



**GREENE COUNTY PLANNING BOARD**  
**Minutes of November 17, 2020 Meeting**  
*Held via Zoom 6:30PM*

Meeting convened at 6:33 PM.

Present:

Cynthia LaPierre, Jewett  
 Lee McGunnigle, Tannersville V  
 Eva Atwood, Catskill T  
 Bruce Haeussler, Coxsackie T  
 Jean Horn, New Baltimore  
 Mitchell Smith, Catskill V.  
 Kiley Thompson, Durham  
 Jim Dymond, Prattsville  
 Jennifer Cawein, Lexington  
 Carl Giangrande, Hunter V  
 Elizabeth Hansen, Cairo  
 Bob VanValkenburg, Coxsackie V

Absent:

Thomas Poelker, Windham  
 Anthony Paluch, Athens T  
 Erik Allan, Ashland  
 Orloff Bear, Greenville  
 Stephen Bradicich, Athens V

Also in attendance was Rich Schiafo of the Greene County Department of Economic Development, Tourism and Planning

**1. Roll Call**

There is a quorum of members – see above.

**2. Approval of Minutes**

Approval of the minutes of the October 20, 2020 meeting.

**Motion:** Mitchell Smith, moves with correction of ‘14’ ‘Yes’ votes to Approve the September 16, 2020 minutes to ‘10’

**Second:** Kiley Thompson

**Vote:** Yes: 12 No: 0 Abstain: 0 Recuse 0

**3. Education and Training Opportunities**

*Engaging Diverse Communities and Dealing with Difficult People*

November 18th, Noon to 1 pm

Every community experiences “differences of opinion!” In some cases, local government proceedings become a targeted forum for airing disputes and long-standing arguments. Clashes during meetings can derail important planning discussions. This session will explore tools that help maintain a critical focus on process, deadlines, and the objective role of Planning and Zoning Board members.

This is the third installment in our series “Planning in an Era of New Challenges” with our partners the MRB Group’s SmarterLocalGov team. NYPF and MRB Group have teamed to create a series of informational resources for municipal leaders, planners, and planning and zoning board members, created to help local governments remain resilient and successfully address the “new normal” in a post-COVID era.

<https://register.gotowebinar.com/register/2708365830758904334>

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

411 Main Street, Suite 419  
 Catskill, New York 12414

**Warren Hart**  
 Director



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### ***Making Progress in an Altered Landscape***

Land Use Law Center 19th annual Alfred B. DelBello *Land Use and Sustainable Development Conference*.  
Thursday, December 7 - 10, 2020, <https://law.pace.edu/annual-conference-2020>

**The Solar Mapping Tool: Supporting a Responsible Renewable Energy Future for the Hudson Valley** ([Click here to register](#))

Wednesday, December 9, 12-1 pm

Scenic Hudson's Solar Mapping Tool, part of the How To Solar Now toolkit, is aimed at helping municipal, industry, and conservation stakeholders rapidly develop solar energy generation in the Hudson Valley while minimizing negative impacts to our communities' natural, agricultural, and cultural resources. The Solar Mapping Tool is an interactive, web-based educational tool that includes information on the types and sizes of solar development in the Hudson Valley, how solar differs from other types of development, and how to proactively and responsibly incorporate solar development into land-use planning. This webinar will provide an overview of the tool and show how it allows users to overlay data layers in a web map, including layers related to solar opportunities, natural resources, and solar feasibility. Presenters: Alex Wolf, Conservation Scientist, and Nava Tabak, Director of Science, Climate & Stewardship, Scenic Hudson

Webinar attendees will receive an email confirming attendance, which may be submitted locally for one hour of municipal planning or zoning board training credit.

You can join this WebEx event from your computer, mobile device, or phone. To download the WebEx app prior to the webinar, visit <https://help.webex.com/en-us/nrbgeodb/Join-a-Webex-Meeting>

**Local Government Training Program** is once again offering a series of Winter Webinars (flyer attached):  
<https://www.dos.ny.gov/lg/pdf/Winter%20Webinar%20Series%20Flyer%202020-21.pdf>

Tuesday, December 8: 5 – 7 pm

Subdivision Review

<https://meetny.webex.com/meetny/k2/j.php?MTID=t3788ce1be906ecfbd2db5fbefb094d90>

Tuesday, December 15: 5 – 7 pm

Floodplain Regulation for Local Review Boards

<https://meetny.webex.com/meetny/k2/j.php?MTID=t1f90196698bbbf89af4fd1c6d0a38a0d>

Tuesday, December 22: 5 – 7 pm

Skills that Make Great Board Members

<https://meetny.webex.com/meetny/k2/j.php?MTID=t3a27b0f3d5400bf9608e341883180e57>

Tuesday, January 5, 2021: 5 – 7 pm

Planning Board Overview

<https://meetny.webex.com/meetny/k2/j.php?MTID=tfa8b91a4bacceb6e37d2ae557ed16fc>

Tuesday, January 12, 2021: 5 – 7 pm

Zoning Board of Appeals Overview

<https://meetny.webex.com/meetny/k2/j.php?MTID=t857ac9ff22ddb1311b6fc1cd78bd544f>

#### 4. Planning Department Reports

AFPB met on November 16, 2020, 6:30PM at the CCE Agroforestry Center in Acra

The AFPB is recommending three request for inclusion and three parcel mergers be added to Greene County Ag District No. 124

Current District:

- 816 parcel, 40,915.55

With proposed additions:

- 819 Parcel 40,985.35

Recommendations will go before the Greene County Legislature on December 16, 2020. There will be a Public Hearing on December 16,2020, 6:25PM prior to the Legislative meeting at the Greene County Office Building Catskill

Planning Achievement award will be presented at tomorrow night's (November 18, 2020) meeting of the Greene County Legislature

Three awards:

1. Cairo Town Board - Community or Main Street Revitalization - creating a walkable community - sidewalks/bike path
2. Village of Catskill Comp Plan - Planning
3. Hickory Hill Market, 5200 NYS Route 23, Windham, NY 12496, Community Design or Improvement

## 5. Business Items

## 6. Planning and Zoning Referrals

**20-44:** Mary Tex

**Description:** Replacement of existing mobile home on a parcel with a second single family dwelling

**Location/Address:** 4511 Route 32, Palenville

**Parcel ID:** 185.03-2-1

**Type of Referral:** Area Variance

**Referring Agency:** Town of Catskill Zoning Board

**Reason for Referral:** Route 32 ROW

**Acreage:** 3.84

**Zoning:** H.C./ R.A.

**Agricultural District:** No

**Staff Recommendation:** No County Impact, Local Decision

Motion to accept staff recommendation: Cynthia LaPierre

Second: Beth Hansen

Vote: Yes 12 No 0 Abstain 0 Recuse 0

**20-45:** Finelli

**Description:** Replacement of existing mobile home on a parcel with a fourth single family dwelling

**Location/Address:** 386 Route 32A, Palenville

**Parcel ID:** 199.12-4-28

**Type of Referral:** Area Variance

**Referring Agency:** Town of Catskill Zoning Board

**Reason for Referral:** Route 32 ROW

**Acreage:** 2.18

**Zoning:** G.C.

**Agricultural District:** No

**Staff Recommendation:** No County Impact, Local Decision

**Motion** to accept staff recommendation: Mitchell Smith

**Second:** Carl Giangrande

**Vote:** Yes 12 No 0 Abstain 0 Recuse 0

**20-46:** Cherry

**Description:** Existing porch. Applicant was denied a certificate of occupancy because there was no building permit obtained for porch.

**Location/Address:** 12 Ben Hill Rd.

**Parcel ID:** 199.12-1-11

**Type of Referral:** Area Variance

**Referring Agency:** Town of Catskill Zoning Board

**Reason for Referral:** Route 32 ROW

**Acreage:** .18

**Zoning:** G.C.

**Agricultural District:** No

**Staff Recommendation:** No County Impact, Local Decision

**Motion** to accept staff recommendation: Jim Dymond

**Second:** Bob VanValkenburg

**Vote:** Yes 12 No 0 Abstain 0 Recuse 0

**20-47:** Village of Catskill

**Description:** Adoption of Zoning Law Revisions regarding Site Plan Review, Enforcement, Design Standards, Short Term Rentals, Dumpsters and Refuse, Dimensions, Uses, Definitions, Interpretation of Districts. Bulk regulations and Uses placed into Tables.

**Location/Address:** 422 Main Street (Village Hall)

**Parcel ID:** Village-Wide

**Type of Referral:** Zoning Law revisions

**Referring Agency:** Village of Catskill Board

**Reason for Referral:** Amended Zoning Law and Map

**Acreage:**

**Zoning:**

**Agricultural District:**

**Staff Recommendation:** Approve with Modification (zoning map).

### **General Comments**

This referral is substantial with many different components, from the revised Zoning Law and Map to new local regulations regarding short-term rental and subdivisions and other changes to the Village Zoning.

The Comprehensive Plan done by the Village is a good plan. The Zoning law and local regulations should complement and build upon the work done with the Comprehensive Plan whenever possible.

### **Section 2.2 - Zoning Map (p. 4)**

It is recommended that the Village maintain a digital file of the Zoning Map that is maintained by the Village Clerk, made available on the Village web site and be made available electronically upon request. The Zoning Law should reflect the Village's current mapping capabilities in order to reflect Section 2.2.

Section 2.2 c references that: *All copies of the map shall be a digital reproduction of the map on file with the Village Clerk of the Village of Catskill.*

Please remove the reference in this sections and any other references that indicate that *the digital geographic files which were used to create said zoning map and “are archived at the Office of the Greene County Planning Department.”* Greene County Economic Development, Tourism and Planning does not archive or maintain digital geographic files of local zoning maps.

RE: Use Table

The following items need clarification:

- Shipping Containers and Storage Tents are permitted uses in Zones C-1 and C-2 as Permitted-*by-right*, not subject to Site Plan Review (page 8).
- Municipal parks, playgrounds and beaches incl. recreational refreshment and service buildings are Permitted-*by-right*, not subject to Site Plan Review in zones - R-1, R-2 and R-3, WD and WOD (page 9).
- The text (p. 10) says, “A shipping container or storage tent will only be allowed by special use in a residential zone if the shipping container or storage tent cannot be seen from any other parcel or from the street.” The Use Table on Page 8 should indicate this aspect of the Use.

#### **4.3.10. - Required Referral P. 43**

It is recommended that that the word ‘advisory’ be removed and it is suggested that the applicable timeframes and rules regarding County Planning Board referrals be more explicitly spelled out. Note: the County Planning Board can ‘Disapprove’ a referral.

See: <https://codes.findlaw.com/ny/general-municipal-law/gmu-sect-239-m.html>

<https://www.greeneconomy.com/departments/planning-and-economic-development/greene-county-planning-board>

Also it is noted the ‘Site Plan Review’ section on this proposed law is the only section that references the 239 referral process. Referrals are required for many other applications, including certain SUPS (**spell out**) and should be recognized by your local law.

#### **4.15 - Short-Term Rental Regulations**

Greene County has established guidance on short-term rental regulation, which is located here.

<https://www.greeneconomy.com/wp-content/uploads/2020/07/Short-term-rentals-Webinar-Summary.pdf>

There are several other municipalities in Greene County as well as through the region that have undertaken the process of adopting STR regulations. Learning from those experiences can be of value to the Village as this economic activity continues to grow and develop.

It is recommended that the Village more clearly define ‘Short-term rentals’ (STRs) so as to clearly distinguish STRs and distinguish them from other lodging options such as hotels, motels and bed and breakfast/inn establishments.. STRs basically fit into two categories – hosted and unhosted. A host can be owner or some other type of person involved in the rental property such as a property manager. Important elements of defining an STR will be whether or not there is a residency requirement and a provision of proof of residency, such as a driver’s license or voter registration.

Some municipalities require hosts to share the contact information with neighbors to facilitate the reporting of violations. Registration can be renewed on an annual or bi-annual basis. A potential incentive program can be to allow a second year of registration with no fee if the STR has received no complaints in the first year. The proposed Village STR regulations are fairly prescriptive. Other prescriptive regulations state that a local contact

person must reside within 20 miles of rental unit. Additionally the Village may want to consider adding language that the local contact person/agent be available 24 hours a day to respond to tenant and neighborhood concerns and be capable of responding within two hours of notification from the Village.

The Village may also want to consider putting a 'cap' on the number of short-term rental permits issued annually.

It is also recommended that the Village provide clear 'Basic Health and Safety Policy Guidelines' requiring property owners to file emergency evacuation plans and diagrams and to require rental property owners to acknowledge the provision of emergency equipment such as smoke and CO detectors and fire extinguishers. These guidelines can include 'House Rules' which lay out an acceptable behavior policy regarding noise and respecting neighbors etc., that must be acknowledged by the renter. These should be filed with the Village.

Proposed Subdivision Law

It is recommend that the Village take a closer look at this law, and work to make this law more consistent with the Village Comprehensive Plan.

For example in § 1-10. Final plat.

The Greene County Public Health Department does not review and approve plats in relation to any environmental and sanitary codes. The Village should look at the requirements of the New York State Department of Health. Greene County does not have a Planning 'Commission' but instead a County Planning Board, which currently does not review subdivision applications.

**Motion** to accept staff recommendation: Carl Giangrande

**Second:** Kiley Thompson

Vote: Yes 11 No 0 Abstain 1 (Mitchell Smith-VOC) Recuse 0

**20-48:** Lewis

**Description:** One-Chair Salon

**Location/Address:** 1087 Route 23A

**Parcel ID:** 169.04-3-9

**Type of Referral:** Site Plan Review

**Referring Agency:** Town of Catskill

**Reason for Referral:** Route 23A ROW

**Acreage:** 3.9

**Zoning:** Highway Commercial

**Agricultural District:** No

**Staff Recommendation:** No County Impact, Local Decision

**Motion to:** 'Approve' Beth Hansen

**Second:** Jim Dymond

Vote: Yes: 12 No: 0 Abstain: 0 Recuse 0

**20-49:** Town/Village of Athens Adoption of an updated Comprehensive Plan.

**Description:** Adoption of an updated comprehensive Plan. This document updates the 2007 Joint Town and Village of Athens Comprehensive Plan, and includes Volume 1, Volume 2, and maps

**Location/Address:** 2 First Street, Athens, NY 12015 (Village Hall)

**Parcel ID:** All Parcels

**Type of Referral:** Updated Comprehensive Plan

**Referring Agency:** Town/Village of Athens  
**Reason for Referral:** Updated Comprehensive Plan  
**Acreage:**  
**Zoning:**  
**Agricultural District:** Yes

There was insufficient time provided to do a thorough review of the draft plan. Comments are due on December 5, 2020. If the Board wants a more thorough review of this draft plan they can consider holding a special meeting on December 3, 2020 to discuss this plan.

**Staff Recommendation:** Local Decision with Comment

**General Comments**

The Plan states in more than one place that *“The foundation of a good comprehensive plan is the incorporation of public input. To develop a plan built upon public consensus on key issues and common goals, having feedback from the Town and Village elected and appointed leaders, business owners, and residents, is imperative.”* (p. 10)

These are the following specific technical comments.

Economic Development and Tourism

There is not any mention of working with the Greene County Economic Development Corporation <https://greenecountyedc.com/>, or Great Northern Catskills Tourism, <https://www.greatnortherncatskills.com/>, which are important resources for the community.

Conservation Advisory Council

In reading through the plan there is reference to both the creation and existence of a Conservation Advisory Council. Does a CAC exist in the Village or in the Town? This needs to be made clear throughout the document.

Mapping resources

It is recommended that DEC on-line mappers, such as the Hudson Valley Natural Resource Mapper, be identified as an important working tool for planning and applicant review. As when using any on-line mapping tool, it is important to make sure data is kept up-to date and field verified when need be. A link is provided to the current Hudson Valley Natural Resource Mapper. <https://gisservices.dec.ny.gov/gis/hvnrnm/>

Similarly with the Agricultural District 124, current mapping shall be referenced. The Plan should better describe, recognize and promote Greene County Ag District No. 124 in addition to recognizing the County Right to Farm Law. A link is provided to the current mapping and description of Agricultural District 124.

[https://www.greenegovernment.com/wp-content/uploads/2020/02/AG124\\_2019\\_8\\_Year\\_Review\\_RFI-Removals-Parcel-Line-Adjustments.pdf](https://www.greenegovernment.com/wp-content/uploads/2020/02/AG124_2019_8_Year_Review_RFI-Removals-Parcel-Line-Adjustments.pdf)

Implementation

In section G. Promote Training of Elected and Appointed Officials, it is recommended that the Town and Village Boards commit to “establish” programs for the Zoning Board of Appeals, Planning, Town and Village boards, and the building inspector that provide on-going training in new land-use techniques, SEQRA and legal procedures.

Those serving on Zoning Boards of Appeals and Planning Boards are required by law to receive a minimum of four hours of training per year.

The Town/Village need not establish their own training programs. There are many existing training programs, mostly offered through the New York State Department of State, Local Government Services <http://www.dos.ny.gov/lg>.

Greene County Economic Development, Tourism and Planning, in cooperation with the NYSDOS Local Government Services and Columbia County Planning, offers training programs twice a year in the spring and fall of each year.

The Town/Village should establish guidance and a process/procedure for what trainings are acceptable for approval and tracking.

**Motion** to accept Staff Recommendation with Comments: Jean Horn  
**Second:** Carl Giangrande

Lee McGinnigle suggests this addition to the comments:

The Greene County Planning Board finds it commendable that the Town and the Village have undertaken a comprehensive planning process and are moving forward with a clear vision for their community during these challenging times. The Board recognizes and appreciates the planning work of the Town and Village of Athens.

**Vote: Yes: 12 No: 0 Abstain: 0 Recuse 0**

Motion to Adjourn

**Motion:** Mitchell Smith

**Second:** Lee McGinnigle

**Vote: Yes: 12 No: 0 Abstain: 0 Recuse 0**

The meeting was adjourned at 7:31 PM

Next Meeting

Tuesday December 16, 2020 6:30pm (most likely to be held virtually via Zoom). Time might need to be changed to 6:45PM to accommodate attendance at Ag District Public Hearing.

Respectfully Submitted  
Richard Schiafo, Secretary