

TOWN OF COXSACKIE PLANNING BOARD
MINUTES OF REGULAR MEETING
January 6, 2022

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, Vice Chairman, Frank Gerrain, William Whitbeck, JoAnne Conway, Linda Deubert, Nathan Tailleir, Secretary Patty McIntyre, and Attorney Tal Rappleyea. A quorum was declared. Also, in attendance were Jennifer Crawford, representing Crawford & Associates Engineering, Randy Robinson, David and Helen Meier, and Fred Piazza.

MINUTES

A motion was made by Linda Deubert and seconded by JoAnne Conway to accept the minutes of the December 2, 2021 meeting. All members were in favor.

BOARD DISCUSSIONS

Chairman Haeussler informed the Board that he is working on better communications between the Planning Board, Town Board and Zoning Board. He has spoken with the liaison, Michael Veeder who will in turn bring this up at the Town Board.

Regarding the solar arrays at the end of Sunset Blvd. (RER), it was noted that the fence has been repaired.

In regard to the tires that are accumulating on Rte. 81, it was noted that the owner, Shane Foster is in violation of the Order of Consent issued by the New York State Department of Environmental Conservation. Attorney Tal Rappleyea will write a letter to the DEC expressing the concern of the Planning Board, as the situation appears to be worsening.

The official approval documents for The Grange event venue have not yet been finalized. Attorney Rappleyea will have these conditions ready for the February meeting.

OPEN TO PUBLIC

PUBLIC HEARING-continuation – SUSAN PACUK – SUBDIVISION

No one was present to represent the landowner. however Mr. MacDonald of Santos Associates had contacted Secretary McIntyre as to a miscommunication regarding the landowner's responsibility for notifying neighbors of the Public Hearing, so the hearing will remain open until February 3, 2022.

PUBLIC HEARING-continuation - RANDOLPH & EARL ROBINSON – SUBDIVISION

The public hearing was re-opened at 7:10pm. Jennifer Crawford of Crawford & Associates Engineering presented drawings on behalf of the Robinsons to subdivide the parcel located at Undercliff Rd. (87.00-2-16) into 2 lots of 31 and 56.2 acres, respectively. The property is located off Greene Lake Road. The location of the right of way was again in question. In the proposal, the purpose of the right of way is to provide access to the property, but not to be used for construction. The neighbor, Mr. Piazza stated that he was in favor of the proposal as presented. In this proposal, the right of way will not actually be built but will exist in the deed. Ms. Crawford addressed this by quoting, in part, Town Code Section 174-70 which she interprets to mean that since the lot /parcel will not be used at this time (improved), there is no requirement to actually construct the right-of-way. Board member, Nathan Tailleir questioned the intent and actual wording of the Town Code, Section 174-70C. His interpretation of the law is that the qualifier “at such time as the lot/parcel is improved” applies to the second sentence of the code and would therefore mean that an actual road would need to be constructed as to not create a land-locked parcel. Mr. Tailleir made a motion to include as a condition of the subdivision a right-of-way as stated in the code, “A right-of-way shall be improved with a subbase of eight inches of coarse shale or similar appropriate material, 15 feet in width, which shall be located in the center of the right-of-way.” The motion was seconded by JoAnne Conway. There was much discussion regarding the semantics of the code, and perhaps making a recommendation to the Town Board to re-write this portion to clarify the intent. The motion was passed with yes votes from Nathan Tailleir, JoAnne Conway, Frank Gerrain and Bruce Haeussler. Bill Whitbeck opposed the motion, and Linda Deubert abstained for reasons that she is not familiar enough as to what the intent of the code is and would like to research it more. Ms. Crawford asked the Board to not approve the subdivision with this condition, as it not what her client wants. She stated that there is precedence that rights-of-way have been approved without having to construct a road. A motion to again keep the public hearing open was made by Bill Whitbeck and seconded by Bruce Haeussler. All were in favor.

PUBLIC HEARING Continuation – BILL MATTER – EVENT VENUE

Bill Matter is applying for a special use permit and site plan review for the use of his barn as an event venue, located at 1754 High Hill Rd. He is currently going before the Zoning Board regarding the distance from his neighbor’s property and seeking a variance. A motion to close the public hearing until such time that he can come back to the Planning Board was made by Bill Whitbeck and seconded by Bruce Haeussler. All were in favor.

OLD BUSINESS

JAKE HALSTED – EVENT VENUE

Chairman Haeussler spoke with Mr. Halsted prior to the meeting. Mr. Halsted has made some measurements on his property and has found that it doesn’t meet Town Code as to the distance from a neighbor’s property. He was given an application to the Zoning Board of Appeals to seek a variance. He also has a letter from his neighbor, stating that they are in favor of the event venue. This will be revisited if the Zoning Board of Appeals approves the requested variance.

NEW BUSINESS

HATCHET HARDWARE -SIGN PERMIT

There have been some complaints regarding the construction that has begun on the Hatchet Hardware store on Rte. 9W. It came to the attention of the Chairman that a Storm Water Maintenance Plan has not been filed, as well as a site lighting plan. In addition, the site plan that was accepted in 2014 is a different plan than what is being built. Chairman Haeussler will be contacting Ed Pebler and Mr. Wolfe to recommend that the Board needs updated site plans (stamped), a notice of intent and site lighting plans within the next 30 days. At the next meeting, if these requests are satisfied, the issue of a sign permit will be addressed.

DONALD AND NANCY SMITH – SUBDIVISION

Jennifer Crawford of Crawford & Associates Engineering presented a proposal for a subdivision of land located at 987 Rte. 49, Coxsackie. The subdivision would divide parcel 70.00-4-21 into 2 lots of 37.48 and 4.22 acres respectively. Currently an area variance is being requested to the ZBA because the minimum lot area is 5 acres, and the second lot would be just under the requirement. The lot is already “cut off” by the National Grid power lines to the east and Green Lake Road to the north. A public hearing for the variance is scheduled for January 25, 2022 at 6:30pm before the Zoning Board. Ms. Crawford requested that the Planning Board schedule a Public Hearing for the subdivision for the February 3rd meeting contingent on an approval of the variance. Chairman Haeussler refused the request since a decision from the ZBA needs to be obtained before the Planning Board can consider a Public Hearing.

ADJOURNMENT

A motion was made by Bill Whitbeck and seconded by Bruce Haeussler to adjourn the meeting at 8:13pm. The motion was accepted unanimously.

RESPECTFULLY SUBMITTED,

Patricia McIntyre, Secretary