

**TOWN OF COXSACKIE PLANNING BOARD
MINUTES OF REGULAR MEETING
December 1, 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 Tailleir, Linda Deubert, JoAnne Conway and Secretary Patty McIntyre. A quorum was declared. Also, in attendance were Alex Lonstein, representing Central Hudson Technologies, John Hitchcock, Dan Bailey, and Nathan Pieruzzi, representing Hudson Valley Italian Restaurants, Mary Beth Bianconi representing Delaware Engineering, Meital Lichtenstein, Fred Hendrickson and John Halsted.

MINUTES

A motion to accept the minutes of the November 3, 2022 meeting was made by Linda Deubert and seconded by Frank Gerrain. All were in favor.

OPEN TO PUBLIC

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

A motion to continue the Public Hearing was made by Frank Gerrain and seconded by JoAnne Conway. Mary Beth Bianconi reminded the Board of the 5,000 square-foot retail space proposed by Hudson Valley Italian Restaurants, Inc. She summarized a letter that she had submitted regarding the site plan review. Of note – the applicant must coordinate with the Village of Coxsackie regarding permission to connect to the public water and sewer systems. Chairman Haeussler read through the questions in Part 2 of the SEAF. All responses were negative. A motion for a negative declaration was made by Bill Whitbeck and seconded by Frank Gerrain. Motion was approved 6 - 0, absent – 1. A motion to keep the Public Hearing open until the receipt of a letter from a qualified professional regarding habitat and occupation on the site and a response from the Greene County Planning Board 239 referral are received. All were in favor. There was no input from the public. The applicants were asked to also bring their building design/features for review at the next meeting, along with the Special Use Permit application applying to the drive-thru.

MIKE BUJALA – CENTRAL HUDSON TECHNOLOGIES – 2 Flint Mine Road

Attorney Alexander Lonstein was present to represent Mr. Bujala. A letter designating the proposed use as Warehousing was received from the CEO. A motion to have a public hearing at the January 5th meeting was made by Bill Whitbeck and seconded by JoAnne Conway. All were in favor. Attorney Lonstein asked Ms. Bianconi if there would be anything else his client would need. She determined that it may be considered a change in use, which requires a special use permit, and did not agree with the warehousing

Approved January 5, 2023

designation based on the intended use. Attorney Lonstein and the Planning Board authorized Attorney Bianconi to look over the application to help determine what else would be needed prior to a public hearing. A small escrow account will be set up for the project. A motion to rescind the prior motion for a public hearing was made by Bill Whitbeck and seconded by Frank Gerrain. All were in favor.

M. LICHTENSTEIN- Tiny cabins - 0 Eagles Nest Road

Meital Lichtenstein and partner inquired about the possibility of adding 10 cabins with new septic and well water to the 32-acre lot (38.00-3-13.1) on Eagles Nest Road for short-term rental. This is in RA-1 zone. Each cabin will not be bigger than 500 sq. ft. A few of the cabins will be built around the pond area, and others will be spread in the woods. The small, tiny cabins will be placed to preserve the beauty of nature and aesthetics. Mr. Lichtenstein does not yet own the property but is considering purchasing it for this reason. The Planning Board advised them to hire an engineer. This would require a special use permit as well.

BOARD DISCUSSION

Gallivan mining

There are questions regarding the operation of the quarry on route 81. Mr. Fred Hendrickson was present to ask what the Planning Board suggests can be done about the blasting. Chairman Haeussler spoke with the attorney for Gallivan (Don Zee) and was told that they have filed for FOIL on all operating mines in the Town of Coxsackie. He stated that at this point, a concerned citizen's recourse is to go to Code Enforcement and request a stop work order. A motion was made by Bill Whitbeck and seconded by Nathan Tailleir to have Secretary McIntyre along with Attorney Rappleyea draft a letter from the Planning Board asking CEO Pebler to issue a stop work order since Gallivan is operating without a special use permit in an RA-1 zone. All were in favor.

CEO Communication

The current Town law indicates that all building permits must be reviewed by the Planning Board. Ms. Bianconi indicated that the Village Board has adjusted their law, and that they now have a workable system to improve communication between the CEO, Village Board, and Planning. A motion was made by Linda Deubert and seconded by Bill Whitbeck to draft a letter to the Town Board recommending that Delaware Engineering be retained to propose a system of communication between Code Enforcement and Planning. All were in favor.

CLOSING

A motion to close the meeting was made at 8:14pm by Bill Whitbeck, seconded by Linda Deubert and all were in favor.

Respectfully submitted,

Patricia McIntyre, Secretary