

**VILLAGE OF COXSACKIE
PLANNING BOARD MINUTES
March 20, 2025**

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

A motion to approve the minutes from the February 20, 2025 Planning Board Meeting was made by Patricia Maxwell and seconded by Matthew Bennett. Chairman Van Valkenburg, Jr. voted yes. Matthew Bennett voted yes. Debra Jung voted yes. Patricia Maxwell voted yes. Jarrett Lane abstained. The motion carried.

New Business

1. Christine Rappleyea-67 Sutton Place – Chairman Van Valkenburg, Jr. stated that Christine Rappleyea requested to be present tonight, in order to have a discussion on zoning regulations for Solar Farms within the Village’s residential districts.

Christine Rappleyea stated that in researching the Village Code, she found that there is no regulations on zoning in residential districts. Other municipalities have “Alternative Energy Assistance” ordinances. Consideration could be given to implementing a permitting process and establishing guidelines for small scale residential use, while imposing further and more stringent standards for larger scale projects. Additionally, this could include varying developmental standards pertaining to on-site consumption projects, versus those for commercial gain. In essence, the passage of an ordinance would provide the necessary balance in any proposed large scale development installations, being aligned with preservation of the overall character of the community and protection of our natural resources. General provisions could include setbacks, design criteria, compliance with state codes, again, for smaller scale residential usage. Right now, there is the possibility of large scale panels being installed in people’s front yards, or bordering directly upon neighboring properties without setback requirements being enforced. Plus, consideration should be given to enacting further guidelines such as minimum lot size requirements, repair and maintenance standards, and abatement measures for larger scale development projects. Also, the Village may wish to consider identifying potential overlay zones in non-residential or mixed use zoning districts, which could further help people navigate the world of alternative energy, and could prohibit large scale utility operations in residential districts within village limits. Ms. Rappleyea asked if, according to the Village Code, solar is considered a public utility.

Chairman Van Valkenburg, Jr. stated that he does not believe that solar is referenced as a public

utility in the Village Code.

Ms. Rappleyea stated that in looking at the Greene County GIS map, she found quite a few larger parcels in the Village that were about 10+ acres, all lying within various zoning districts, including many which lie within residential districts. She feels that the Village should be proactive in making sure there is something in the Village Code regarding not permitting large scale “Alternative Energy” in residential zoning districts, and instead be restricted to non-residential areas. She said that given what has been happening with the area communities lately, it may be prudent to be proactive, versus reactive to avoid legal battles. She said that also in looking at the Village Zoning Code, under “Medium Density Residential-1”, there is reference to “Areas of the Village designated under this district are located in areas with adequate infrastructure for moderately dense residential development, including single-family detached, attached, and two family dwellings, as well as limited commercial and institutional uses”. She asked what “limited commercial and institutional uses” means.

Chairman Van Valkenburg, Jr. stated that he believes that “Limited Commercial and Institutional” means things like Bed and Breakfasts, Churches, etc. These would be allowed with a Special Use Permit.

Mary Beth Bianconi, of Delaware Engineering, stated that her engineering firm has written solar codes for other municipalities, so she is also familiar with how different municipalities address these things. She said that in the Village Code, it currently states that if the use is not listed, than it is not permitted. She knows that there is the solar farm on Route 9W that is connected directly into the power grid, and there is the smaller solar farm by the Cocksackie Transfer Station. So, there probably should be something in the Code to regulate solar.

Ms. Rappleyea stated that the piece of property that she is immediately concerned about is a 20 acre parcel located between Route 385 and Sutton Place, where 15 of the acres lie within the village. She asked if according to the Village Code, if rooftop solar panels that are seen around the community are not permitted than either, and if they had to obtain a building permit.

Mary Beth Bianconi stated that residents installing solar panels on roofs have been getting approval through the Building Permit process. However, Ms. Rappleyea is correct in that the Village Code does not address solar. The Village Board is responsible for adopting any changes to the Zoning Code. They should look into regulating free standing solar, especially in residential districts.

Ms. Rappleyea stated that a lot of communities are adopting local laws of this nature.

Bruce Rappleyea asked if properties could apply for a Special Use Permit.

Mary Beth Bianconi stated that they would have to apply for a Use Variance, which is a very strict process.

Chairman Van Valkenburg, Jr. stated that encourages Ms. Rappleyea to approach the Village Board with her concerns, so that they can discuss making changes to the Village Code.

Mary Beth Bianconi stated that she can have a conversation with the Village Board as well.

2. McQuade Building – Chairman Van Valkenburg, Jr. stated that the Board needs to review the amended Site Plan application received from Aaron Flach/Joan Tailleir for 2-6 Mansion Street.

Aaron Flach stated that instead of having 9 apartments, or Short Term Rentals, on the first and second floors, the new plan is to have the building be an Inn. He doesn't feel that the rentals would work out. Having a pub on the first floor is still in the plans, however.

Chairman Van Valkenburg, Jr. asked what the property is zoned as.

Mary Beth Bianconi stated that the property is zoned as "Village Center", which shows that an Inn is a permitted use. She said that Mr. Flach would need to request from the Village Board a Zoning Map Amendment, in order to move the Mixed Residential zoning to the end of Mr. Flach's property. This way, the Village Board goes through the State Environmental Quality Review (SEQR) process, holds a Public Hearing, and approves moving the zoning line. She asked if there is access to parking on neighboring property.

Mr. Flach stated that there is parking on 10 Mansion Street. He asked if he would have to do a Lot Line Adjustment, in order to include 10 Mansion Street for parking.

Mary Beth Bianconi stated that it would be considered a Minor Subdivision. However, that would mean that there would be two primary principal uses on one lot, instead of one primary principal use per lot, which is not allowed per Village Code.

Mr. Flach asked if he could approach Joan Tailleir about typing up a Shared Access Agreement instead.

Mary Beth Bianconi stated that if Mr. Flach and Ms. Tailleir were able to sign a Shared Access Agreement, that that would avoid any issues.

Mr. Flach stated that the back area of 10 Mansion Street provides for handicap parking as well. Generally, the people that live at 10 Mansion Street park on Betke Boulevard.

Mary Beth Bianconi stated that per the Village Code, there needs to be 1 parking space per unit. So, 9 spaces are needed for the units, plus spaces for the pub. She asked if the pub was going to be open to the public.

Aaron Flach stated that the pub would be open to the public on a limited basis.

Mary Beth Bianconi stated that per the Village Code, Mr. Flach would need a total of 17 parking spaces, and he has 18 available. So, that is good.

Aaron Flach stated that he feels having the building operate as an Inn, is a better use for a historic building.

Debra Jung asked Mr. Flach if it would require more employees to operate as an Inn.

Mr. Flach stated that he thinks it would only require a couple of people.

Chairman Van Valkenburg, Jr. stated that Mr. Flach and Ms. Tailleir having a shared driveway use agreement would do away with having to go through a Lot Line Adjustment.

Mary Beth Bianconi stated that Mr. Flach would still need a handicap parking space, but even by adding an additional space, he still meets the Village Code requirements. She asked Mr. Flach to add these details to the Site Plan.

Mr. Flach stated that he will let his engineer know to make any necessary changes to the Site Plan.

Mary Beth Bianconi stated that the Village Code mentions "Vinyl Slats" for a dumpster enclosure, but she would recommend doing something that looks nicer. She asked Mr. Flach about the planting schedule, and noted that the Site Plan shows the use of Arborvitaes.

Mr. Flach stated that there are existing hedges and a rose bush that he will be keeping. He is looking to keep landscaping to a minimum.

Mary Beth Bianconi stated that nothing needs "screening", other than the dumpster enclosure.

Patricia Maxwell stated that she agrees with keeping the landscaping to a minimum. Why go through the effort if it is not needed.

Mr. Flach stated that he has fixed drainage issues. However, there are manholes for sewer that he

would like to seek a utility easement from the Village for, including a 36" culvert storm drain that connects to a drainage grate further up the hill, that often gets covered with leaves, etc.

Mary Beth Bianconi stated that this could be included in the ongoing work for Combined Sewer/Sanitary Sewer Overflows. Putting in landscaping per the Village Code states that it is to be used for "separating incompatible land uses, or zoning changes". So, there should be no issue with having minimal landscaping since this does not apply. She asked if Mr. Flach is still planning on having native grasses and stone pavers in front, as mentioned on the Site Plan.

Mr. Flach stated that that is correct. He is looking to keep it simple, and will keep the existing stone wall.

Chairman Van Valkenburg, Jr. stated that he agrees. There is no need for additional landscaping.

Patricia Maxwell stated that with the front porch being re-done, it will be more dramatic from the street view.

Mary Beth Bianconi stated that it seems like the path moving forward is for Mr. Flach to write a letter to the Village Board requesting a map amendment, to incorporate the entire parcel into the Village Center Zoning District. The Village Board will schedule a hearing for the May meeting, at the April Meeting. The Village Board will conduct SEQR, have the Public Hearing at the May meeting, and adopt the map amendment. Mr. Flach will update the SEQR to reflect the use as an Inn with pub. She stated that Mr. Flach will need to let his engineer know to change the "Town" to "Village" on the Site Plan as well. She asked Mr. Flach if he had any details about lighting.

Mr. Flach stated that he would have lights to shine up on the building, creating a soft glow.

Mary Beth Bianconi asked if there would be additional lighting for parking.

Mr. Flach stated that he will have a couple additional lights for parking.

Mary Beth Bianconi stated that this would need to be located on the Site Plan with detail. She asked Mr. Flach if he would have signage.

Mr. Flach stated that he would have an oval sign mounted on posts in the front yard. He will get specifications, but it will be small, in the front yard by the walkways.

Mary Beth Bianconi stated that moving forward, Mr. Flach will have to have the Site Plan updated to reflect the new use as an Inn, show handicapped parking space and entrance, clarify the dumpster enclosure fencing, add lighting to the plan and details, add sign and details to the

plan, and provide a Shared Use Agreement for the driveway and parking. Mr. Flach will have to file the Shared Use Parking Agreement with the County.

Chairman Van Valkenburg, Jr. stated that the Planning Board will table this project until after the Village Board approves the map amendment, to include the whole parcel into the “Village Center” zoning district.

Mary Beth Bianconi stated that assuming the SEQR and Site Plan updates are done and submitted in advance of the April Planning Board meeting, at the April Planning Board meeting, the application can be considered complete, SEQR done, and a hearing scheduled for the May Planning Board meeting. Assuming the Village Board adopts the map amendment at the May meeting, the Planning Board can then conduct the hearing at the May Planning Board meeting, and consider approving the site plan.

3. 13-17 Reed Street – Chairman Van Valkenburg, Jr. stated that the Board needs to review the Site Plan application received from Aaron Flach for 13-17 Reed Street.

Aaron Flach stated that he is looking to have 4 apartments on the second floor, and commercial space on the first floor.

Mary Beth Bianconi stated that this does not seem to meet the parking standard in the Village Code.

Chairman Van Valkenburg, Jr. stated that in the past, the Board has tried to stick with what is laid out in the Village Code when it comes to residential, versus when it is solely commercial, they have taken into consideration the availability of on street parking.

Mr. Flach stated that he has approached his neighbor regarding doing an agreement for a shared lot, but the neighbor was not in favor. He will get a Site Plan done showing specifics.

Mary Beth Bianconi stated that she will have to talk to the Village Board regarding parking downtown in a more universal way.

Chairman Van Valkenburg, Jr. stated that he wants to see downtown thrive, but not at the expense of residents that have to live and park down there.

Mary Beth Bianconi stated that it seems like the path moving forward is for Mr. Flach to create Site Plan to submit to the Planning Board. The Planning Board can consider a dimensional relief request for parking, to get as many spaces as possible. A Site Plan can be submitted to the Planning Board for the April meeting. The Planning Board can refer to the Zoning Board of

Appeals for a parking variance. Then, the Zoning Board of Appeals can schedule a meeting in April to accommodate.

4. Dolan Block – Chairman Van Valkenburg, Jr. stated that the Board needs to review amendments for a Site Plan application received from Aaron Flach for 22-34 South River Street.

Aaron Flach stated that in the original Site Plan approval, there were 20 parking spaces needed for 10 units, at a 2:1 ratio, and 13 spaces for the commercial spaces. He is looking to amend the Site Plan to 1 parking space per unit, or seek relief on the commercial side.

Chairman Van Valkenburg, Jr. asked if he understood correctly that the original amount of parking spaces needed was 33 spaces.

Mr. Flach stated that that is correct.

Mary Beth Bianconi stated that per the Village Code, she believes that the calculation for commercial space is 1 parking spot per every 250 square feet. She asked Mr. Flach how many square feet of commercial space there is in the building.

Mr. Flach stated that there is around 4,000-4,500 square feet.

Mary Beth Bianconi asked if the apartments are 1 bedroom apartments.

Mr. Flach stated that they will be 1 bedroom apartments, or studio apartments.

Chairman Van Valkenburg, Jr. stated that he thinks that Mr. Flach will have to seek a variance.

Patricia Maxwell asked if there was any way to expand the parking area.

Mr. Flach stated that if it was allowed, he still has “banked” parking available by the Wire Event Center.

Mary Beth Bianconi stated that this “banked” parking was to satisfy the requirements of the Wire Event Center approval.

Mr. Flach asked if he could dictate, as part of his rental terms with tenants, that they are to only receive one parking space per unit.

Mary Beth Bianconi stated that she does agree that for the commercial side of things, 1 space per 250 square feet of commercial space seems like overkill. This retail space will be small scale

retail. Maybe there is some sort of combination of things that can be done.

Debra Jung asked if there was a distinction between studio apartments vs. 1 bedroom apartments in terms of parking requirements.

Mary Beth Bianconi stated that she agrees. A studio apartment could be considered 1 person, while a 1 bedroom apartment could be more than 1 person. These could be looked at differently.

Chairman Van Valkenburg, Jr. stated that in the past, the Planning Board would refer these types of requests to the Zoning Board of Appeals for the purpose of resolving parking issues. However, the Village Board also needs to address parking requirements in the Village Code.

Patricia Maxwell stated that Mr. Flach could also put up signage between the Dolan Block addressing that parking is for residents only.

Mr. Flach stated that signage of that nature is already addressed in the Site Plan.

Mary Beth Bianconi stated that it seems like the path moving forward is for the Planning Board to refer the plan to the Zoning Board of Appeals to consider the parking requirements. There are 33 spaces present, with 20 currently dedicated to 10 apartments, and the balance of 13 at 1 per 250 square feet of retail space, plus employee space. Now, with Mr. Flach's new plan, there are 20 x 600 square foot apartments, and the Village Code requires 2 spaces per apartment, plus the retail space. There are not enough spaces. The Zoning Board of Appeals will have to consider the size of the apartments, and less than 2 cars per apartment, and/or actual retail parking space needs. The Zoning Board of Appeals will have to schedule a meeting in April to accommodate both the Dolan Block and Reed Street projects.

Chairman Van Valkenburg, Jr. stated that he wants to keep it consistent in terms of how the Planning Board has been handling these requests.

A motion to refer the Site Plan Amendment application received from Aaron Flach for the Dolan Block property, located at 22-34 South River Street, to the Zoning Board of Appeals for an Area Variance for parking was made by Matthew Bennett and seconded by Patricia Maxwell. Chairman Van Valkenburg, Jr. voted yes. Matthew Bennett voted yes. Debra Jung voted yes. Jarrett Lane voted yes. Patricia Maxwell voted yes. The motion carried.

Mr. Flach asked Ms. Bianconi how other municipalities address parking in their codes, in her experience.

Mary Beth Bianconi stated that a lot of municipalities address parking based on performance,

rather than using set numbers/ratios. This means that parking is based on a number of parking standards that can be taken into consideration. She said that when Mr. Flach goes before the Zoning Board of Appeals, he can seek relief on dimensional standards, similar to other recent applicants in the downtown area.

Chairman Van Valkenburg, Jr. stated that he would like to remind the Planning Board members that they need to complete a yearly training requirement of 4 hours. He has received information on an upcoming training, and he will share the information with the Board via email.

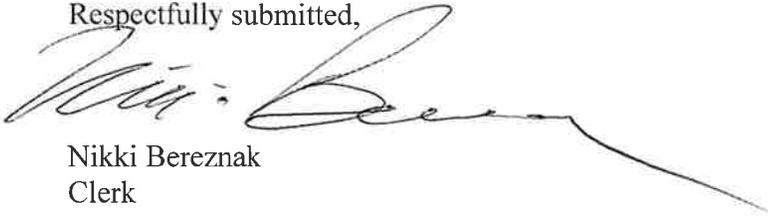
Public Comment Period

No public comments were offered.

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

The meeting was adjourned at 7:30 p.m.

Respectfully submitted,



Nikki Berezna
Clerk