

**TOWN OF COXSACKIE PLANNING BOARD  
MINUTES OF REGULAR MEETING  
October 5, 2023**

**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, JoAnne Conway, Linda Deubert, Nathan Tailleir, William Whitbeck, Joseph Garland, Secretary Patty McIntyre, and Attorney Tal Rappleyea. A quorum was declared. Also, in attendance Jennifer Crawford and Theresa Fuller representing Crawford & Associates Engineering and Greenew, LLC, Beth Tailleir, Fred Hinrichsen, and Ann Hinrichsen.

**MINUTES**

A motion to accept the minutes of the September 7, 2023, meeting was made by Joe Garland and seconded by Linda Deubert. All were in favor. A motion to accept the minutes of the September 27, 2023, Special meeting was made by JoAnne Conway and seconded by Nathan Tailleir. All were in favor.

**GREENEW LLC -SUBDIVISION – 857 Flats Rd, Coxsackie 87.00-4-26**

Theresa Fuller of Crawford & Associates presented maps for a minor subdivision of the 29.81-acre lot located at 857 Flats Rd, Coxsackie into 2 lots of 14.45 and 15.53 acres. The required 200 ft lot width is provided via a 50ft wide right-of-way. Chairman Haeussler was concerned about Lot 1 not having access to the railroad crossing and not knowing the topography of the right-of-way, for Lot 2 to have access from Flats Road. Ms. Crawford offered to present a wetland mapping at the next meeting. The Board requested a letter from the current owner stating that they will give up access to the railroad crossing. Chairman Haeussler also would like to see if the owner is willing to include the right-of-way as part of Lot 2 in the subdivision, instead of making it a right-of-way. No public hearing has been set.

**BOARD DISCUSSIONS**

Frank Gerrain looked back at the history of the Hillicoss mine, and shared with the board that he wondered why the board would want to go any further with the appeal made to the ZBA. He recognizes that when it was operated by Gary Hillicoss that it was much smaller but feels that Gallivan has not expanded outside of the original property. Nathan Tailleir gave some arguments to the contrary based on his research of the Town records. He reiterated that a Special Use Permit would give the municipality some regulatory control. The Town missed this opportunity by allowing DEC lead agency. It is felt that the state overreached by changing the hours of operation. Nathan Tailleir has submitted public records to the ZBA chairman in order to make the deadline for the scheduling

*Approved 11/2/2023*

order as requested. These were just records from the town related to mining with no narrative. Again, Attorney Rappleyea recused himself as to the merits of this case because he represents all three boards. Chairman Haeussler stated that he does not condone this and reminded the board that the planning board is not an enforcing agency. JoAnne Conway voiced her opinion that the mine is surrounded by homes and feels as if it is part of the pb's job to address the citizen's concerns. She suggested that perhaps a mediator could be retained between the Town and the people surrounding the mine. Beth Tailleir reminded the board that they have already voted to appeal CEO Pebler's decision to the ZBA, and that the ZBA can now move forward. Nathan Tailleir has written a summary letter which refers to the town records already submitted and shared it with the planning board. He made a motion to submit this letter to the ZBA on behalf of the planning board. The motion was seconded by Linda Deubert. Vote was as follows:

Linda Deubert	Aye	Frank Gerrain	Nay
Nathan Tailleir	Aye	Bill Whitbeck	Aye
JoAnne Conway	Aye	Joe Garland	Nay
Bruce Haeussler	Nay		

The motion was carried.

#### **CLOSING**

A motion to close the meeting was made by Frank Gerrain at 7:55 PM, seconded by Joe Garland. All were in favor.

Respectfully submitted,

*Patricia McIntyre, Secretary*