coxsackie, NY

Tax Map #88.00-1-19, 124.6 Acres, Lands of Stephen Ritter

- Division of Lands

Mr. Schel submitted an exhibit map of CSX's proposed acquisition of additional ROW footage from the railroad tracks for signal maintenance, as well as a 5.8-acre parcel to be conveyed from the 124.6-acre parcel owned by Stephen Ritter. The map indicated that the 5.8-acre parcel is "to be conveyed to CSX for equipment and material storage".

Also indicated on the map is 0.27-acres to be conveyed from Ritter's parcel to adjoining neighbor, Phillip Chiarella (Tax Map #88.00-1-2), extending his pastureland to the railroad tracks

Zoning was determined to be RA2 west of the railroad tracks and RA east of the tracks.

The Chair advised that the property transfer can be made by lot line adjustment and does not require a public hearing pursuant to the Town of Coxsackie's Planning Board Policy Regarding Single Division of Plot, dated 6/5/14.

Mr. Schel was advised to submit an application for a lot line adjustment for each conveyance, short-form SEQR, written verification of no objections from the neighbors (form to be provided by Chair), and verification that the parcel has not been subdivided since June 2008. He was also informed that the Planning Board must sign the plats before they can be filed with the County.

The Board requested a detailed letter on CSX letterhead of the materials to be stored on the 5.8-acre parcel. Mr. Schel was advised that a CSX representative should review the Town's Use Regulations (Schedule A) to ascertain if site plan approval will be required and/or if the use is permitted.

The Chairman related that Planning Board approval is not required for the acquisition; however, the use may require site plan review and a public hearing.

VIII. Update on Matters before the Board

J. Theodore Hilscher, Esq., has declined to further represent the Planning Board; suggestions for his replacement are requested.

The Town Supervisor has set the Planning Board's 2015 expense budget at \$10,000. It was noted that Code requires that the Planning Board use the fees it has collected to fund its expenses. Fees collected in 2014 totaled \$75,000; the amount of attorney fees paid is unknown.

The Chair advised that a Regional Code Enforcement Specialist revealed that the Owls Hoot Barn appeals hearing has been postponed until March pursuant to Ms. Corrigan's request.

In an effort to move forward, Bill Whitbeck suggested that a letter be sent monthly to Ms. Corrigan requesting her appearance to review her 2015 event schedule.

Both Ed and Gordon Pebler have been reappointed as Code Enforcement Officers.

A motion to adjourn for a 5-minute recess and go to Executive Session to discuss personnel matters was made at 8:15 p.m. by Bill Whitbeck and seconded by Rich Bruno. All were in favor; none opposed. So carried.

A motion to adjourn the Executive Session was made by Bill Whitbeck; seconded by George Eignor. All were in favor. None opposed. So carried.

IX. Adjournment

A motion to adjourn the meeting at 9:12 p.m. was made by Bill Whitbeck; seconded by George Eignor. All were in favor. None opposed. So carried.

Respectfully submitted,

Marlin A. Henry
Planning Board Secretary