

**VILLAGE OF COXSACKIE
PLANNING BOARD MINUTES
June 18, 2026**

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 May 21, 2026 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.

New Business

1. 49-51 Mansion Street- Chairman Van Valkenburg, Jr. stated that the Board's review of the Minor Subdivision application received from Colleen VanCuren & Mary Matousek, of 49-51 Mansion Street, LLC has been tabled. The applicant is awaiting a survey to be completed.

2. Battery Energy Storage Systems (BESS) Prohibition- Chairman Van Valkenburg, Jr. stated that the Board needs to review a referral from the Village Board for a proposed Local Law prohibiting Battery Energy Storage Systems within the Village Zoning districts.

Robert Stout, Village Attorney, stated that the Village Board had expressed a concern relative to the potential in the future for Utility Scale Battery Energy Storage Systems (BESS) to be located in the village. There is no suggestion that there is any system that would be imminently placed in the village, or anything planned for in the village. Rather, this is just to be looked at as a protective measure for the future. The Village Board held a Public Hearing on this zoning change, which would prohibit BESS, and adds consistent definitions in order to effectuate that. Pursuant to Chapter 155-101 of the Zoning Code, anything that serves or constitutes an amendment of the Zoning Code needs to be referred to the Planning Board initially for their review, comments, and report. So, this is the Planning Board's opportunity to do so. There is language in the Code which indicates that that report should be written. However, in his experience, it is perfectly appropriate for the Board to state any comments that they have as part of the public record during the meeting. Those comments could then be extracted from the minutes and provided to the Village Board. It is a rather informal process.

Chairman Van Valkenburg, Jr. stated that the Board has a copy of the proposed Local Law in front of them for review. He does not have any specific comments in relation to the proposed BESS law.

Patricia Maxwell stated that she sees that it clearly states that it is for large utilities, and not for private residents.

Rob Stout stated that the proposed amendments to the use regulations indicate that the definitions in question are the Utility Scale Battery Energy Storage Systems, as opposed to your home wall units that you may have to replace a generator, or power your EV, or otherwise.

Chairman Van Valkenburg, Jr. stated that he certainly thinks that this is a wise step to take based on everything he has seen and heard about BESS. Especially for a small village like the Village of Coxsackie. He asked the Village Attorney if he understood correctly that the Planning Board does not need to vote on this matter, just to provide comments.

Rob Stout stated that that is correct. He stated that the Village Board Meeting is not until July 13, 2026, at which time the Village Board will be acting on this. If the Planning Board has not formulated their comments this evening, they can still email their comments to the Village Clerk prior to July 13th.

3. United Mobile Homes-Mountain View Estates Project- Chairman Van Valkenburg, Jr. stated that the Board needs to review Annexation/Zoning for UMH's Mountain View Estates Project. Present tonight is Jason Cook, from Colliers Engineering & Design, on behalf of UMH's Mountain View Estates project. He asked Mr. Cook if he wouldn't mind to give an overview of the proposed project.

Jason Cook, of Colliers Engineering & Design, stated that he will give a brief overview of the proposed project. What the applicant is proposing is 360 manufactured home lots, with landscaping, and driveways. There are two access points. One along Van Dyck Street, and one along River Road on the west side of the development. There are also other amenities proposed, including a club house, an access trail that goes around the entire development, as well as a few playgrounds and basketball courts. There will be 4 stormwater ponds scattered throughout the development, as well as electric, water, and sewer service. Water and sewer will be municipal service. The Village Board has reviewed their proposal, and issued a Findings Statement as part of the SEQR process, which was submitted along with this application. This highlights what other associated improvements would be needed in order to complete this project. That is kind of a very brief overview, but he would be happy to answer any questions as the process moves forward over the next couple of meetings.

Chairman Van Valkenburg, Jr. stated that UMH has a few steps that they need to complete before the Planning Board can really dig into their review. They will certainly start their review, and have the Village's technical professionals review and provide the Board with memos on their

recommendations. As far as questions at this point, he does not necessarily have any questions right now. It is sort of very early in the process. However, he thinks that the Board can talk about the proposed annexation at this point. He asked if the Village Attorney had any insight on the annexation that he would like to give an overview on.

Rob Stout stated that as part of the evolution of this project, it was determined by the applicant that a required certain land located in the Town of Cossackie needed to be added into the Village in order to complete the project. That frankly made sense for a lot of reasons. At full project build out, it makes sense that the project would be served by utility and services by one municipality, as opposed to two, keeping everything in the same taxing district, and service district, so that you didn't have multiple jurisdictions overlapping for one development project. So, for those reasons, and others, both the Village Board, and the Town Board of Cossackie, have signed off on, and approved the annexation of those lands into the Village. He is not sure if the Engineer that is present tonight has a Site Plan that shows precisely what land is going to go into the Village from the Town. One of the first steps of that process, after the annexation is complete, is to establish the Zoning District for the project. That's one of the things that the proposed Local Law does. It takes that land that was in the Town, and assigns the Medium Density Residential-3 (MDR-3) Zoning District to it. The surrounding lands in the Village are in MDR-3. One of the things he discussed with the applicant's attorney earlier today, as well as the applicant's technical professionals, is that there is a portion of the land that was in the Village prior to the annexation, along the prior border that was zoned Rural Residential/Agricultural (RRA). That portion of the land is being re-zoned from the RRA to MDR-3, in order to be consistent with the Zoning District in which the rest of the project sits. He is taking a look at the draft Local Law with the applicant's attorney and engineer, in order to make sure that this Local Law covers this land as well, so that to the extent that there is a re-zoning action, then there would be only one re-zoning action, and not multiple re-zoning actions.

Patricia Maxwell asked if that means that the Zoning Board will not have to waive, or change the Zoning, and it will be up to the Village Board.

Rob Stout stated that the project will still need multiple Area Variances following the changing of the Zone. The Zone change is not to accommodate every aspect of the project per se. It is just to align the Zoning with the adjacent Zoning Districts. Whatever Variances are contemplated for the applicant's project will still need to be reviewed before the Zoning Board of Appeals, even following the Zoning change.

Patricia Maxwell stated that she understands that. She was just clarifying that it is the Village Board that is responsible for changing the Zoning to MDR-3 from RRA, and not the Zoning Board.

Rob Stout stated that that is correct. It is a legislative function of the Village Board to do so. It is the job of this Board to provide any comments to the Village Board in the context of the Village Board following that process.

Chairman Van Valkenburg, Jr. stated that this is done through Local Law. Similar to the providing of comments for the BESS Local Law. The plans from UMH do clearly show the former Village and Town lines, and the area that is zoned RRA. That being said, he thinks that it makes a lot of sense to have this project all in one Zone. MDR-3, based on the Village's Zoning, would appear to be the appropriate Zoning District. He does not have any additional questions or comments at this time. He asked the Village Attorney if the same timeline for providing written comment as discussed for the proposed BESS Local Law applies to this proposed Local Law also.

Rob Stout stated that that is correct. He said that what Mr. Van Valkenburg, Jr. said is valid in terms of the proposed annexation making sense for the project to be located within the MDR-3 Zoning District. If there are any other comments beyond that, then they can be emailed to the Village Clerk any time before July 13th.

Chairman Van Valkenburg, Jr. stated that with that being said, if the Village Attorney wouldn't mind going over the steps that need to be completed before the Planning Board can really start acting on this project's application.

Rob Stout stated that both his firm, as well as Delaware Engineering, will be providing technical comment letters within the course of the next several weeks that will be developed. In terms of the necessary conditions precedent to this Board taking any action, the ZBA would have to act first in order to consider the Area Variances, as this Board cannot approve a Site Plan, if the Site Plan doesn't comply with the underlying dimensional requirements. That said, he thinks that similar to how this Board has handled other large projects, the Board can still advance the technical review of the project, while the ZBA matter is pending. As Delaware Engineering develops comment letters, and the applicant responds to those comment letters, it probably would be appropriate for them to come before this Board to present those answers to those questions, so that when the Village does get to the point where the ZBA has acted, the concerns of this Board hopefully will have been flushed out, and defined, so that this Board can act shortly after the ZBA does.

Chairman Van Valkenburg, Jr. stated that he agrees. He thinks that that is the Board's plan as well. They will certainly take their time in reviewing this, as the applicant moves through their process with the ZBA. Over the course of the next couple of months, he is sure that the Board will have additional questions, and comments needed from the applicant. He said that one question he has, which may be a little early, is on the phasing of this project. He asked what the

proposed phasing is.

Jason Cook stated that they are still finalizing that plan, but as of right now, they are looking at 4 phases of the project. However, there are a few off-site improvements that need to be as part of this project in order to complete the full build out. The first target is for 80 homes in the first phase. That would be near the Van Dyck Street entrance and club house. The remaining western portion would be broken up into 3 additional phases. The intent would be to line up those phases with the off-site improvements, such as pump stations, water main upgrades, sewer lines, and things like that.

Chairman Van Valkenburg, Jr. asked if infrastructure will be part of the phases. In other words, will infrastructure be in place first, and then the building out of the homes will be phased in, or will infrastructure be done separately for each phase.

Jason Cook stated that as of right now, they are looking at doing infrastructure separately at each phase. Things may change, but he knows that most infrastructure will run through the main road, and most likely be part of phase one. If something were to change in the future, then it is possible that some infrastructure would be part of future phases.

Chairman Van Valkenburg, Jr. asked if both entrances to the property be part of phase one.

Jason Cook stated that that is correct.

Patricia Maxwell asked if she understood correctly that primarily, the first phase would be surrounding the closest area to the Van Dyck Street entrance.

Jason Cook stated that that area, along with the club house, would be part of phase 1.

Patricia Maxwell asked if beyond that area, if nothing would be done until that first phase is completed and homes are sold.

Jason Cook stated that they would have construction of the road and the stormwater ponds done.

Chairman Van Valkenburg, Jr. asked if they had a build out percentage that they would like to hit before they begin phase 2, or would it be 100% build out before continuing to phase 2.

Jason Cook stated that he can check with the developers. He doesn't know off the top of his head.

Chairman Van Valkenburg, Jr. stated that he understands that these are very preliminary

questions.

Rob Stout stated that as this project moves forward, the Village and the applicant will develop a Developer's Agreement, as required and outlined as part of the Findings Statement. That document will spell out all of the obligations relative to each step of the project, so that they are secured in advance, and the road map going forward is clear.

Jarrett Lane stated that he would like to review the traffic study in the future.

Matthew Bennett asked what the lot sizes would be.

Jason Cook stated that he believes that they will be approximately 10,000 square feet.

Patricia Maxwell stated that she believes that they are less than 10,000 square feet, which is why Area Variances are required.

Chairman Van Valkenburg, Jr. stated that they will get into that as they move forward with the technical reviews.

Training

Chairman Van Valkenburg, Jr. stated that he has completed his yearly training requirement. He reminded the other Board Members that they need to complete their required 4 hours of yearly training.

Patricia Maxwell stated that she plans on attending upcoming in-person training in Hyde Park.

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 6:22 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Nikki Berezna', with a long, sweeping horizontal line extending to the right.

Nikki Berezna
Clerk