



GREENE COUNTY PLANNING BOARD
Minutes of October 20, 2020 Meeting
Held via Zoom 6:30PM

Meeting convened at 6:59 PM.

Present:

Stephen Bradicich, Athens V
Thomas Poelker, Windham
Orloff Bear, Greenville
Erik Allan, Ashland
Mitchell Smith, Catskill V.
Kiley Thompson, Durham
Jim Dymond, Prattsville
Bruce Haeussler, Coxsackie T
Jennifer Cawein, Lexington
Carl Giangrande, Hunter V

Absent:

Elizabeth Hansen, Cairo
Eva Atwood, Catskill T
Lee McGunnigle, Tannersville V
Jean Horn, New Baltimore
Bob VanValkenburg, Coxsackie V
Cynthia LaPierre, Jewett
Anthony Paluch, Athens T

Also in attendance was Rich Schiafo of the Greene County Department of Economic Development, Tourism and Planning, and Mark Gustavson, KATHODERAY (managing Zoom and YouTube)

1. Roll Call

There is a quorum of members – see above.

2. Approval of Minutes

Approval of the minutes of the September 16, 2020 meeting.

Motion: Jim Dymond

Second: Carl Giangrande

Vote: Yes: 10 No: 0 Abstain: 0 Recuse 0

3. Education and Training Opportunities

SOLAR ENERGY REGULATIONS - MONDAY 26 OCTOBER 2020 - 6:00 PM

Sponsored by: Columbia County Planning Department & Planning Board

Greene County Economic Development, Tourism & Planning

In cooperation with: New York State Department of State Local Government Services

To register for this training session, click on the link below:

<https://meetny.webex.com/meetny/k2/j.php?MTID=t1319148ca295b069e05794cdb1ac280f>

• ***Making Progress in an Altered Landscape***

Pace Annual Conference Dec 7-10 – Registration FEE

Making Progress in an Altered Landscape and the program will focus on the ways in which communities are containing the pandemic and promoting a socially just and sustainable community. 2020 has brought many changes, one of which is shifting this year’s conference to a virtual experience, but just like in previous years, participants can earn Continuing Legal Education, AICP, and land board credits. Visit our [conference page](#) for additional information and updates.

<https://law.pace.edu/annual-conference-2020> Registration opening soon!

**Greene County
Economic Development,
Tourism & Planning**

411 Main Street, Suite 419
Catskill, New York 12414

Warren Hart
Director



**GREENE
BUSINESS**



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4. Planning Department Reports

Planning Achievement award nominations

- **Hickory Hill Market- Community Design or Improvement**
5200 NYS Route 23, Windham, NY 12496
Outstanding architectural/mountain style design
This newly constructed up-scale convenience destination not only provides fuel, but offers travelers and residents a wide selection of craft beverages, meats & cheeses, a full-service deli and artisan pizzeria, as well as traditional conveniences and groceries.
- **Cairo Town Board - Community or Main Street Revitalization - creating a walkable community - sidewalks/bike path**
NYSDEC Smart Growth award in the amount of \$75,000 and then in 2016 they applied for a NYS DOT TAP grant . Town of Cairo partnered with the Town of Greenville to construct a sidewalk/bike path in Cairo The construction of the new sidewalk was started this year and will be completed by the end of this month. The bike path was completed independently of the sidewalk work by the Town of Cairo Highway crew in a different location
- **Village of Catskill Comp Plan - Planning for Municipal Services or Utilities – looking for a local person to nominate**

Motion to approve the three award nominations: Tom Poelker

Second: Stephan Bradicich

Vote: Yes 10 No 0 Abstain 0 Recuse 0

Awards will be presented at the Wednesday November 18, 2020 meeting of the Greene County Legislature

5. Business Items

AFPB meeting, November 16, 2020, 6:30PM CCE Agroforestry Center in Acra

Ag District Public Hearing anticipated to be Wednesday December 16, 2020, Greene County Office Building Catskill 6:25PM

A memo was sent to all Town and Village Planning and Zoning Boards regarding submittal of Full size drawings and referral completeness.

Exemption:

A brief discussion occurred on the possibility of exempting certain variances from having to come to the County Planning Board. Certain referrals such as area variance for shed and pools that do not have any county or intermunicipal impacts can be exempt from referral potentially simplifying approval for the application at the local level. Other County Planning Boards have exemption agreements. Based on Appendix F of the 2010 Greene County Planning Referral Guide, historically Greene County has as has exemption agreements as well . A couple of members expressed potential concerns about doing this. Economic Development, Tourism and Planning will continue to research and investigate and the Board will discuss further.

6. Planning and Zoning Referrals

20-40: Donna Chewins

Description: Requesting variance for placement of pool

Location/Address: 36 Malden Ave, Palenville

Parcel ID: 199-12-2-1

Type of Referral: Area Variance

Referring Agency: Town of Catskill ZBA

Reason for Referral: NYS Route RT 32A ROW
Acreage: .91
Zoning: General Commercial
Agricultural District: No

Staff Recommendation: No County Impact, Local Decision

Motion to accept staff recommendation: Mitchell Smith
Second: Stephan Bradicich
Vote: Yes 10 No 0 Abstain 0 Recuse 0

20-41: Ziello

Description: Requesting variance for construction of an apartment
Location/Address: 569 Kings Rd, Catskill
Parcel ID: 139.03-2-3
Type of Referral: Area Variance ? Use Variance?
Referring Agency: Town of Catskill ZBA
Reason for Referral: NYS Route RT 32A ROW (but I believe they mean 9W)
Acreage: 11.00
Zoning: Residential Agriculture
Agricultural District: No

Staff Recommendation: No County Impact, Local Decision

Motion to accept staff recommendation: Tom Poelker
Second: Carl Giangrande
Vote: Yes 10 No 0 Abstain 0 Recuse 0

20-42: Scribner's Spa Addition

Description: Construction of a SPA addition to Scribner's Catskill Lodge & Conversion of Existing Building to a laundry facility
Location/Address: 13 Scribner Hollow Road, Hunter
Parcel ID: 164.15-1-12
Type of Referral: Site Plan Review
Referring Agency: Village of Hunter Planning Board
Reason for Referral: NYS Route RT 23A ROW
Acreage: 6.20
Zoning: General Business District
Agricultural District: No

Staff Recommendation: Approve

Staff Recommendation: Approve
Motion to accept staff recommendation: Jen Cawein
Second: Kiley Thompson
Vote: Yes 9 No 0 Abstain 0 Recuse 1

The County Planning Board has 19 members and therefore needs to have at least 10 members present at its meetings to have a quorum. At this meeting there were ten (10) members present to review this application. There was a motion to 'Approve' this application, with nine (9) members voting to accept the motion to 'Approve'; however one (1) member needed to rescue himself. Therefore based on the assumption that the County Planning Board voting requirements are the same as Town and Village Planning Boards, requiring the

majority of the fully constituted board to vote in the affirmative, the motion failed and the County Planning Board is not able to take any formal action on this application. In other words the County Planning Board did not have a quorum majority vote of its full board to pass a formal recommendation of 'Approval' on this application.

20-43: C & C Excavating

Description: Office equipment and vehicle storage for local service or retail business.

Location/Address: No address provided

Parcel ID: 130.00-4-2

Type of Referral: Special Use Permit

Referring Agency: Jewett Planning Board

Reason for Referral: County Route 23C ROW

Acreage: 2.0

Zoning: Rural Residential

Agricultural District: No but is within 500' of a parcel that is part of Greene County's Agricultural District No. 124; JFF Farm.

Staff Recommendation: Local Decision with Comments

The hand drawn 'Site Plan' submitted does not appear to conform to local code, does not depict the entire parcel, is very difficult to read and did not provide adequate information needed for review. It is the understanding of the County Planning Board that the Town Planning Board did make the applicant aware of what local code says regarding the submittal of Site Plan drawings.

It is requested by the County Planning Board that in the future, referrals include full-size professionally prepared and signed drawings.

Is this use consistent with local code?

Local Code definition of Rural Residential (RR):

The purpose of this district is to preserve the rural residential character of the Town and protect the area from intense development. This district will help preserve the rural residential character of the Town while maintaining open space and agricultural land. This district is the largest district in the Town.(§ 165-10.)

Storage facilities are not listed in local code as one of the allowed 'Special Uses' allowed in the RR district. Yet the EAF indicated that this is allowed use based on the local zoning.

Part of this parcel is in the riparian buffer area of the East Kill which should be taken into consideration for the final site plan approval and during site construction, including sediment and erosion control.

This parcel is within 500' of a parcel that is part of Greene County's Agricultural District No. 124; JFF Farm. Therefore an 'Agricultural Data Statement' should be prepared in accordance with Section 305 of New York State Agriculture and Market Law"

1. Submission, evaluation. Any application for a special use permit, site plan approval, use variance, or subdivision approval requiring municipal review and approval by a planning board, zoning board of appeals, town board, or village board of trustees pursuant to article sixteen of the town law or article seven of the village law, that would occur on property within an agricultural district containing a farm operation or on property with boundaries within five hundred feet of a farm operation located in an agricultural district, shall include an

agricultural data statement. The planning board, zoning board of appeals, town board, or village board of trustees shall evaluate and consider the agricultural data statement in its review of the possible impacts of the proposed project upon the functioning of farm operations within such agricultural district. The information required by an agricultural data statement may be included as part of any other application form required by local law, ordinance or regulation. <https://codes.findlaw.com/ny/agriculture-and-markets-law/agm-sect-305-b.html>

Additional information on Agricultural Data Statements can be found at: <https://agriculture.ny.gov/land-and-water/section-305-review-restrictive-laws#:~:text=Contact%20Us-Overview,are%20compatible%20with%20farm%20operations>.

The Greene County Highway Department has no issues with the application however any work in County Route 23C right-of-way will require a County work permit.

The County Planning Board expressed concerned as to whether or not the NYC Department of Environmental Protection was duly notified as a concerned agency as part of the SEQRA review and is requesting documentation accordingly.

Staff Recommendation: Local Decision with Comments

Motion to accept staff recommendation: Jen Cawein

Second: Tom Poelker

Vote: Yes 10 No 0 Abstain 0 Recuse 0

Motion to Adjourn

Motion: Erik Allan

Second: Tom Poelker

Vote: Yes: 10 No: 0 Abstain: 0 Recuse 0

The meeting was adjourned at 7:58 PM

Next Meeting

Tuesday November 17, 2020 6:30pm (most likely to be held virtually via Zoom)

Respectfully Submitted

Richard Schiafo, Secretary