

Town of Coxsackie Planning Board
Meeting Minutes
July 2, 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, George Eignor, Frank Gerrain, Bill Whitbeck and Betty Cure were present; Richard Bruno was absent. Tal Rapplelea appeared as Counsel. A quorum was duly noted.

Guests in attendance were: Alice Allen, Warren Mueller, Dave Hans, Joseph Wolodkevich, Susanne and Jean Louis Frenk.

IV. Approval of Previous Minutes

A motion to approve the minutes of June 4, 2015, was made by Hal Beaumont; second by Frank Gerrain. All were in favor; none opposed. So carried.

V. Correspondence/Handouts

- Letter drafted by the Chairman on behalf of Rick MacLeod/Recon confirming that the non-retail manufacture of Type 2 firearms for law enforcement and military personnel in his home is a permitted use.
- Letter drafted by the Chairman to Kerri Corrigan with draft resolutions.
- Greene County Training information - Cattaragus County.

VI. Public Comment

David Hans asked how a business that is operating without a permit could call the police on him for cutting lumber (which is not illegal).

VII. Old Business

1. **Bradford Ellis**

- Sign Permit

No appearance. Bill Whitbeck noted that the existing sign is quite dilapidated.

A motion to table the application until such time as a representative appears before the Planning Board was made by Bill Whitbeck; second by Betty Cure. All were in favor; none opposed. So carried.

2. **Joseph Wolodkevich/Intelligent Technology Solutions, Inc.**

11784 Route 9W, W. Coxsackie

Tax Map #55.12-2-13 and 55.12-2-18; Rural Residential Zoning

11786 Route 9W, W. Coxsackie

Tax Map #55.12-2-19 and 55.12-2-20; Commercial Zoning

- Introductory Review for Site Plan Approval

Mr. Wolodkevich submitted a written description of the proposed projects, as well as preliminary plot plans and aerial photos of the four adjoining parcels. On parcels #55.12-2-13 and 55.12-2-18, he intends to renovate the single-family residence and detached garage into two rental units. No structural changes are required. In addition, he intends to erect a 40'x 80' office building on parcel #55.12-2-19. He would like to dig the foundation this fall; 18 additional parking spaces would accommodate a seasonal ice cream or hot dog vendor. It was noted that the commercial zoning is grandfathered in.

He further disclosed that he is not in a flood plain and has less than 40% impervious surfaces. Existing driveways will be utilized; no curb cuts on State Route 9W are required. He may eventually connect the driveways into a “U” shape with one-way entrance and exit. A change of use from NYSDOT is not required for the driveways; one will remain residential, the other commercial. The IDA will allow the new building to hook into onsite municipal water; septic is the responsibility of the owner.

Tal Rappleyea, Esq., suggested that Mr. Wolodkevich apply for a building permit for the proposed rental units to ascertain the Code Enforcement Officer’s determination. An application to the ZBA for a change of use may be required.

The Board advised that a completed application, SEQRA review and architect plans are required for new construction.

After completing SEQRA short form Part 2, the Board declared lead agency status and determined an unlisted action; motion made by Bill Whitbeck; second by George Eignor. All were in favor; none opposed. So carried.

2. Susanne and Jean Louis Frenk

256 Smith Road, W. Coxsackie

Tax Map #55.00-5-38; Mixed Use Zone

- Special Use Permit for Commercial Event Venue

Applicants submitted their 2015 Schedule of Commercial Events listing three separate events. They stated that some of the public hearing notices were returned to them unclaimed.

Board Members reviewed the draft Special Conditions for the Special Use Permit with the Frenks. The last sentence of #9 was stricken by consensus agreement; add to #10 “notified annually **with certificate of mailing** of the approved event schedule....)

Although the Frenks argued for 12 events per year, Frank Gerrain considered the total impact to the neighborhood. The Chairman stated that every parcel has one primary use and asked if they considered it to be commercial or residential. Applicants originally claimed that they would be leasing the premises for smaller groups in addition to weddings.

Bill Whitbeck requested clarification regarding a “family reunion” on the Frenks’ property prior to the adoption of the Commercial Event Venue law; Ms. Frenk asserted that they had rented the premises overnight to a family of five, who then invited others for a birthday party.

A motion to approve the draft Special Conditions with changes to #9 and #10 as noted above was made by Betty Cure; second by Frank Gerrain. All were in favor; none opposed. So carried.

The short form SEQRA review was previously declared an unlisted action with the Planning Board as lead agency. The Board completed part II.

A motion was made by Clark Pell declaring no significant adverse environmental impact; second by Hal Beaumont. All were in favor; none opposed. So carried.

A motion to approve the Special Use Permit with the approved Special Conditions was made by Frank Gerrain; second by George Eignor. Chairman Pell, Betty Cure and Hal Beaumont voted Yea; Bill Whitbeck: Nay. So carried (5-1).

The Chairman advised that the fee per event is \$200.00. This year, the fee can be paid at the time of the event. Beginning 2016, the total fees will be due and owing by April 1st, along with the annual event listing.

3. Jeff and Kim Rose

2924 Route 385, Coxsackie

Tax Map #71.00-2-61; Waterfront Residential Zone

- Special Use Permit for Commercial Event Venue

No appearance. The Chairman related that the Roses' agreed to an alternate event site and no variance is required. Since no events are scheduled, the permit application was tabled until the next meeting in the interest of time.

4. **Richard and Jean Bassin**

88 Four Mile Point Road, Coxsackie

Tax Map #88.00-3-6; Waterfront Residential Zone

- Commercial Event Venue

No appearance. Schedule of (4) Commercial Events was received for the file.

VIII. New Business

1. **Alice Allen**

175 Jordan Road

Tax Map #40.00-9-20.11

- Special Use Permit

Ms. Allen leases the old Schoenborn farm; she inquired if she needs a permit to host a charity event on the premises, which she would like to make an annual event.

The Board determined that no permit is required for non-commercial events. The Woodstock Ordinance should be researched to determine “mass gathering” guidelines; attendance by more than 300 people may require a permit from the Town.

She also requested to be added to next month’s agenda regarding disputed boundary lines.

At 9:25 p.m., Bill Whitbeck made a motion to move to a private attorney/client discussion with Tal Rappleyea, Esq.; second by Frank Gerrain. All were in favor; none opposed. So carried

A motion was made by Bill Whitbeck to return to regular session; second by Frank Gerrain. All were in favor; none opposed. So carried

IX. Adjournment

A motion to adjourn the meeting at 10:00 p.m. was made by Bill Whitbeck; second by George Eignor. All were in favor. None opposed. So carried.

Respectfully submitted,

Marlin A. Henry
Planning Board Secretary