

TOWN OF COXSACKIE PLANNING BOARD
MINUTES OF REGULAR MEETING
September 2, 2021

CALL TO ORDER

Chairman Bruce Haeussler called the meeting to order at the Coxsackie Town Office Building at 7:00 PM followed by the Pledge of Allegiance.

ROLL CALL

The following members were in attendance: Chairman Bruce Haeussler, Frank Gerrain, William Whitbeck, JoAnne Conway, Linda Deubert, Nathan Tailleir, Joseph Garland, Secretary Patty McIntyre, and Attorney Tal Rappleyea. A quorum was declared. Also, in attendance were Jennifer Crawford, representing Crawford & Associates Engineering, Tom Grunstra, Richard Countryman of Solar Generation, Patrick Doyle, John Sickles, William Matter, Barbara Lisa, Diane and Frank Oringer, Jason Singer, Haylee and Caleb Adkins, representing The Grange, Jackie Slatky(?), Theresa Fuller, Susan Baldasiri(?), and Shai Kessler.

MINUTES

A motion was made by Frank Gerrain and seconded by Bruce Haeussler to accept the minutes of the August 5, 2021 meeting. The motion was unanimously approved.

BOARD DISCUSSIONS

Chairman Haeussler reminded the Board members to keep up with the continuing education required and referred them to the website nypf@nypf.org for opportunities.

In keeping up with progress on the Zimmerman subdivision in which the Town of Athens is Lead Agency, a letter of progress and a survey version of the map was submitted to the Board by Crawford & Associates Engineering.

OPEN TO PUBLIC

PUBLIC HEARING – Tom Grunstra ground mount solar

A motion was made by Joe Garland and seconded by Bruce Haeussler to open the public hearing for site plan review and special use permit for ground mount solar to be located at 235 Johnny Cake Lane, Coxsackie. Richard Countryman of Solar Generation presented an arial view of the proposed 11.8KW ground mount solar array as was requested at the last meeting. This will not be visible from Johnny Cake Lane . Mr. Grunstra (landowner) has planted trees for screening previously. There were no members of the public present to speak regarding the project. All neighbors within 500 feet were notified and return receipts were provided to Secretary McIntyre and all fees have been submitted. A motion to approve the applications was made by Joe Garland and seconded by JoAnne Conway. The motion was approved unanimously. The public hearing was closed at 7:10pm.

THE GRANGE EVENT VENUE – Haylee and Caleb Adkins

An application for site plan review and special use permit for event space for community and personal events was submitted by Haylee and Caleb Adkins for the property located at 2551 Route 385, Coxsackie (88.00-2-39). This is the property formerly owned by Russel Barnes and Beth Mickle. Russel and Beth had begun the process of applying for an event venue in January of 2020 and a public hearing was begun in October 2020. At this public hearing there were several neighbor's concerns and the hearing remained open, at which time the applicants chose to withdraw their application. The current owners, Haylee and Caleb Adkins would like to revisit this idea. They are including adding the existing barn as event space, lowering the guest limit from 225 to 150 people, moving the driveway from Adams Road to Rte. 385 and reducing the number of parking spaces to 50 spaces. The proposed renovations to the barn will require a building permit. Use of the barn would take care of some of the noise concerns voiced under the old proposal. Frank Gerrain and Chairman Haeussler advised that they investigate the potable water situation on the property and the required gallons per minute. They are seeking two types of events. One is personal such as weddings, etc. The other is community events. They would be putting in Bocce courts for example, offer Yoga classes, perhaps holiday events, etc. to invite the community. They provided copies of plans and drawings that have addressed some of the concerns neighbors had under the previous proposal. The Board advised them to talk with DOT regarding a curb cut, and Coxsackie fire chief regarding a water source and/or sprinklers. The next steps will be to acquire the information regarding water and speak with CEO Ed Pebler.

JOHN SICKLES – SUBDIVISION

Mr. Sickles applied for a subdivision of his land located at 135 Johnny Cake Lane, Coxsackie (71.00-3-49.1) He would like to subdivide his property in the back, and provided plans to the Board. He knows he will have to extend the access road and a deeded right of way must be constructed and extend 200ft into both properties. His Attorney, Joan Tailleir will have the deeded right of way ready for the October meeting. Mr. Sickles provided drawings of the plans. He talked to the Coxsackie fire chief regarding room for a turn-a-round, and he said it would be fine. There is not village water on the lots. A discussion of the access/road frontage on proposed Lot 2 was had. Attorney Rappleyea felt that it was okay the way it was drawn, because Lot 1 has road frontage, and Lots 2 & 3 have a shared driveway. It appears that it would create what is defined as an *interior lot*. This is defined in the Town code as : *A lot which has no direct frontage on a public or private street, but which obtains access to such streets by way of a private driveway or access agreement across land owned by another party. The front lot line of an interior lot shall be considered that lot line where the driveway or access point enters the property.* There would have to be a road maintenance agreement. It would have to be a 50-foot right-a-way. This will all be filed with the County along with the maintenance agreement because it will run with the land. As far as constructing the travel way, every 3 hundred feet there should be a place for firetrucks to pass each other. Electric would be underground, and each lot will have a well and septic. A driveway for Lot 1 would have to be put in to meet code, which would require a curb cut, or the existing driveway would have to be widened for Lot 1 to meet the code of a common-use driveway serving only 2 lots. A motion to hold a public hearing on October 7, 2021 was made by Bill Whitbeck and seconded by Joe Garland. All were in favor, contingent on updating the drawings being submitted (7 maps and 1 mylar)to the office by next week and proof of all neighbors being notified within 500 feet of the property.

FRANK AND DIANE ORINGER – SUBDIVISION

An application for subdivision of the property located at 770 Rt. 49 Coxsackie (87.00-2-8) was made by Crawford and Associates Engineering on behalf of Frank and Diane Oringer. Diane Oringer spoke regarding their proposal to separate the “highlands from the lowlands” on their 95.2-acre lot. One lot would be 17.6 acres and the other 77.6 acres. Jennifer Crawford provided survey maps to the Board for review and a Short Environmental Assessment Form was provided. One of the lots will be used for solar. The Board was concerned that these subdivisions will allow FlintMine Solar to continue to expand their boundaries beyond what has been approved through Article 10. Patrick Doyle of Flint Mine Solar spoke to this. He said that if the boundaries were to be expanded, they would have to go back before the siting board again. Chairman Haeussler requested that the correct owners be listed on the survey, as the owners listed on the southeast corner of the map are incorrect. (Lunderman) A motion to declare the Coxsackie Planning Board Lead Agency was made by Bill Whitbeck and seconded by Frank Gerrain. All were in favor. A SEQR review is required, and must be completed before the Public Hearing, but can be done at the October 7th meeting as well. A motion to schedule a Public Hearing for October 7, 2021, was made by Joe Garland and seconded by Bill Whitbeck and accepted unanimously. All adjoining property owners must be notified at least 2 weeks prior to the hearing.

BILL MATTER – EVENT VENUE

Mr. Matter is applying for a special use permit and site plan review for the use of his barn as an event venue. He has held family weddings there and has been cited for not being permitted. He also objected to his tax assessment which listed him as an event venue. He would like to move forward with complying with the code. He was asked to put together a plan showing the tax map, parking, with a written narrative addressing the fire codes as well. Secretary McIntyre has received his special use permit application and fee as of date but will also need a site plan review application with fees. Secretary McIntyre gave him a copy of the Town Code regarding event venues as well.

BOARD DISCUSSION

Board member Linda Deubert informed the Board of the Ruling Reopening Record of the NYS Board on Electric Generation Siting and The Environment regarding Hecate Energy Green 1, 2, & 3 LLC ‘s application for a Certificate of Environmental Compatibility and Public Need Pursuant to Article 10. Hecate Greene did not support a finding that the Facility complied with the Town Glare Provision and have requested a waiver of this provision. The siting board is accepting input from any party wishing to be heard regarding the waiver request. A motion was made by JoAnne Conway and seconded by Bill Whitbeck to have a letter written on behalf of the Planning Board voicing the Board’s opinion that the Glare Provision should not be waived. Secretary McIntyre will draft a letter to be sent prior to the September 7, 2021 deadline.

ADJOURNMENT

A motion was made by Bill Whitbeck and seconded by Frank Gerrain to adjourn the meeting at 8:24pm. The motion was accepted unanimously.

RESPECTFULLY SUBMITTED,

Patricia McIntyre, Secretary