



GREENE COUNTY PLANNING BOARD
Minutes of April 21 2021 Meeting
Held via Zoom 6:30PM

Meeting convened at 6:38 PM.

Present:

Cynthia LaPierre, Jewett
Thomas Poelker, Windham
Elizabeth Hansen, Cairo
Bruce Haeussler, Coxsackie T
Kiley Thompson, Durham
Carl Giangrande, Hunter V
Mitchell Smith, Catskill V.
Orloff Bear, Greenville
Jim Dymond, Prattsville
Eva Atwood, Catskill T
Jennifer Cawein, Lexington

Absent:

Lee McGunnigle, Tannersville V
Jean Horn, New Baltimore
Robert VanValkenburg, Coxsackie V
Anthony Paluch, Athens T

Also in attendance:

Rich Schiafo, Greene County Dept of Economic Development, Tourism and Planning
Nancy Poylo, Village of Athens new appointment to County Planning Board, pending GC Legislative approval

1. Roll Call

There is a quorum of members – see above.

Nancy Poylo, Village of Athens new appointment to County Planning Board (pending GC Legislative approval) introduced herself. Non-voting until approved.

2. Approval of Minutes

Approval of the March 17, 2021 meeting minutes.

Motion: Kiley Thompson

Second: Jim Dymond

Vote: Yes: 11 No: 0 Abstain: 0 Recuse 0

3. Planning Department Reports

4. Business Items

Training for Spring 2021

This Spring we co-host an annual training seminar (two webinars) with Columbia County Planning and the NYS Department of State Division of Local Government Services on June 3, 2021 and June 10m 2021

Topics: 'Comprehensive Planning' and 'Introduction to Zoning'

Survey to determine the best time resulted in an even split between the 4:00pm-6:00PM times slot the 6:00PM to 8:00PM timeslot. Board prefers 4:00PM to 6:00PM. Rich will contact DOS to confirm dates, times and topics.

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

411 Main Street, Suite 419
Catskill, New York 12414

Warren Hart
Director



**GREENE
BUSINESS**



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5. Education and Training Opportunities

April 22, 2021, 11AM-1:15PM **Affordable Housing**, Onondaga County Planning & Zoning Workshop
<https://meetny.webex.com/meetny/k2/j.php?MTID=t5ab53ef721432cf7888aef80b5c7257>

April 27, 2021, 5:30PM-8:00PM **Hot Button Issues**, Sullivan County Planning & Zoning Workshop
<https://meetny.webex.com/meetny/k2/j.php?MTID=t65cea00f985d>

April 28, 2021, 2:00PM – 3:00 PM, **Board Members Municipal Ethics**, Southern Tier West Local Government Conference 2021 Webinar Series Course: To register:
https://us02web.zoom.us/webinar/register/WN_zvSvUHDhTmqmc7_JfGx4VA

April 29, 2021, 5:00PM-7:30PM, **Introduction to Planning and Zoning**, Dutchess County Planning & Zoning Workshop https://zoom.us/webinar/register/WN_6mFIdpPuRvWivZstALSobg

Saturday, May 1st, 2021 (9:00am-11:45am) Virtual Session #3, **2021 Schoharie Watershed Summit** For more information and to register: <https://gcsxcd.com/swp/eo/sw-summits>

May 4, 2021, 11:30AM-2:00PM, **Planning Board Overview**, Genesee-Finger Lakes Regional Planning Council Conference <http://www.gflrpc.org/local-government-workshops.html>

May 5, 3:00-4:30pm, **Wetlands: Values and Threats**, Hudson River Estuary Program Conservation and Land Use 101 webinar series, <https://www.dec.ny.gov/lands/120539.html>

May 6, 2021, 11:30AM-1:00PM, **Intermunicipal Planning for Efficiency**, Genesee-Finger Lakes Regional Planning Council Conference <http://www.gflrpc.org/local-government-workshops.html>

May 11, 2021, 11:30AM-12:30PM, **Intermunicipal Cooperation in Code Enforcement**, Genesee-Finger Lakes Regional Planning Council Conference <http://www.gflrpc.org/local-government-workshops.html>

May 12, 3:00-4:30pm, **Wetlands: Mapping, Identification, and Field Verification**, Hudson River Estuary Program Conservation and Land Use 101 webinar series, <https://www.dec.ny.gov/lands/120539.html>

May 18, 2021, 6:00-8:00PM, **Hot Button Issues**, Livingston County Planning & Zoning Workshop
<https://meetny.webex.com/meetny/k2/j.php?MTID=t4b872e96e584ed58df3b278912f9f37b>

May 19, 3:00-4:30pm, **Wetlands: Regulatory Status and Local Protection Strategies**, Hudson River Estuary Program Conservation and Land Use 101 webinar series, <https://www.dec.ny.gov/lands/120539.html>

May 20, 2021, Time TBD **County Referral**, Ostego County Planning & Zoning Workshop

May 27, 2021, Time TBD, **SEQR: The Short EAF**, Chenango County Planning & Zoning Workshop

See NYSDOS Training web page for training webinars listed below:
<https://www.dos.ny.gov/lg/pdf/LGTrainingSchedule.pdf>

Grant Opportunities

Hudson River Estuary Program Grants

Approximately \$350,000 is available for four categories of local projects and programs to support planning for:

- Hudson River shoreline communities to adapt land uses and decision-making to factor in climate change, flooding, heat, drought, and sea-level rise projections;
- Making water infrastructure more resilient to flooding and/or sea-level rise;
- Watershed and source water management planning; and
- Conservation of natural resources by creating a natural resources inventory, open space inventory/index, open space plan, conservation overlay zone, open space funding feasibility study, or connectivity plan.

Applications are due June 2, 2021, 3:00PM

<https://www.dec.ny.gov/lands/5091.html>

https://grantsgateway.ny.gov/IntelliGrants_NYSGG/module/nysgg/goportal.aspx?NavItem1=3

Questions may be directed to HREPGGrants@dec.ny.gov

Hudson River Valley Greenway - Greenway Planning and Trails Grants Programs

- *Greenway Planning Grants* are open to municipalities that have adopted a local board resolution to become a designated “Greenway Community” and who do not have a currently open grant in this program.
- *Greenway Compact Grants* are open to municipalities that have adopted an approved Greenway Compact Plan and who do not have a currently open grant in this program.
- *Greenway Trail Grants* are open to municipalities and not-for-profit corporations and who do not have a currently open grant in this program.

Due Dates: Grant applications for all three programs are due on these dates in 2021: May 7, Sep 10, & Nov 8. Applications, Guidelines, and Scoring Criteria may be found here: <https://hudsongreenway.ny.gov/grants-funding>. The applications have been updated from previous years and no older applications will be accepted. Questions may be directed to grants@hudsongreenway.ny.gov

6. Planning and Zoning Referrals

21-18: Village of Hunter

Description: Jagerberg Beer Hall Minor Revision to existing Site Plan, increased parking and outdoor seating

Location/Address: 7722 Main Street Village of Hunter

Parcel ID: 164.11-1-7

Type of Referral: Site Plan Review

Referring Agency: Village of Hunter Planning Board

Reason for Referral: State Rte 23A ROW

Acreage: .62 acres

Zoning: Village Business District

Agricultural District: No

Date of Initial Submittal: 3.18.21

Date Referral Complete: A full-size Site Plan was not received. Incomplete

Recommendation: Local Decision with comments

A full-size Site Plan was not received. In the future please submit full-size drawings for review of Site Plan that comply with the Village Site Plan review law.

The EAF short form that was referred is incorrect.

The site is part of the Red Kill-Schoharie Creek stream/wetland/floodplain system.

Based on a review using the Hudson Valley Natural Resources Mapper, The parcel does contain wetlands and a significant portion of the parcel is in the 100-year floodplain.

There are freshwater emergent wetlands at the rear (northern) part of the parcel.

A significant part of this parcel is in Zone AE which means the areas has a 1% probability of flooding every year (also known as the "100-year floodplain"), and where predicted flood water elevations above mean sea level have been established. Properties in Zone AE are considered to be at high risk of flooding under the National Flood Insurance Program (NFIP). Flood insurance is required for all properties in Zone AE that have federally-backed mortgages. Construction in these areas should meet floodplain requirements, including evidence that principle structures are above the Base Flood Elevation (BFE) as shown on the adopted FIRM maps.

For these reasons any additional construction on this site should carefully consider potential flooding impacts. Expansion of the parking lot to the creek at the rear of the property should be carefully reconsidered so as not to encroach upon wetlands or exacerbate flooding. A smaller parking lot that does not go all the way to the creek may be a better approach. The parking lot should be permeable. Installation of 'green' infrastructure measures such rain gardens and other measures to manage stormwater should be required for this project.

State stream encroachment and wetland permits may necessary.

Being the site has both wetlands and is in the 100-year floodplain it is suggest the EAF long form be completed.

Wetland delineation may be necessary prior to parking lot expansion.

Motion: Local Decision with Comments

Motion: Mitchell Smith

Second: Jennifer Cawein

Vote: Yes: 10 No: 0 Abstain: 1 Recuse 0

21-19: Village of Hunter

Description: Herout Dermenjian Construction of wine shop and studio on existing foundation

Location/Address: 7719 Main Street Village of Hunter

Parcel ID: 164.11-2-6.2

Type of Referral: Site Plan Review

Referring Agency: Village of Hunter Planning Board

Reason for Referral: State Rte 23A ROW

Acreage: .12

Zoning: Village Business District

Agricultural District: No

Date of Initial Submittal: 3.19.21

Date Referral Complete: Incomplete

Recommendation: Incomplete: Hand drawn sketch that was submitted did not comply with local site plan law

Motion: Incomplete-Additional Information Needed for Review

Motion: Cyndi LaPierre

Second: Tom Poelker

Vote: Yes: 10 No: 0 Abstain: 1 Recuse 0

21-20: Town of Jewett

Description: Enactment of new local law regulating Short term rentals and a local law amending the town noise law

Location/Address: Town of Jewett

Parcel ID: Town-wide

Type of Referral: Zoning Law Amendment

Referring Agency: Town of Jewett Town Board

Reason for Referral: Zoning Law Amendment

Date of Initial Submittal: 3.23.21

Date Referral Complete: 3.23.21

Recommendation: Local Decision with Comments

LOCAL LAW #1 OF 2021 ZONING AMENDMENTS REGARDING SHORT TERM RENTALS

It is suggested that instead of a ‘written garbage disposal plan’, require a written ‘trash and recycling plan’ so that the Town is in adherence with state recycling laws.

Regulating the number of visitors seems like it will be very difficult to enforce. Will each cast have to be part of the Towns short -term rental registration? Will there be regular inspections? Perhaps another way is to regulate the number of vehicles.

TOWN OF JEWETT LOCAL LAW #2 OF 2021 A LOCAL LAW AMENDING THE TOWN NOISE CONTROL LAW Noise ordinance

Consider expansion of health and welfare goals and how the a sound measurement ordinance will be enforced.

Changing the local law to the most common and preferred method using an objective numerical standard is based on health and welfare. Perhaps the Town may want to add specific health and welfare goals to the local ordinance as an objective numerical standard is measured with a sound level meter and is based on health and welfare studies. Will the Town equip enforcement officials to measures sound levels being a decibel measurement is being added to the ordinance? Or will enforcement be based on more subjective audibility standards related to unwanted sound that does not require a sound level meter for enforcement. Complaints about voices and music are usually handled on somewhat subjective regulations that are based on the decisions of the official enforcing the law as to the degree of noise intrusion without reference to any sound level measurements (although they may be used as support).

Carl G, as Code Enforcement Officer for Jewett indicated that the Town has done it due diligence and has obtained a sound level meter to help with enforcement. Training on use of meter was suggested

Motion: Approve with Comments

Motion: Orloff Bud Bear

Second: Jennifer Cawein

Vote: Yes: 11 No: 0 Abstain: 0 Recuse 0

21-21: Town of Catskill

Description: Ainsley Morris Special Use Permit for conversion of single family to two family dwelling

Location/Address: 134 Park Lane Leeds

Parcel ID: 138.11-1-9

Type of Referral: Special Use Permit

Referring Agency: Town of Catskill Planning Board

Reason for Referral: State Rt 23 ROW

Acreage: 2.3
Zoning: GC
Agricultural District:
Date of Initial Submittal: 3.26.21
Date Referral Complete: 3.31.21

Recommendation: No County Impact Local Decision

Motion: No County Impact Local Decision

Motion: Elizabeth Hansen
Second: Mitchell Smith

Vote: Yes: 11 No: 0 Abstain: 0 Recuse 0

21-24: Town of Catskill

Description: Construction of Garage

Location/Address: 2 Brooks Lane

Parcel ID: 155.08-3-25

Type of Referral: Area Variance 9' side yard variance 24' rear yard variance

Referring Agency: Town of Catskill Zoning Board

Reason for Referral: NYS Rt 23 ROW

Acreage:

Zoning: HD

Agricultural District:

Date of Initial Submittal: 4.2.21

Date Referral Complete: 4.19.21

Recommendation: No Jurisdiction, more than 500 feet from NYS Route 23

While more than 500feet from NYS Rt 23, it was pointed out that the parcel is within 500 feet of Jefferson Heights Rd which is County Route 23B. Nevertheless it was determined that there is no county impact from the proposed area variance.

Motion: No County Impact Local Decision

Motion: Carl Giangrande
Second: Tom Poelker

Vote: Yes: 11 No: 0 Abstain: 0 Recuse 0

21-25: Village of Athens

Description: Amended Local Law amending the zoning law concerning the mixed use/waterfront district (MU/W)

Location/Address: 2 First Street, Athens, NY 12105

Parcel ID: Village-wide

Type of Referral: Zoning Law Amendment

Referring Agency: Athens Village Board

Reason for Referral: Zoning Law Amendment, amended with substantive changes

Acreage:

Zoning: Mixed Use/Waterfront District

Agricultural District:

Date of Initial Submittal: 4.2.21

Date Referral Complete: 4.19.21

Recommendation: Local Decision

This is a returning referral that was on last month's agenda. The proposed law was amended locally and re-referred, adding 'arts and education' and 'light industrial' as uses allowed by special permit. The previous proposal removed 'industrial' uses as allowed by special permit. These changes make the proposed law less restrictive.

Motion: Local Decision

Motion: Mitchell Smith

Second: Elizabeth Hansen

Vote: Yes: 11 No: 0 Abstain: 0 Recuse 0

21-26: Town of Catskill

Description: Special Use Permit for conversion of single family to a two family dwelling

Location/Address: 4 Forest Hill Road

Parcel ID: 138.15-1-11.2

Type of Referral: Special Use Permit

Referring Agency: Town of Catskill Planning Board

Reason for Referral: NYS Rt 23 ROW

Acreage: .41

Zoning: Highway Commercial

Agricultural District:

Date of Initial Submittal: 4.19.21

Date Referral Complete: 4.19.21

Recommendation: No County Impact Local Decision

Motion: No County Impact Local Decision

Motion: Carl Giangrande

Second: Bruce Haeussler

Vote: Yes: 11 No: 0 Abstain: 0 Recuse 0

Motion to Adjourn:

Motion: Mitchell Smith

Second: Cyndi LaPierre

Vote: Yes: 11 No: 0 Abstain: 0 Recuse 0

The meeting was adjourned at 7:25 PM

Next Meeting

Wednesday May 19, 2021 6:30pm (most likely to be held virtually via Zoom).

Respectfully Submitted,
Richard Schiafo, Secretary