



GREENE COUNTY PLANNING BOARD

Minutes of February 16, 2022 Meeting, 6:30PM

* This meeting was held both in-person and virtually via Zoom; consistent with Chapter 1 of the Laws of 2022 amending Chapter 417 of the Laws of 2021 to authorize any public body (as that term is defined by § 102(2) of the Open Meetings Law) Members of the public were allowed to attend in-person to participate or view the meeting on [the Greene County YouTube Channel](#); but will not be able to participate virtually. Minutes of all meetings are transcribed and posted on the [Greene County Planning Board](#) web page.

Meeting convened at 6:31 PM.

Present:

In Person:

Anthony Paluch, Athens T
Jim Dymond, Prattsville
Eva Atwood, Catskill T
Lee McGunnigle, Tannersville V
Cynthia LaPierre, Jewett T.

Absent:

Thomas Poelker, Windham
Bruce Haeussler, Coxsackie
Mitchell Smith, Catskill V
Elizabeth Hansen, Cairo

Via Zoom:

Jean Horn, New Baltimore
Doug Senterman, Hunter T
Robert VanValkenburg, Coxsackie V
Nancy Poylo, Athens V.
Carl Giangrande, Hunter V
Orloff Bear, Greenville
Kiley Thompson, Durham
Jennifer Cawein, Lexington

Also in attendance:

Rich Schiafo, Greene County Economic Development, Tourism and Planning

Pledge of Allegiance

1. Roll Call

There is a quorum of members (13), 5 in-person, 8 via Zoom see above.

2. Approval of Minutes

Approval of the January 19, 2022 meeting minutes.

Motion: Cindy LaPierre

Second: Jim Dymond

Vote: **Yes: 13** **No: 0** **Abstain: 0** **Recuse 0**

Minutes Approved

3. Planning Department Reports

Eva Atwood and Kiley Thompson are on the Legislature's agenda this evening (2/16/22) for reappointment. Paperwork is anticipated to be submitted for Jim Dymond and Jean Horn for the March 16th Legislative agenda. Being terms end on March 15th 2022, those not yet reappointed or appointed will be unable to vote at March 16, 2022 County Planning Board meeting.

Greene County Economic Development, Tourism & Planning

411 Main Street, Suite 419
Catskill, New York 12414

Warren Hart
Director



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William Whitbeck was nominated to take the Town of Coxsackie seat vacated by Bruce Haeussler. It is anticipated the Mr. Whitbeck appointment will also be on March 16, 2022 agenda for the County Legislature.

Town of Hunter seat will need to be filled.

Towns of Ashland and Halcott have not nominated anyone to represent their respective towns.

Annual Spring Training

Each year we co-host a training session with Columbia County Planning and the NYSDOS. The past two years all trainings have been webinars due to the pandemic. Do we want to consider in-person training this year? NYSDOS is starting to schedule in-person trainings in June. Perhaps considered a hybrid event- in-person and available virtually.

Topic ideas

Last year 2021 – webinars on ‘Zoning: An Introduction’ and ‘Comprehensive Planning’

2020 – Webinars on ‘Spot Zoning’ and Short-Term Rentals’

2019 –The last in-person training ‘SEQRA’ , ‘Hudson Valley Natural Resource Mapper’ and ‘Solar Regulation’s’

Advantage of in-person training, can get all four training hours done at once as opposed to having to take a multitude of webinars

4. Business Items

5. Education and Training Opportunities

February 21, 2022 Association of Towns Virtual Conference		11:00 AM – 3:00 PM Courses:
Click here for more info and to register		Land Use Moratoria
		Comprehensive Planning

February 28, 2022 Sullivan County Planning & Zoning Webinar		6:00 PM – 8:00 PM Course:
Click here to register		Planning and Zoning: An Intro

March 10, 2022 Onondaga County Planning Federation Annual Planning Symposium		9:30 AM – 3:30 PM Courses:
Click here for more info and to register		Planning and Zoning: An Intro
Syracuse Downtown Marriott 100 East Onondaga Street Syracuse, NY 13202		Comprehensive Planning

March 31, 2022 Southern Tier Central Leadership Conference		9:30 AM – 4:30 PM Courses:
Click here for more info and to register		Using Local Land Use Authority to Protect Water Quality
Corning Community College 1 Academic Drive Corning, NY 14830		Short Term Rentals

April 7, 2022 Otsego County Planning & Zoning Workshop Check back for more info soon!	5:30 PM – 8:45 PM Courses: SEQR Basics with New Regs Form Based Zoning
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April 13, 2022 Rockland County Planning & Zoning Workshop Check back for more info soon!	Time: TBD Course: Affordable Housing
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April 19, 2022 Tug Hill Local Government Conference Click here for more info and to register	8:30 AM – 4:00 PM Courses: Rural Planning Issues Historic Preservation Skills That Make Great Board Members
Turning Stone Event Center 5218 Patrick Road Verona, NY 13478	

DOS Training Schedule:

https://dos.ny.gov/events?f%5B0%5D=filter_term%3A2716

NYS DOS Online Interactive Courses and Recorded Webinars

<https://dos.ny.gov/training-assistance>

Hudson River Estuary Conservation and Land Use Webinar Series

<https://www.dec.ny.gov/lands/120539.html>

New York Planning Federation Recorded Webinars

<https://nypf.org/services/>

Southern Tier West Fall Planning & Zoning Training Webinars series.

To register on-line visit:

<https://www.southerntierwest.org/on-line-training.html>

6. Planning and Zoning Referrals

22-4 Town of Prattsville

Description: Revised Local Law amending the Town of Prattsville Site Plan Review Law

Location/Address: Town of Prattsville, NY - Town-wide

Parcel ID: Town of Prattsville, NY - Town-wide

Type of Referral: Amended Local Site Plan Law ROW NYS Route 23

Referring Agency: Prattsville Town Board

Reason for Referral: Amended Local Site Plan Law ROW CR23B

Acreage:

Zoning:

Agricultural District: Yes

Date of Initial Submittal: 1.13.22

Date Referral Complete: 1.21.22

Recommendation: Local Decision with Comment

It is recommended that language be added regarding the requirement for an Agricultural Data Statement under NYS Ag and Markets Law.

New York Consolidated Laws, Agriculture and Markets Law - AGM § 305-b. Agricultural data statement

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-a.html>

If a site is within 500 feet of a property in Agricultural District No. 124 an ag data statement is required. Therefore the town may want to consider adding language regarding the completion of an Agricultural Data Statement pursuant to Section 305-a of the NYS Agricultural and Markets Law.

Motion to accept recommendation of 'Location Decision with Comment

Motion: Tony Paluch

Second: Lee McGunnigle

Vote: Yes: 13 No: 0 Abstain: 0 Recuse 0

Motion Carries

22-5 Town of Windham

Description: Town of Windham Final Draft Comprehensive Plan

Location/Address: Windham

Parcel ID: NA

Type of Referral: Final Draft Comprehensive Plan – see text of email below

Referring Agency: Town of Windham

Reason for Referral: Draft Comprehensive Plan

Acreage:

Zoning: None

Agricultural District: Yes

Date of Initial Submittal: 1.18.22

Date Referral Complete: 1.18.22

The Town of Windham has undertaken a comprehensive process to update an older version of its municipal comprehensive plan (last updated in 2002). The planning process included an evaluation of existing conditions (demographics, housing, income, land use, natural resources, recreation, utilities, etc.), identification of issues and opportunities, overall goals and objectives, and specific actions that could be implemented to help the community reach its desired goals. The process included extensive public participation, including regular meetings of a committee appointed by the Town Board, and a public hearing on the draft plan. The final Comprehensive Plan covers the entire geographical area of the Town of Windham, and adoption of such a plan is considered a Type I action under SEQR.

The Town submitted a draft Plan to the County (for an informal review-not an official referral) in October 2021. The County submitted comments on the draft and for the most part the comments were incorporated into the Plan. This review is of the 'Final Draft' submitted as this official referral.

Recommendation: Local Decision with Comments

The Plan is well written, sets obtainable goals and objectives, and includes a plan for implementation and action. The Town of Windham is to be commended for their efforts in the development of this Comprehensive Plan. The Greene County Planning Board appreciates another opportunity to review the Plan and offers the following comments/ recommendations.

Pg. 3 Typo : In 1991, the Town of Winhdam

Pg. 31

As the Town seeks to encourage businesses that manufacture wood-based products and/or hand-crafted goods, as well as agribusinesses including distilleries and breweries, which would not only help diversify the local economy

but also complement the local tourism industry, the Town is encouraged to explore local business opportunities under The Marijuana Regulation and Taxation Act of 2021. While the Town has ‘opted out’ of Retail Dispensaries and On-Site Consumption, perhaps the Plan could acknowledge that the Town can continue to think about how it may want to regulate cannabis establishments at the local level. The law allows for ‘time, place and manner’ restrictions and local zoning regulations that can provide that adult-use licenses comply with local planning and zoning regulations, such as site plan approval and special use permits.

The Plan states that “Unfortunately, even small boutique manufacturing in the town may be hampered by overlapping regulatory constraints due to its location within the NYC watershed, and the shortage of developable land.” It is recommend that the Plan provide in it ‘Reference Lists’ a study or other supporting documentation regarding how NYC water regulations have hurt small local business.

Natural Resources

It is recommended that the Plan acknowledge a changing climate that is resulting in greater intensity and frequency of storms. It is recommended that climate resiliency be an integral part of part of local land-use planning. It is recommended that the Plan acknowledge potential threats of a changing climate to the tourism economy (i.e. skiing) and incorporate the importance of smart growth and sustainable development.

The Plan should consider the creation of a local Conservation Advisory Council and participation in the following state programs: Climate Smart Communities, Clean Energy Communities

Housing

Addressing local housing needs is critical. It is good to see that the Plan addresses the need for age-friendly housing and associated need to access key services and opportunities for residents at all life stages. It is important to promote the development of affordable workforce housing for middle-income residents providing a wide range of housing opportunities for residents by improving the affordability and quality of local housing.

Affordable housing will be an important element in the creation of a local zoning code that is inclusionary and will provide for a variety of housing opportunities.

Transportation & Utilities

It is recommended that the Plan acknowledge and provide consideration of the changing transportation infrastructure in New York. There are continued efforts to electrify the transportation system. It is recommended that the Town consider planning for electric vehicles and electric vehicle charging stations, both within the community and for municipal government operations.

Land Use Planning

The Plan clearly outlines the need for regulation of short-term rentals and the need for additional/updated land use controls to regulate the density, placement or type of development on steep slopes and ridgelines including as zoning. To achieve the goals set forth in the Plan the Town is encouraged to move forward these measures.

It is recommended that the Plan clearly state that the Town is committed to public outreach and full public participation in its formation of a Zoning Advisory Committee and formation of a zoning law. It is recommended that there be broad representation on the Zoning Advisory Committee.

Motion to accept recommendation of ‘Location Decision with Comment

Motion: Lee McGunnigle

Second: Robert VanValkenburg

Vote: Yes: 13 No: 0 Abstain: 0 Recuse 0

Motion Carries

22-6 Stay Lokal LLC

Description: Special Use Permit & Site Plan Review for development of net zero resort

Location/Address: 875 County RT 23B

Parcel ID: 138.11-4-10 138.11-4-10=-8?

Type of Referral: Site Plan Review Special Use Permit

Referring Agency: Town of Catskill Planning Board

Reason for Referral: ROW CR23B

Acreage: 18.8 (3.3 acres 'physically disturbed')

Zoning: HC/RA

Agricultural District: No

Date of Initial Submittal: 1.26.22/1.27.22

Date Referral Complete:

Recommendation: Local Decision with Comment

While this proposal looks like a good project to reclaim this site as a contributing part of the community, the application seems to lack sufficient detail for adequate review.

There is no clear indication on 239 referral form or application as to what the Special Use Permit is for. The 'Project Description' provided on the initial referral form is "Special Use Permit & Site Plan Review for development of net zero resort" This is not a project description. Please provide a project description. The more accurately and concisely a project is described the more easily it can move through the referral process. An updated referral form submitted on 2.15.22 says "Special Use Permit & Site Plan Review for development of net zero motel." The project narrative submitted as the attached to 'Special Use Permit' application references a "Net Zero Energy resort."

The Zoning Analysis Table on C-301 of Site Plan drawings indicates that a special use permit is necessary for a 'Motel'. Please provide this type of information in the 239 referral form. This proposal for 31 cabins, it is understood, is being considered as a 'Motel' by the Town. An area variance has been granted for the 31 units whereas the code only allows for 20 units. It would be useful and helpful to provide this information on the referral form. For example, the 'Project Description' could have been simply stated that it was determined that the proposed construction of 31 cabins and a restaurant is considered a Motel under the local code and a Special Use Permit is required in the HC zone for motels as part of Catskills Local Code.

The project narrative states that there will be 6 different cabin types mixing modern and reclaimed designs and building structures that far exceed US energy codes while reducing embodied carbon in construction to a minimum. New York has a State energy code which should be referenced and used. Does "far exceeding" mean that the applicant will be employing the NYStretch Energy Code? More information is needed.

The project narrative indicates that the intent is to "salvage as many usable materials as possible from the dilapidated structures." While the salvaging and reuse of building materials is encouraged, it is recommended that there be further clarification as to what can or will be salvaged and reused, what commercial construction debris can be recycled and what ultimately must be removed and disposed of.

Is there a spec sheet/schematics of what the various cabin types will look like? Do the letter codes for the cabins in the 'Cabin Key' have descriptions?

The referral project description and the project narrative referred to this a 'net zero resort' to be "powered by Solar and Biomass with a low carbon footprint". These statements are somewhat contradictory. Will the "resort" or "motel" achieve net-zero or a low carbon footprint? What type of biomass energy will used? This will need more detail and may require state permitting.

The Site Plan has a "location for a large Solar PV array above the parking area". Is the applicant proposing to install solar car ports over the parking area? The application needs more information about the solar arrays to be used.

What other low-carbon or net zero building techniques will be employed? Will EV charging station be installed in the parking areas? Perhaps solar powered EV charging stations?

The 7 cabins along southeast part of site, bordering Parcel No. 138.00-11-4.1, while meeting setbacks are very close to neighboring property, It is recommended that the Town consider potential impacts to this neighbor with these 7 cabins so close to a neighboring property.

While there is handicapped parking provided are the ‘cabins’ handicap accessible?

While it is good to see the applicant proposing to use “100% native plantings... with a focus on pollinators” the Site Plan did not include a landscaping plan and planting schedule.

The applicant proposes to “bring back the historic paths to the creek that have been grown over so guests can more easily access and enjoy this natural amenity on site.” Additional detail on the trails/ paths to the creek should be included on the Site Plan.

There is a proposal to build a new building for a restaurant that will have a section that serves as front desk, hotel store and possibly small cafe to the hotel guests only. In addition to the restaurant there is proposal to house a small bar and potentially grilling and wood fired pizza oven facilities next to the pool. Is the information provided of sufficient detail to properly the review the siting and construction of two restaurant facilities on the site?

Site Plan drawings submitted are dated 1/13/22 but Parcel numbers 138.11-4-7, 138.11-4-9 are incorrect. The Site Plan has a marked off a 0.32± parcel where there is a wooden house that is to remain. This separate parcel no longer remains. It appears that a driveway will go through this part of the site directly near the wooded house that is to remain. If the house is separately owned or this parcel is separate from the rest of the site, as is depicted on the site plan, perhaps a road maintenance agreement should be in place. Otherwise the site plan should be corrected with current updated parcel information.

Greene County



Image Mate Online

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Parcel History Information

TAX ID (RIGHTKEY)	MUNICIPALITY	LOCATION	LOT SIZE
138.11-4-10	Catskill	863 & 875 ROUTE 238	16.3 acres

View parcel details in IMO

Notes

2/23/2021

SURVEY MAP FILED 2/5/2021
EASI-L 2021-14

9/14/2020

COMBINATION REQUEST 9/3/2020
DELETED 138.11-4-7 & 9

Sales Assessment

Sales Records

BOOK	PAGE	DATE ACQUIRED	LOT SIZE	NOTES	OWNERS
D2019	2448	10/28/2019	16.3 acres	None	ASTORIA MOTOR COURT LLC

While the FEAF recognizes the existence of federal wetlands on site and adjacent to the site, wetlands are not identified on site plan. A clear wetland buffer should be delineated.

Potential impacts to bat foraging should be consider and mitigated if necessary.

It is recommended that additional information as referenced above be acquired from the applicant for the Site Plan prior to its approval. Once these additional plan details are submitted feel free to resubmit the Site Plan to the County Planning Board for further review. If there are significant changes to the Site Plan following the Towns review, the Site Plan should be referred again to the County.

Motion to accept recommendation of 'Location Decision with Comment

Motion: Eva Atwood

Second: Kiley Thompson

Vote: Yes: 11 No: 0 Abstain: 0 Recuse 1

(One (1) member had to leave the meeting)

Motion Carries

22-7 Town of Windham GC Soil and Water Multi-use building

Description: Construction of multi-use building at intersection of Peck Rd and County Rte 56 (Big Hollow Road)

Location/Address: County Rte 56

Parcel ID: 97.00-3-37

Type of Referral: Site Plan

Referring Agency: Town of Windham Planning Board

Reason for Referral: ROW CR56

Acreage: 12.28

Zoning: No Zoning

Agricultural District: No

Date of Initial Submittal: 2.8.22

Date Referral Complete: 2.8.22

The proposed project includes the construction of a new mixed-use building located at Greene County Soil & Water Conservation District's (GCSWCD) Plant Material Center (PMC). The property is bounded by Peck Road to the west, County Route 56 to the south, Batavia Kill to the north and private property to the east. The Town of Windham does not currently have a zoning law or district boundaries regulating land use.

The PMC houses many different species of potted native Catskill Mountain trees and shrubs. The plant materials are maintained by GCSWCD staff and used in stream restoration and Catskill Streams Buffer Initiative projects.

To address current and anticipated needs for the PMC, the GCSWCD proposes to construct a new building used to store and maintain tools and equipment as well as provide office space for staff. The proposed mixed-use building is approximately ±4,800 sq. ft. consisting of a 3-bay maintenance garage (±2,800 sq. ft.) and attached office space (±2,000 sq. ft.). The 3-bay garage is intended to provide storage for vehicles, equipment, tools and provide space for routine maintenance.

The office space will consist of two (2) offices, which includes a shared office for PMC staff and relocation of the Schoharie Watershed Program office. In addition, the office space will include a conference room, breakroom, mechanical room and bathroom facilities for the full-time staff and seasonal interns. The proposed building will contain a projected four (4) full-time staff and one (1) seasonal staff. It is anticipated that up to ten (10) additional visitors may be present during peak use.

In addition to the building, hoop houses are proposed to the west of the new building and within the deer exclusion fence. The hoop houses will stock approximately 6,000 potted tree seedlings. It is anticipated that four (4) hoop houses will be needed for the proposed number of seedlings.

Access Drive & Parking

The proposed building will be accessed by a new drive located off Big Hollow Road (County Route 56) and a parking area of sufficient size to accommodate truck with trailer and fire apparatus maneuvers and staff parking (8

spaces). It is anticipated the access drive and parking will consist of asphalt pavement. Conveyance swales will be graded adjacent to the access drive to collect and convey stormwater runoff to designated stormwater management areas.

It is anticipated the building heating system will be propane gas.

Recommendation: Local Decision with Comment

Lighting

One (1) motion-detected wall mounted light is proposed above the main access door to the building. No other site lighting is proposed. Is that sufficient lighting?

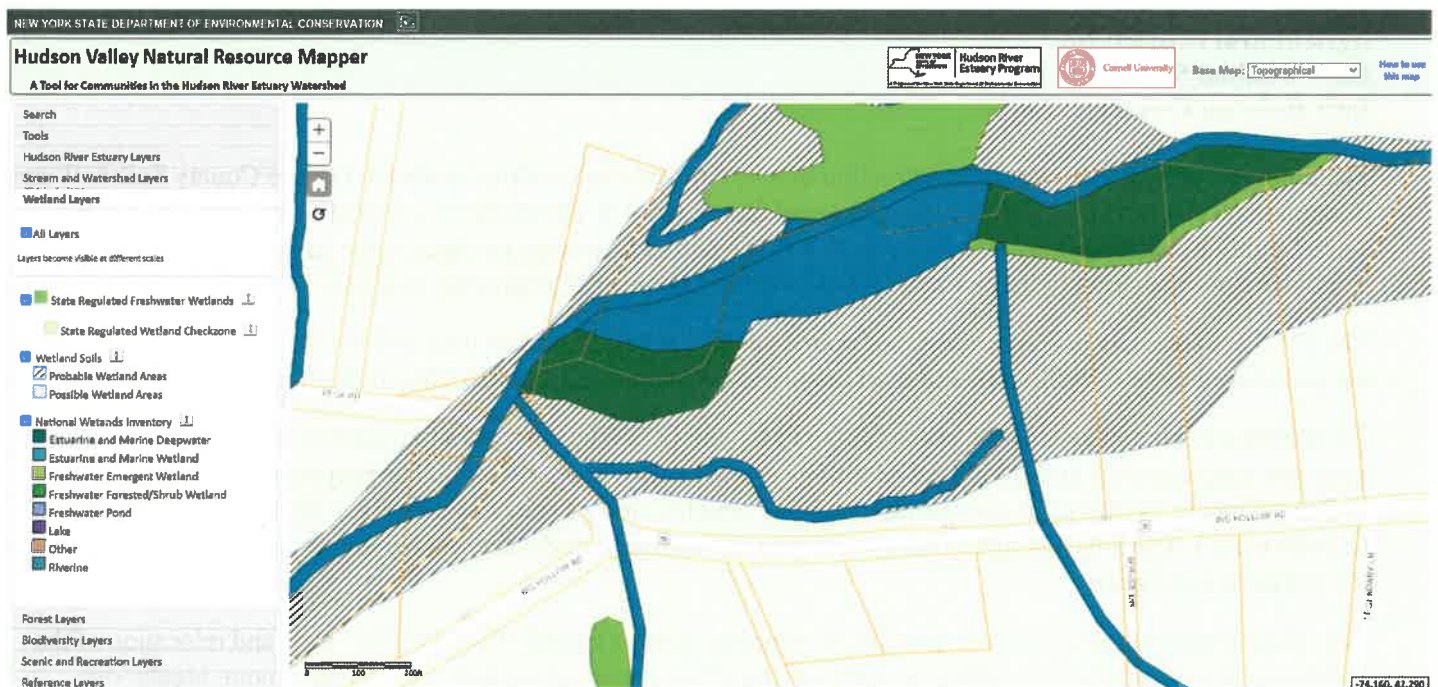
Landscaping

It is recommended that a general landscape plan and planting schedule be submitted depicting any necessary screening of hoop houses; screening from neighbors. Native plantings encouraged.

Natural Resources

Site is largely in riparian buffer of Batavia Kill.

While no work is proposed within or near the any state or federal regulated wetlands, probable wetlands across the site. See Hudson Valley Natural Resource Mapper: <https://gisservices.dec.ny.gov/gis/hvnm/>



The site is also a Significant Biodiversity Area of the Hudson Valley for rare animal species as well as cold water habitat. This should be considered in site preparation and use.

See Hudson Valley Natural Resource Mapper <https://gisservices.dec.ny.gov/gis/hvnm/>

Design Considerations

It is good to see that the old barn will remain. It is recommended that the construction of this multi-use building be consistent architecturally and aesthetically with existing site buildings.

Pavement Materials

Asphalt pavement is proposed for the access drive and parking lot. It is recommended that a pervious material be considered for use in the drive and parking area,

Energy

The proposed heat source is propane gas. It is recommended that the use of renewable forms of energy be considered for the site, such as solar for both electricity and hot water. It is also recommended that energy efficiency elements be considered and incorporated in design and construction of the building to make it as energy efficient as possible.

Motion to accept recommendation of 'Location Decision with Comment

Motion: Tony Paluch

Second: Lee McGunnigle

Vote: Yes: 11 No: 0 Abstain: 0 Recuse 1

(One (1) member had to leave the meeting)

Motion Carries

Next Meeting: March 16, 2022 6:30PM

Motion to Adjourn Time 7:24PM

Motion: Jim Dymond

Second: Cindy LaPierre

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