

**COPAKE PLANNING BOARD  
AGENDA MEETING MINUTES  
April 3, 2008**

The Agenda Meeting of the Copake Planning Board was called to order at 4 pm by Marcia Becker, Chair. Also present were Jon Urban, Lawrence Howard, Esq., Planning Board Counsel, and Paulette Bonanno, Administrative Assistant. Chris Grant and Grey Davis were excused. The purpose of the meeting was to review the agenda for the regular Planning Board meeting scheduled for that evening.

The attached agenda was reviewed by the Board.

In addition, at the request of the Board, Attorney Howard provided the following clarification of Town and State code as well as Planning Board procedures:

- Fiscal Responsibility for fees, escrows and bonds remains with the Town Budget Officers. The CPB duties in these matters are considered administrative.
- An applicant who has established an escrow account can always dispute a bill even after it has been paid.
- The idea for a Planning Board Treasurer was raised by an audience member, Diana Wilson.
- The Chair can hold special meetings of the Planning Board with Board consensus and three days notice; a notice must be posted at the Town Hall. A quorum is required for the special meeting.
- When the Board convenes to executive session, it must report on action taken when it reconvenes to the public meeting,
- The Board can always ask to see deeds. It does not impose any hardship on the applicant.
- Public hearings for site plan review are at the Board's discretion. If an application is denied by the Board, the applicant must have had a public hearing. It was noted that a public hearing would have to be held for the John Baring house at the May meeting.
- Where a County or State referral is involved, at least two Board meetings would be needed to complete the Board's action. Therefore a public hearing will not cause additional delay. NYS Law (Sect. 274-a) states, "In the event a public hearing is required by ordinance or local law adopted by the town board, the authorized board shall conduct a public hearing within sixty-two days from the day an application is received on any matter referred to it under this section." His advice is that while not required by Copake code, it is best to do one.

- Boundary Line Adjustments/Lot Mergers:
  - The Town could adopt a simple local law creating policy that regulates the level of procedure involved.
  - If an area is less than a legal lot, a single meeting of the Board would be adequate procedure.
  - The Board may wish to review merger of properties that are the size of a legal lot or greater since movement of properties could be involved, and the Town would want to be apprised of such movement. This should be treated as a subdivision, and a survey should be required.
  - The Board reviews boundary line adjustments because it is concerned that illegal lots are being created.
  
- Re changing camp sites to mobile home parks, mobile home parks are only allowed in the R zone. They are considered commercial usage. The parks are not subdivided land. The Town should be concerned with the health, safety and welfare of the park. Evaluation should be based on density issues—for example, if permitted, then the Town would have the discretion of determine that the requirements of the code have been adequately met. It should compare to existing underlying zoning and setbacks.
  
- Discretionary Board was defined as one that makes recommendations to a Board with authority to make decisions—an example given is an environmental committee.
  
- Site Plan Review and Subdivision Approval can be undertaken at the same time as an integration of procedure. If site plan review is involved with a subdivision application or if special permits are required, then this coordination is needed. The requirements for site plan review for a subdivision are the same requirements for an individual lot's site plan review; therefore, the review would not have to be done again when the building permit is requested. The building inspector and the assessor should be notified of the approval.
  
- The ZBA approves area variances and does not interpret maps; it is not better qualified than the Planning Board to interpret maps. No variance is needed for a boundary line adjustment unless undersized lots are being created. Mr. Howard promised a legal opinion letter on this latter point.

The meeting was adjourned at 5:30 pm.

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Marcia Becker, Chair

Agenda  
Copake Planning Board  
April 3, 2008

- I. Zoning Board of Appeals Referrals – Stosh Gansowski/Mac Simms
- II. Public Hearings – none
- III. Subdivisions/Site Plans
  - a) Copake Lake Golf, LLC – Jon Urban - BLA (2007-22)
  - b) Copake Lake Golf, LLC – Jon Urban - SPR (2007-23)
  - c) CJL Realty, LLC - Empire Road – (2006-5)
  - d) Catamount Development – SPR – escrow - Dale Salsman (2003-01)
  - e) Birch Hill Partners, LLC – Birch Hill Road (2006-33)
  - f) Lilley, Tammie and Michael J.- Taconic Shores - BLA (2008-06)
  - g) John Baring (2008-05) – motion to accept preliminary sketch plan
  - h) COARC – Route 7 - Revisions (2007-16)
  - i) Julie Cohen – Minor Subdiv. (200-8-07)
  - j) Paulette Bonanno - 1212 County Route 27A – SPR (2007-34)
- IV. Subdivision/Site Plan Carryover
  - a) Housing Resources of Columbia County, Inc. (2005-18)
  - b) Catmast Development Corp. – Birch Hill Road (2006-36)
  - c) 13 Lackawanna Properties LLC – Route 22 (2007-02)
  - d) Cohen – Farm Road (2007-11)
  - e) Tilly Hill, Inc.(Costa) - Overlook Road (2008-02)
- V. Administrative
  - a) Wall hangings
  - b) Planning Board Interviews – John Bruise and Steve Savarese
- VI. Approval of Minutes with changes:
  - Page 2 – Baring (2008-05) – delete italics.
- VII. Adjournment