

Town of Coxsackie Planning Board
Meeting Minutes
November 5, 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, Frank Gerrain, Bill Whitbeck, Hal Beaumont, Richard Bruno, Betty Cure and George Eignor were all present. A quorum was duly noted.

Guests in attendance were: Christopher J. Doyle, Peter Boeri, Bryan Francett, Hugh Quigley, Oddvar Karlsen, Lisa Chapman, Bradford Ellis, George Korchowsky, Steve Beecher, David Hans, Chuck Holtz.

IV. Approval of Previous Minutes

A motion to approve the Meeting Minutes of October 1, 2015 as presented was made by Frank Gerrain; second by Betty Cure. All were in favor; none opposed. So carried.

V. Correspondence/Handouts

- Invitation flyer to Judge Richard Roberg's retirement party.
- Minutes of the October 15, 2015 ZBA meeting unanimously approving the Planning Board's appeal regarding Owl's Hoot Barn.
- Letters of complaint from Hugh Quigley, Mike and Sandra Grosso, Kurt Beecher and Steve Beecher regarding the Bassins' commercial venue.

VI. Public Comment

There was no response to the Chairman's call for public comment.

VII. Old Business

1. **Peter Boeri/Jake's Lock-Up**

11195 State Route 9W, W. Coxsackie

Tax Map #70.00-3-28

- Site Plan Review

The Chairman related that Mr. Boeri had previously completed SEQR Part 1; Part 2 was completed by the Board at the October Public Hearing and a motion was passed declaring the Planning Board as lead agency.

Bill Whitbeck noted the oversight to unanswered questions 12b and 13b, which were deemed by the Board as "No" to each.

A motion to declare that the action will not result in adverse environmental impact was made by Hal Beaumont; second by Frank Gerrain. All were in favor; none opposed. So carried.

A copy of the executed SEQR was provided to Mr. Boeri, one was kept for the file, and one forwarded to the County along with the 239-m packet.

The Chairman noted for the record that the Planning Board could over-ride the County review by super-majority (vote of 5).

Hal Beaumont made a motion to approve the application and notify the County of the Planning Board's waiver of County approval as the action was deemed to have no impact on traffic on State Route 9W in any way; second by Betty Cure. All were in favor; none opposed. So carried.

2. **William Bradford Ellis/Hudson Trilogy d/b/a lightingpros360**

2372 Route 81, Earlton, NY

- Sign Permit Application

Pursuant to the Board's request, Mr. Ellis appeared regarding the application he filed on May 25, 2015. He proposed replacing the existing sign and rotting posts, which are located 25-30' from the road at the old Nightingale Inn. The Board reviewed the application and sketch to determine compliance to Code.

Applicant stated that the new freestanding double-faced, externally lit, plastic laminate sign would duplicate the exact dimensions of the existing sign. The business is designated "Home Occupation" which is an allowed use in the Residential Agricultural 1 District. The site is used for deliveries and scheduled appointments only as most of the business is conducted via the Internet.

A motion to approve the sign permit application as presented was made by Richard Bruno; second by Frank Gerrain. All were in favor; none opposed. So carried.

Copies of the approved application were provided to Mr. Ellis and Code Enforcement.

VIII. New Business

1. **Christopher Doyle o/b/o Lucas Cohen**

Route 9W, Coxsackie

Tax Map #70.00-4-5; 70-acres; Commercial District

- **Driving Range**

Mr. Doyle appeared to ascertain if a driving range is a permitted use in the event that the property is purchased by Mr. Lucas. The proposal seeks to utilize the existing building, clean up the brush, and re-open the driving range. He was advised that any changes would require site plan review and approval.

A motion to approve re-opening the driving range in accordance with Town Code was made by George Eignor; second by Hal Beaumont. All were in favor; none opposed. So carried.

Mr. Doyle was advised that the Meeting Minutes would reflect Planning Board approval.

2. Proposal for manufactured home rental property on Route 81

No appearance.

3. Lisa and Tyrone Chapman

81 Haunted Circle, Athens

Sleepy Hollow Lake Lots 49 and 50

Tax Map #88.18-1-30, 88.18-1-31

- **Lot Consolidation**

Mrs. Chapman presented a survey reflecting the consolidation of their home parcel with the adjacent vacant parcel, thereby eliminating Lot #50 and Tax Map #88.18-1-31.

Subsequent to review, Hal Beaumont made a motion to approve the two-lot consolidation; second by Bill Whitbeck. All were in favor; none opposed. So carried.

Mrs. Chapman was advised to file the executed survey maps and Mylar with the County within 62 days. A copy of the survey was retained for the file.

4. **Oddvar Karlsen o/b/o Bruno Masciani**

32 Blue and Purple Court, Coxsackie

Sleepy Hollow Lake Lots 64 and 65

Tax Map #105.07-3-8, 105.07-3-9

- Lot Consolidation

Mr. Karlsen presented survey maps reflecting the consolidation of the house parcel with the adjacent vacant parcel, thereby eliminating Lot #65 and Tax Map #105.07-3-9.

Subsequent to review, Hal Beaumont made a motion to approve the two-lot consolidation; second by Richard Bruno. All were in favor; none opposed. So carried.

Mr. Karlsen was advised to file the executed survey maps and Mylar with the County within 62 days. A copy was retained for the file.

5. **George Korchowsky**

15 Mystery Court, Coxsackie

Sleepy Hollow Lake Lots 55, 56 and 57

Tax Map #88.09-1-6, 88.09-1-7, 88.09-1-2

- Lot Consolidation

Mr. Korchowsky presented a cojoiment and merger survey map reflecting the consolidation of the house parcel with the vacant parcels on either side, thereby eliminating Lots #55 and 57 and Tax Map #88.09-1-7 and 88.09-1-2.

Subsequent to review, Hal Beaumont made a motion to approve the three-lot consolidation; second by Richard Bruno. All were in favor; none opposed. So carried.

Mr. Korchowsky was advised to file the executed survey maps and Mylar with the County within 62 days. A copy was retained for the file.

6. Bryan and Karen Francett

1890 Sleepy Hollow Road

Sleepy Hollow Lake Lots 81 and 82

Tax Map #88.10-6-4 and 88.10-6-5

- Lot Consolidation

Mr. Francett presented a survey reflecting the consolidation of their house parcel with the adjacent vacant parcel, thereby eliminating Lot #82 and Tax Map #88.10-6-5.

Subsequent to review, Richard Bruno made a motion to approve the two-lot consolidation; second by Frank Gerrain. All were in favor; none opposed. So carried.

Mr. Francett was advised to file the executed survey maps and Mylar with the County within 62 days. A copy was retained for the file.

7. **Chuck Holtz/Holtz Surveying**

Sleepy Hollow Lake

▪ **Lot Consolidations (13)**

Mr. Holtz presented survey maps, Mylars and letters of authorization for each of 13 Sleepy Hollow residents who are consolidating parcels.

In the interest of time, a motion was made by Richard Bruno to authorize the Chairman to independently review and execute the surveys; second by George Eignor. All were in favor; none opposed. So carried.

Upon completion of his review, the Chairman will contact Mr. Holtz to retrieve and file the surveys and Mylars with the County.

.....

Following review by Chairman Clark Pell and Vice-Chair Frank Gerrain, the following surveys were executed for filing:

a. **Christopher Schlenker**

Johns Jog, Coxsackie

Sleepy Hollow Lake Lot #23, 24, 25 and 26

Tax ID #88.15-1-2, 88.15-1-3, 88.11-2-32 and 88.11-2-33

- Consolidation of 4 lots; total acreage: 1.04-acres

b. **Victor Woytowich**

9 Yost Court, Athens

Sleepy Hollow Lake Lot #84, 85 and 86

Tax ID #88.10-5-2, 88.10-5-37 and 88.10-5-38

- Consolidation of 3 lots; total acreage: 1.47-acres

c. **Shou Zheng Ye**

48 Rip Van Winkle Drive, Coxsackie

Sleepy Hollow Lake Lot #7, 8, 9

Tax ID #88.18-4-7, 88.18-4-36 and 88.18-4-37

- Consolidation of 3 lots; total acreage: 0.69-acres

d. **Joseph and Rosa Gregory**

791 Sleepy Hollow Road, Coxsackie

Sleepy Hollow Lake Lot #54 and 55

Tax ID #88.19-2-20 and 88.19-2-21

- Consolidation of 2 lots; total acreage: 0.62-acres

e. **Joe Krieger**

13 Legend Court, Athens

Sleepy Hollow Lake Lot #76 and 77

Tax ID #88.10-5-29 and 88.10-5-30

- Consolidation of 2 lots; total acreage: 1.28-acres

f. **John English**

142 Haunted Circle, Coxsackie

Sleepy Hollow Lake Lot #65 and 66

Tax ID #88.18-1-10 and 88.18-1-11

- Consolidation of 2 lots; total acreage: 0.51-acres

g. **Scott Nagelschmidt/Mary Jo Jaeger**

87 Tommy Trail, Athens

Sleepy Hollow Lake Lot #82 and 83

Tax ID #88.15-4-42 and 88.15-4-43

- Consolidation of 2 lots; total acreage: 0.46-acres

h. Saverwood Rentals LLC c/o Rosalie Bythewood-Saverno

Gray Vapors Court, Coxsackie

Sleepy Hollow Lake Lot #11B, 12B and 13

Tax ID #88.19-5-21, 88.19-5-22 and 88.19-5-24

- Consolidation of 3 lots; total acreage: 0.79-acres

i. Paul and Jayme Dolan

1490 Sleepy Hollow Road, Coxsackie

Sleepy Hollow Lake Lot #12 and 13

Tax ID #88.14-2-14 and 88.14-2-15

- Consolidation of 2 lots; total acreage: 0.46-acres

j. Suzanne March

776 Sleepy Hollow Road, Coxsackie

Sleepy Hollow Lake Lot #5 and 6

Tax ID #88.19-4-41 and 88.19-4-42

- Consolidation of 2 lots; total acreage: 0.60-acres

k. Gordon W. Bennett

48 Johns Jog, Athens

Sleepy Hollow Lake Lot #55 and 57

Tax ID #88.11-2-42 and 88.11-2-50

- Consolidation of 2 lots; total acreage: 0.94-acres

1. **Theresa Devine**

25 Summit Lane, Coxsackie

Sleepy Hollow Lake Lot #98B and 99B

Tax ID #88.19-5-8 and 88.19-5-9

- Consolidation of 2 lots; total acreage: 0.56-acres

m. **Charles R. and Sylvia J. Wendover**

52 Johns Jog, Athens

Sleepy Hollow Lake Lot #53 and 54

Tax ID #88.11-2-38 and 88.11-2-39

- Consolidation of 2 lots; total acreage: 0.91-acres

8. **Richard and Jean Bassin**

88 Four Mile Point Road, Coxsackie

- Special Use Permit for Commercial Event Venue

Hugh Quigley and Steve Beecher appeared, having submitted two of the formal complaints requesting the revocation of the Bassins' Special Use Permit. They detailed consistent violations of the conditions of the Special Use Permit, including noise well after 10:00 p.m., and failure to notify neighbors of events. Dr. Bassin responded to their telephone calls by claiming the inability of his on-site manager to control the events (while he and his wife stayed in Albany). Further attempts to contact Dr. Bassin were futile.

Mr. Beecher also noted his concern regarding the Bassins attempt to provide access to their property from Beecher Road by installing a culvert (without a highway permit).

Bill Whitbeck made a motion to immediately revoke the Special Use Permit and deny any application prior to January 2017; second by Richard Bruno.

The Chairman requested an amendment to the motion authorizing him to prepare notification to the Bassins of the Planning Board's decision to revoke their Special Use Permit. Motion made by Bill Whitbeck; second by Richard Bruno. All were in favor; none opposed. So carried.

Should the Bassins hold another event after revocation of the permit, the Sheriff should be notified and a Cease and Desist Order be served by Code Enforcement.

9. Kerri Corrigan d/b/a Owls Hoot Barn

386 Bronck Mill Road, W. Coxsackie

Tax Map #55.00-5-69

- Appeal of Certificate of Occupancy

Board Members were provided the Zoning Board of Appeals Meeting Minutes of October 15, 2015, which approved the Planning Board's application to reverse the decision of the Code Enforcement Officer in erroneously issuing a Certificate of Occupancy, dated June 13, 2015.

It was noted by the Chairman that a lawsuit has been filed against Ms. Corrigan by three or more aggrieved taxpayers.

Frank Gerrain made a motion to instruct the Planning Board Attorney to cease any and all negotiations with Ms. Corrigan's attorney; second by Richard Bruno. Clark Pell, Bill Whitbeck, George Eignor and Betty Cure were in favor; Hal Beaumont was opposed. So carried (6-1).

10. Diederich's RV Mart, LLC

12319 Rt. 9W, W. Coxsackie, NY

- Sign Permit

The Chairman advised that the new electronic message board is in violation of Town Code. The application was approved by the Planning Board on August 6, 2015, specifically stating: “A motion to approve the sign permit based on the graphics provided and conditioned upon once daily changes to business-related advertisements ...”.

Richard Bruno made a motion that the Planning Board determines the electronic signs at **Diederich’s RV Mart and Paul’s Pizza** are illegal and should be transferred to the Town Board for enforcement action; second by Frank Gerrain. All were in favor; none opposed. So carried.

The Chairman will define “scrolling” in his letter to the Town Board.

X. Adjournment

George Eignor made a motion to adjourn the meeting at 9:35 p.m.; second by Hal Beaumont. All were in favor. None opposed. So carried.

Respectfully submitted,

Marlin A. Henry
Planning Board Secretary