

Sept 3, 2020

**TOWN OF WINDHAM
PLANNING BOARD
371 State Route 296
P.O. Box 96
Windham, NY 12439**

Date: September 3, 2020

Open Meeting:

The Planning Board Meeting was opened by Acting Chairperson Poelker with the Pledge of Allegiance to the Flag at 7:00 PM.

Present: Acting Chairperson – Tom Poelker
Members – Claudia Lane, Lisa Jaeger
2 Absent
1 Vacancy
Recording Secretary – Janine Soule

Absent: Chairperson Dave Weiman, Member Ed Shanley

Also Present: Martin Schmidt Kaaterskill Associates, Chris Ahrens

Acting Chairperson Poelker appoints Recording Secretary Janine Soule as an Alternate Member to fill quorum.

Minutes from August 6, 2020: The Minutes from August 6, 2020 were presented to the Board. On a motion by Member Jaeger, 2nd by Acting Chairperson Poelker, 4 in favor, 2 absent, 1 vacancy the minutes were approved as presented.

Minutes from August 20, 2020: The Minutes from August 20, 2020 were presented to the Board. There was not a quorum to approve the minutes.

Reconvened Public Hearing Site Plan Review: # 04 Joseph Catalanotto Tax Map # 95.00-1-46.112, Panarama Lane 1.3 +/- acres. Proposed new single-family residence. Martin Schmidt of Kaaterskill Associates is here. There is no one else from the Public. There are no new updates. Darren is still work with the Town Board and John Brust from Delaware Engineering for the sewer connection. Member Jaeger makes a motion to extend the Public Hearing until September 17, 2020, 2nd by Member Lane, 4 in favor, 2 absent, 1 vacancy.

Reconvened Site Plan Review Application # 09, Windham Mountain Homeowners Association: Tax Map # 95.06-2-99 proposed dumpster building plan for Windham Mountain Village. Martin Schmidt is here for Mike Bliss. Martin explains to Member Lane, who was out on the August 20, 2020 meeting, what they are looking to do. Member Lane makes a motion to close the Site Plan Review Application, 2nd by Member Jaeger, 4 in favor, 2 absent, 1 vacancy. Acting Chairperson Poelker reads and answers the question from the SEAF Form Part 2 Impact Assessment and Part 3 Determination of significance. Acting Chairperson Poelker makes a

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motion to Neg Dec (Negative Declaration of Impact) this project, 2nd by Member Jaeger, 4 in favor, 2 absent, 1 vacancy.

Major Subdivision Application # 07 William & Nancy Woods: Tax Map # 61.00-2-48, Martin Schmidt is here.

Acting Chairperson Poelker asks if the Board has received the coordinated review letters. Martin gives the Board a letter from DEP for the file. Member Jaeger wants to clarify that this is a major not a minor subdivision. She states that a short form was done and thinks that a long form should have been done. Martin states he will have check the regulations, it varies in every town but he is not worried about doing a long form because there is really no impact. He will have the long form completed for the next meeting. Acting Chairperson Poelker asks Martin what he is looking to do tonight. Martin explains that he would like to set up a Public Hearing for the next Planning Board meeting. Also at the last meeting, Chairperson Weiman and Martin had discussed doing the Site Plans concurrently. Martin states that they discussed this and decided not to do it because those approvals only last for a year and they would only have to come back for re-approval. They also do not have building designs, so it makes more sense that those lots come in when they are sold. Acting Chairperson Poelker asks if that is on the smaller lots and Martin states that it is. Martin asks about the notes on the map, he wants to make sure everyone was good with wording for that, as to what the Board would want. Acting Chairperson Poelker says, upon the sale of the lot to an end buyer, they must obtain a Site Plan Application prior to construction and Site Plan approval for final design. Martin says so they must obtain Site Plan approval from the Town of Windham Planning Board prior to construction. Martin also mentions that they do have to move one driveway but their draftsman has been out so prior to the next meeting they will have this driveway moved. Acting Chairperson Poelker – making the notations and we have the information on the wetlands and it is on the maps. The letters are in the file and the notations for the lots that are smaller than 2 acres, we can set up a Public Hearing. Acting Chairperson Poelker also states it is suggested that, if time allows, to send down a 239 review before a Public Hearing. That is kind of the new way the County wants to see things. Martin says this has already been signed he thought. Acting Chairperson Poelker states that the County wants public input. Member Jaeger does not see anything about needing a 239 and Acting Chairperson Poelker states that it is on a County Road – Mitchell Hollow. Anything on a County or State road has to go to 239 review. Martin comments they are not reviewing all the comments from the Public Hearing that is held here. Acting Chairperson Poelker – just knowing that it has been done, and then they kick it back for local review. Martin states that he will have to look into that, because he understanding is that this already went down for a 239 review. Member Jaeger does not think so. Martin knows that it was discussed, and Acting Chairperson Poelker says no he was at the last meeting. Member Jaeger says there was nothing in our Meeting Minutes. Recording Secretary states there was a question on the HOA or Road agreement which Martin said that Larry Gardner was working on that. Martin at that time had asked for a Public Hearing which Chairperson Weiman stated not until after we get the coordinated review letters back. Martin replies he would have thought that this went out to the County prior to that meeting, the meeting before that, which would have probably been the Sketch Plan meeting we had. Acting Chairperson Poelker says they have to look at it after we have done what we have recommended. What is here and what has transpired and things that have come in from informed public that nobody knows about until the person next door comes in and says there is an issue. Martin understands and he is not saying that the Acting Chairperson is wrong, he is

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just saying that is not the way they have been doing it for however many years until today. Every project that Martin brings in front of Boards, first meeting they talk about how it needs to go down for a 239 review and they get that down to the County as quickly as possible so that we can get their comments so that during this entire process their comments can be talked about. He does not hear from them, the Planning Board hears from them and then they make any revisions that they might request or suggest. So now, we are going to wait until after there has been Public comment when we are ready to close the Public Hearing, do a SEQR Neg Dec then we are going to have comments from the County, why would we not get them on board as soon as possible. Member Jaeger says no, the Board is going to do that now. They are going to put together a package and send it down now because that was not brought up. Martin – they may have actually put this package together because they have been doing that a lot lately. Anything that they submit, like they did the lead agency, they give copies of that to the Board. He will check the files, they may have submitted it. Martin says that Darrin did the initial meeting for this project and Martin knows the first thing Darrin talks about is Lead Agency and 239 review. Acting Chairperson Poelker – the question is short form or long form. Member Jaeger does not think they should hold up, they should open up the Public Hearing. Martin says that he can have a long form done. Member Jaeger ask if there is any delay in opening a Public Hearing. Acting Chairperson Poelker – no. Member Lane purposes the Board set a Public Hearing, 2nd by Acting Chairperson Poelker, 4 in favor, 2 absent, 1 vacancy the Public Hearing is set for September 17, 2020 at 7:05 PM. Green and Whites will need to be turned in as well.

Minor Subdivision Application # 08 Christopher Ahrens: 4607 State Route 23 Tax Map # 96.00-3-42.

Christopher wants to subdivide 18 acres into 2 – 9 acre lots. Member Jaeger asks where is the new lot line going to be. Christopher states that it will be on the Western Boundary. Member Jaeger – does it have access to Pelham Road? Christopher – no. Member Jaeger – our challenge is that we have to subdivide a lot to make sure it is buildable. The Board will need a copy of the deed and Christopher will need to get a surveyor to do the lot line so the Board will know exactly where the new lines will be. Acting Chairperson Poelker makes a motion that they accept this as a sketch plan, 2nd by Member Lane, 4 in favor, 2 absent, 1 vacancy the motion passes.

Adjournment: On a motion by Member Lane, 2nd by Member Jaeger, 4 in favor, 2 absent, 1 vacancy the meeting was adjourned at 8:10 PM.

Respectfully submitted,

Janine Soule

Planning Board Secretary