

**TOWN OF COXSACKIE PLANNING BOARD  
MINUTES OF REGULAR MEETING  
November 3, 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, Nathan Tailleur, Secretary Patty McIntyre, and Attorney Tal Rappleyea. A quorum was declared. Also, in attendance were Michael Bujala and Ian Morse, representing Central Hudson Technologies, John Hitchcock, Dan Bailey, and Nathan Pieruzzi, representing Hudson Valley Italian Restaurants, Mary Beth Bianconi representing Delaware Engineering, Margaret and Hugh Quigley, William Knaust, Nathan and Margerite Miller, Courtney Moore, John Josberger, Mary K. Garvey, Don and Joan McDonald, Chip and Beth Tailleur, Al MacDonald, Seph Garland, and John Halsted.

**MINUTES**

A motion to accept the minutes of the October 6, 2022 meeting was made by Bill Whitbeck and seconded by Frank Gerrain. All were in favor.

**OPEN TO PUBLIC**

**HUDSON VALLEY ITALIAN RESTAURANTS – Route 9W- PUBLIC HEARING**

Mr. John Hitchcock of ABD Engineers, LLP presented drawings of the layout, and landscaping plan for a 5,000-sf retail building on Route 9W. The drawings were updated to include one entrance on the south side, 26 parking spaces, and a drive through. A motion to open the public hearing was made by Bill Whitbeck at 7:12pm, seconded by Linda Deubert. Concerned citizen, Nathan Miller asked how far from the road the building would be. Mary Beth Bianconi responded that the plans exceed the Town Code for setback requirements. Ms. Bianconi reviewed the application and submitted a report. The drive-thru would need to be addressed to meet code. Once the intended retail use is determined, a Special Use Permit will need to be obtained. The parking space dimensions need to be adjusted. The current plan depicts 9' X 18' stalls with a 24" aisle, but the Code requires 9' X 20" with a 26" aisle. Once this is adjusted, it may affect the total number of spaces which the Town Board will need to consider. No other public input was shared at this time. A motion to continue the Public Hearing at the December 1, 2022 meeting was made by Bill Whitbeck and seconded by Frank Gerrain to address these concerns. All were in favor.

### **MIKE BUJALA – CENTRAL HUDSON TECHNOLOGIES – 2 Flint Mine Road**

Mike Bujala and Attorney Ian Morse were present in an effort to move forward with the proposed data processing/storage business. The Planning Board is waiting for a determination from the Code Enforcement Officer as to what category this business fits into under the Principle Uses in the Town Code. Chairman Haeussler reiterated that the taxes on said property are in arrears, and the Board would like this situation to be resolved before moving forward to a Public Hearing. Mr. Bujala is working on a solution to this.

### **LOT-LINE ADJUSTMENT – William & Nina Knaust – 305 Hinrichsen Heights Road**

William Knaust presented plans to move the line on his property. Chairman Haeussler asked that he also include maps without the line for approval (before & after). Mr. Knaust was asked to submit 7 copies and a mylar for approval.

### **GALLIVAN MINING**

There are questions regarding the operation of the quarry on route 81. Mr. Gallivan was not present at the meeting. Attorney Rappleyea has spoken with his attorney, and talks are continuing as to compliance with Town Code. Mr. John Josberger spoke regarding his concerns with the blasting and the effects on his property and his neighborhood. His house “shook significantly” at one point, and there have been differences in the quality of the water. Bill Whitbeck shared that Gallivan has applied for a renewal of their permit. Talks are ongoing with DEC as to Lead Agency and the 2020 expansion. Mr. Whitbeck cited the “non-conforming use” law. Ms. Bianconi advised that the company is allowed to continue while the investigation is taking place.

### **BOARD DISCUSSION**

- Attorney Rappleyea gave an update on the progress regarding the tire dump on Rte. 81.
- Chairman Haeussler asked for interpretation of the Town law regarding the issuing of Building Permits and the role of the Planning Board. Discussions of becoming more digital in reporting were had regarding the communication and reporting of monthly building permits/actions.
- Chairman Haeussler reminded Board members of their obligation of continuing education (4hrs per calendar year)

### **CLOSING**

A motion to close the meeting was made at 8:04pm by Bill Whitbeck, seconded by Nathan Tailleir and all were in favor.

Respectfully submitted,

*Patricia McIntyre, Secretary*