

**VILLAGE OF COXSACKIE
PLANNING BOARD MINUTES
May 18, 2023**

Chairman Robert Van Valkenburg, Jr. called the Planning Board Meeting to order at 6:00 p.m. Present were Planning Board Members: Jarrett Lane, Patricia Maxwell, and Deidre Meier.

A motion to approve the minutes from the March 16, 2023 Planning Board Meeting was made by Patricia Maxwell and seconded by Deidre Meier. Chairman Van Valkenburg, Jr. voted yes. Patricia Maxwell voted yes. Deidre Meier voted yes. Jarrett Lane abstained. The motion carried.

Public Hearing

Chairman Van Valkenburg, Jr called the Public Hearing to order at 6:00 p.m. for the review of the Lot Line Adjustment application received from Claudia Braymer, of Braymer Law, acting on behalf of Karen Gunderson, regarding 38 South River Street.

Chairman Van Valkenburg, Jr. stated that this project is classified as a Type II Unlisted Action for SEQR purposes.

Chairman Van Valkenburg, Jr. stated that the Planning Board needed to read the SEAF Part 2 questions aloud pertaining to the Lot Line Adjustment for Karen Gunderson, for 38 South River Street. The Board responded with the answers which declared that there were no significant adverse environmental impacts.

Chairman Van Valkenburg, Jr. read the Negative Declaration aloud which stated the reasons for supporting the determination.

Patricia Maxwell asked Ms. Gunderson if it is still her intention to make a parking area in the acquired area.

Karen Gunderson stated that she is intending to make a parking area.

Chairman Van Valkenburg, Jr. stated that with that property, Ms. Gunderson will obviously have to comply with the impervious surface calculations. So, any sort of paving or anything being done, will involve talking to Code Enforcement to make sure that it meets the Code requirements for Village Center. That's just something to keep in mind. There is a 5-foot setback for structures in that area. If it's a building, it can be built to the property line, but any accessory structure has a 5-foot setback in Village Center.

Claudia Braymer, of Braymer Law, stated that they have talked to the Mayor, but they will be sure to talk to the Code Enforcement Officer to make sure that they are complying with those rules.

Chairman Van Valkenburg, Jr. stated that he just wanted to make them aware, but he doesn't think that a driveway is affected by that setback requirements. He thinks that it is just for accessory structures.

Karen Gunderson stated that she is interested in possibly putting up a fence.

Chairman Van Valkenburg, Jr. stated that fences are allowed.

Karen Gunderson asked if she would go before the Historic Preservation Commission or the Planning Board regarding the fence.

Chairman Van Valkenburg, Jr. stated that the Planning Board doesn't have any regulations over fences. He said that Ms. Gunderson would have to go to either the Code Enforcement Officer, or the Historic Preservation Commission.

Patricia Maxwell stated that Ms. Gunderson would have to go to the Historic Preservation Commission.

Karen Gunderson stated that she will be moving the gas pipe that is outside, into the basement. She asked who she should see if she wanted to build a second-floor balcony.

Jarrett Lane stated that Ms. Gunderson should go before the Historic Preservation Commission.

Chairman Van Valkenburg, Jr. stated that Ms. Gunderson would need a Building Permit from Code Enforcement, but he doesn't think it would need any Planning Board review. Anything that does, should first go through Code Enforcement anyway.

Karen Gunderson asked if Mike Ragaini is still the Code Enforcement Officer.

Chairman Van Valkenburg, Jr. stated that Mr. Ragaini is the Code Enforcement Officer.

No further public comments were offered.

A motion to adjourn the Public Hearing and return to the regular meeting at 6:13 p.m. was made by Deidre Meier and seconded by Jarrett Lane. Chairman Van Valkenburg, Jr. voted yes. Jarrett Lane voted yes. Patricia Maxwell voted yes. Deidre Meier voted yes. The motion carried.

New Business

1. **38 South River Street** - A motion to approve the Lot Line Adjustment application submitted by Claudia Braymer, of Braymer Law, acting on behalf of Karen Gunderson, at 38 South River Street was made by Patricia Maxwell and seconded by Jarrett Lane. Chairman Van Valkenburg, Jr. voted yes. Jarrett Lane voted yes. Patricia Maxwell voted yes. Deidre Meier voted yes. The motion carried.

Chairman Van Valkenburg, Jr. stated that it is the client's responsibility to file the mylar, and 2 full size paper copies, with the County once they are stamped and signed.

2. **35 Kings Road** - Chairman Van Valkenburg, Jr. stated that the Planning Board needs to review the Lot Line Adjustment application received from Scott Sitcer, regarding 35 Kings Road.

Richard Sitcer stated that he recently purchased a house at 39 Kings Road, to the right of his brother, Scott Sitcer. Scott Sitcer's property runs at a 22-degree angle with the house that he purchased. He is looking to give Scott Sitcer 8 feet out on Kings Road, and squaring his brother's property up. It will give Scott Sitcer 34 feet in the back, making the 35 Kings Road lot larger.

Patricia Maxwell asked if by adjusting the property line, it makes Richard Sitcer's property a non-conforming lot.

Richard Sitcer stated that it does not.

Chairman Van Valkenburg, Jr. stated that the Board can certainly check on the Zoning.

Deidre Meier stated that the property is zoned Medium Density Residential-2.

Chairman Van Valkenburg, Jr. stated that the property would meet all of the dimensional and setback criteria after the Lot Line Adjustment.

Chairman Van Valkenburg, Jr. stated that per Village Code, Lot Line Adjustments are treated the same as Minor Subdivisions. The first thing to do is to determine whether this would be classified as a "Minor" or "Major" Subdivision. Because it is not creating 4 or more parcels, he believed that the Board could confidently classify this as a "Minor" Subdivision.

A motion to classify the Lot Line Adjustment for 35 Kings Road as a Minor Subdivision was

made by Deidre Meier and seconded by Jarrett Lane. Chairman Van Valkenburg, Jr. voted yes. Jarrett Lane voted yes. Patricia Maxwell voted yes. Deidre Meier voted yes. The motion carried.

Chairman Van Valkenburg, Jr. stated that the next step is to make a SEQR classification for this Lot Line Adjustment. He stated that this would be considered a Type II Action for SEQR purposes. Any sort of Lot Line Adjustment seems to be listed as a Type II Action. This means that a SEAF is needed. The applicant did fill out a SEAF Part 1 and supplied it as part of their application.

A motion to classify the Lot Line Adjustment application received from Scott Sitcer, regarding 35 Kings Road, as a Type II SEQR Action was made by Patricia Maxwell and seconded by Jarrett Lane. Chairman Van Valkenburg, Jr. voted yes. Jarrett Lane voted yes. Patricia Maxwell voted yes. Deidre Meier voted yes. The motion carried.

Chairman Van Valkenburg, Jr. stated that Mr. Sitcer's sketch plan does look adequate. It looked like it has everything that the Board needs.

Chairman Van Valkenburg, Jr. stated that the Planning Board needed to read the SEAF Part 2 questions aloud pertaining to the Lot Line Adjustment for Scott Sitcer, for 35 Kings Road. The Board responded with the answers which declared that there were no significant adverse environmental impacts.

Chairman Van Valkenburg, Jr. read the Negative Declaration aloud which stated the reasons for supporting the determination.

Chairman Van Valkenburg, Jr. stated that the next step will be to schedule a Public Hearing. As for the legal notices, the Village will provide the notice to the newspaper, and the applicant is responsible for notifying all property owners within 500 feet. If they need any help with populating a list, they can reach out to the Village Clerk. The Clerk can also supply them with a form for a neighborhood notification letter that can be used for the Public Hearing Notice. The mailing needs to be certified/return receipt, and they need to furnish the receipts to the Board at the Public Hearing. The letters need to be received at least 10 days prior to the Public Hearing date. The application fee is \$50.00 for the application, and \$250.00 for the Public Hearing. That will be due prior to the next meeting.

A motion to approve accepting the Lot Line Adjustment application received from Scott Sitcer, regarding 35 Kings Road, as complete, for the purposes of scheduling the Public Hearing for the month of June, was made by Jarrett Lane and seconded by Patricia Maxwell. Chairman Van Valkenburg, Jr. voted yes. Jarrett Lane voted yes. Patricia Maxwell voted yes. Deidre Meier voted yes. The motion carried.

Chairman Van Valkenburg, Jr. stated that the Public Hearing will be scheduled for June 15, 2023 at 6:00 p.m.

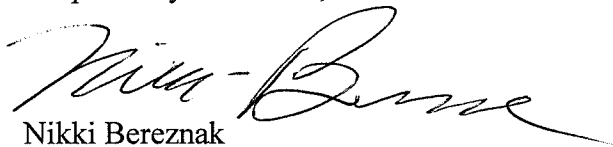
Public Comment Period

No public comments were offered.

A motion to adjourn the Planning Board meeting was made by Deidre Meier and seconded by Jarrett Lane. Chairman Van Valkenburg, Jr. voted yes. Jarrett Lane voted yes. Patricia Maxwell voted yes. Deidre Meier voted yes. The motion carried.

The meeting was adjourned at 6:35 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Nikki Berezna".

Nikki Berezna
Clerk