

Village of Schoharie Planning Board

November 20, 2024

Meeting Minutes

In Attendance:

Board members: Tom Hitter, Steve Babbitt, Tim Repicky, Russ Shaw, Dave Knoop

Board Consultants: Dave Brennan

Applicants: Schoharie Dental: Dr. Hazem Elbially, with Rob Stout, Chris Knox, Brian Messana

Public: Colleen Henry (Mayor)

The main objective for this meeting was to agree on the process pathway forward for Schoharie Dental's permit application to develop 218 Main St., the former Great American parcel on the east side of Main St., as well as a change of use for the present Schoharie Dental parcels at 229 and 235 on the west side of Main St. and then get the process underway. Schoharie Dental had submitted an application in early September requesting a PDA (Planned Development Area), with the expectation that the permitting process would be completed by late Winter, enabling construction to begin in early Spring 2025.

The chair called the meeting to order at 7:00. Russ made a motion to approve the draft meeting minutes from Sept. 17, which Tim seconded. No revisions or corrections were suggested, and we voted 5-0 in favor.

Schoharie Dental PDA for former Great American Parcel and Change-In-Use for the existing dental building

During the past 2 months, correspondence has centered on two key issues:

1. Should there be one all-inclusive application combining the east-of-Main St. new construction on the Great American lot with the west-of-Main St. minor construction changes with change-of-use for the existing Schoharie Dental parcels, or should they be separated into two separate applications?
2. Could Schoharie Dental's plan for the Great American lot, which combines a commercial (healthcare facility) use with a multi-family residential use (mixed use?) be accommodated by leaving the zoning classification as Commercial, instead of resorting to the PDA? The PDA route would enable this mix of uses to occur, but would require the Village Board, not the Planning Board, to spend a considerable amount of time defining the use details for this PDA from scratch.

The counselors, Rob Stout for Schoharie Dental and Dave Brennan for the Planning Board, provided their interpretations of the applicable sections of the village's Land Use Law, especially focused on whether a mixed use of several multi-family residential structures can be combined with a commercial structure (healthcare facility) under the Commercial zoning classification, rather than resorting to the PDA option. Questions arose pertaining to the standards in the LUL specifying minimum lot size, dwelling unit density, maximum structure height, and maximum number of stories (2.5 vs 3). The consensus became that the uses envisioned for the Great American lot could be achieved by leaving the zoning classification as Commercial, but supplemented with zoning variances for structure height (an 'area' variance for height) and dwelling unit density (also an 'area' variance).

After weighing the pros and cons, the parties agreed on the following pathway:

- The development of the eastside 218 Main St. (Great American) parcel will receive a separate application submittal from that of the westside 229/235 Main St. (existing Schoharie Dental) parcels, each requiring both Special Use Permit and Site Plan Review.
- The PDA option will be dropped, to be replaced by leaving the zoning as Commercial. The Schoharie Dental team will withdraw the PDA submittal and revise it to a Commercial zoning SUP/SPR application. Their priority is getting the

administrative review on the Great American parcel moving forward. Rob Stout will be coordinating the document changes for the Schoharie Dental team. The separate application for the present Schoharie Dental parcels can follow later.

- Schoharie Dental will submit variance requests for the Great American parcel to the village’s Zoning Board of Appeals pertaining to maximum building height and maximum dwelling unit density/minimum lot size.
- Lead Agency for SEQR Process: The Planning Board intends to be the lead agency for the SEQR determination, assuming this role from the Village Board because the PDA has been dropped and we are back in the familiar territory of the Special Use Permit with Site Plan Review that is a Planning Board duty.

Tim made a motion for a resolution:

“The Schoharie Village Planning Board intends to be the Lead Agency for the SEQR process pertaining to the development application submitted by Schoharie Dental for the parcel at 218 Main St, subject to receipt of a revised application within 1 week.”

The motion was seconded by Dave, and the vote was 5-0 in favor.

The Action will be classified as Type 1.

We composed a preliminary list of involved agencies that first must be notified that we will be the Lead Agency, then later on will need to be supplied with complete sets of the application packets for their review:

- NYS DOT
- NYS DEC
- Schoharie County Planning Commission
- Schoharie Fire Dept.?

Next, we began checking the application packet submitted in September for completeness by working through our Site Plan Review checklist. The drawings do not contain drainage facility details, and no elevations above sea level pertaining to the Base Flood Elevation (BFE) and Design Flood Elevation (DFE) in a flood insurance map flood plain. Chris Knox, the project manager from Crawford & Assoc. Engineering, stated this was intentional, and they desired the Planning Board’s Technical Engineer to review this set of site drawings and provide some feedback (comments) to help guide the design. That said, the Planning Board needs to enlist the services of a civil engineering firm to serve as our Technical consultant; Dave Brennan and Colleen Henry suggested Lamont Engineers (maybe Mike Harrington?)

A question arose about wetlands. There is a small creek that flows close to the parcel’s eastern boundary line but is entirely on the adjoining parcel. Chris Knox said it was not within a wetland buffer per the online EIS mapper, but no field delineation has been performed.

	Tasks	Assigned to
1	Revise Application Packet and resubmit	Rob Stout to coordinate
2	Activate Zoning Board of Appeals and Brief Them	Colleen H.
3	Hire a Technical Engineer	Dave B. & Tom
4	Notify Involved Agencies of Our Intent to be Lead Agency for SEQR	Dave B. & Tom
5	Dig through archives for the records of The Birches PDA documents, looking for details pertaining to lot size, dwelling unit density, and any measures taken to build in flood insurance map flood plain	Colleen H.? Planning board members Contact Dusty Putnam?
6	Suggest a value for the size of the Escrow account	Technical Engineer
7	Review site plan drawings and provide comments /feedback to the Crawford & Assoc. Engineers to guide remaining design details	Technical Engineer

As we wait for the above tasks to occur, the Planning Board could begin SEQR processing of the EAF Type 1 application now, so that will be an objective at our next meeting.

Initiative to Make Application Process and Forms Easier to Use

Russ sought guidance after demonstrating existing checklists, one focused on process steps, another on document content detail specifications. One corresponded closely with the text paragraphs in the LUL, but another one didn't. The much-photocopied checklist we have used is not the same as the checklist available to the public from the Documents webpage at the village's website.

The list he develops will list the items (documents) that comprise the submission packet, as specified in the LUL. If the applicant does not have a complete packet of documents, the Planning Board won't begin the permit review. Dave K. presented a good argument for having the first step in the permit application process be registration at the village clerk's office to schedule a pre-application consultation meeting with the Planning Board and Code Enforcement Officer, where they simply describe their vision to us, and we can then direct them to the appropriate permit application process and documents needed.

Future Meetings

To Be Determined, but action between Planning Board, Zoning Board, and Village Board will need to be coordinated to minimize delays.

Respectfully,

Steve Babbitt

APPROVED