



# **COPAKE PLANNING BOARD**

## **JULY 16, 2020**

### **MINUTES**

---

#### **DRAFT**

**Please note that all referenced attachments, comprising 14 pages, are on file with the Copake Town Clerk and in the Planning Board office. An annotated listing of those attachments appears at the end of this document.**

---

A Virtual ZOOM meeting of the Copake Planning Board was called to order at 7:00p.m. by Bob Haight, Chair. Also in virtual attendance were Chris Grant, Marcia Becker, Julie Cohen and Steve Savarese. Jon Urban and Ed Sawchuk were excused. Attorney Ken Dow was also in virtual attendance. Lisa DeConti was in attendance to record the Minutes.

#### **ZONING BOARD OF APPEALS – Referrals**

##### **2020-9                      ZBA REFERRAL – JAMES M. MCNAMEE, JR. – Cambridge Road [Copake]**

- Building Permit Application Denial dated June 15, 2020
- Request for Area Variance dated June 10, 2020
- Existing and Proposed Floor Plan
- Bargain and Sale Deed
- Pictures

Mr. Haight advised the Board that Mr. McNamee came to the Board wanting to build a house right after the new Zoning Code took effect. His plans did not conform to the new Zoning requirements and Mr. McNamee never returned. Ms. Cohen reviewed the submissions and noted that the current set-backs would not permit Mr. McNamee to build anything. Ms. Becker questioned whether the existing house had been demolished and was advised by Ms. Cohen that it had been. Ms. Becker also noted that the applicant is limited to what could be built there.

Ms. Becker and Mr. Grant felt that this is a ZBA decision. Mr. Haight and Ms. Cohen had no issue with what the applicant wishes to build. Mr. Grant questioned whether a new home could be built within the original footprint.

A letter will be written to the ZBA advising them that the Board had no issue with this application and felt the decision to rebuild is an issue the ZBA needs to address.

**2020-10            ZBA REFERRAL – HAROLD EHRLICH – Golf Course Road [Copake Lake]**

- Building Permit Application Denial dated June 16, 2020
- ZBA Application
- Tax Bills

Mr. Haight acknowledged that the applicant would like to tear down their existing house and add a new 4 bedroom house with an attached Garage. He noted that the applicant wishes to keep the distance to the lake the same. Mr. Grant noted that there are several variances that the applicant would need. Ms. Becker thought variances are to be given only where absolutely essential. Attorney Dow clarified that variance are strictly governed by State Law, State Law supercedes anything, and cannot be varied. He also noted that variances have not been a hardship issue for a long time.

Mr. Grant felt the Board should include in their recommendation that they strongly oppose building close to the lake as too many variance have been issued for this. Mr. Grant questioned whether there is a community septic for this. Ms. Cohen pointed out that the applicant is reducing the bedroom count from 5 bedrooms to a 4 bedrooms. Mr. Haight believed the applicant can keep the one-hundred foot (100') setback distance to the lake.

A letter will be written to the ZBA advising them that the Board feels strongly about granting variances that place structures and septic systems closer to the lake. In this instance they feel the one-hundred foot (100') setback to the lake and the one-hundred and fifty foot (150') setback for the septic can be adhered to. Mr. Grant noted that if it is not possible that the septic be placed 150' back from the lake the applicant should have to use a state of the art system to treat waste water. The Board was in agreement with this.

**2020-11            ZBA REFERRAL – ALAN CRAWLEY – Robin Road [Copake Lake]**

- Building Permit Application Denial dated June 12, 2020
- Request for Area Variance
- Letter of Agency Dated January 24, 2020

Mr. Haight explained that the applicant's existing house is located close to the property line on Ivy Street and they are proposing to construct an angled garage that will align with their existing driveway. Mr. Haight asked whether a site map was received with this. Ms. Becker acknowledged that there was none. The Board felt they could not make any recommendations on this application without a site map.

**PUBLIC HEARING**

**NONE**

## **SUBDIVISIONS/SITE PLANS**

### **2020-13      ZBA REFERRAL/SPR – CATAMOUNT SKI AREA (TRAIL) – State Route 23 [Copake]**

- Building Permit Application Denial dated February 26, 2020
- Request for Area Variance dated June 10, 2020
- Short Environmental Assessment Form (SEQRA) dated February 20, 2020
- Site Plan

Pat Prendergast appeared representing Catamount Ski Area. He requested share screening so he could present his application. Mr. Prendergast advised the Board that Catamount would like to create a new shallow trail to allow more novice skiers to go to the top of the mountain. He explained that it will be roughly seventeen hundred feet (1,700') long and sixty feet (60') wide and all that would be needed is to clear trees, grade the trail, smooth out the rocks and then seed and mulch it.

Mr. Prendergast made note of the fact that a Stormwater Plan will be required. He said that the application was already submitted and he should have the permit by the end of next week before any work begins. Ms. Becker asked how many acres will be disturbed and Mr. Prendergast said that the path of the trail will require approximately two point three (2.3) acres. In addition to the Stormwater Plan Mr. Prendergast noted that an Erosion and Sediment Plan will also need to be prepared and said that Jamie Malcolm of the DEC will visit the site in August.

Ms. Becker questioned Building Inspector Lee Heim's requirement of Town Code 232-21 which requires Site Plan Approval for the modification of a Commercial Structure and 232-1U which refers to SCOZ (Scenic Overlay) requirements. It was noted that the SCOZ protects the Town's Route 22 corridor which comprises the most scenic and environmentally sensitive areas of the Town and preserves existing open land now being used in agriculture.

Mr. Prendergast believed Mr. Heim was referring to what would be visible from a public viewpoint like Route 22, however Mr. Prendergast did not believe anything would be visible in that location. Ms. Becker pointed out that Mr. Heim was also saying that the applicant's are modifying the Ski area. Mr. Prendergast pointed out that during the Berkshire Mountain Hotel Application it was noted that this wouldn't be offensive to the SCOZ. Mr. Becker noted that this will need to be considered.

Mr. Grant questioned whether any ZBA approval would be required for this. Attorney Dow did point out that this would be a modification of the Special Use Permit. Mr. Prendergast noted that Mr. Heim did not make mention of this to him. A discussion ensued as to whether there would be any SCOZ issues. Mr. Haight questioned whether there would be any lights on the Trail. Mr. Prendergast acknowledged that he did not discuss this with the applicant however even though the site is quite lit some more additional lighting might be included. Mr. Haight also questioned why this was before the Planning Board since no lighting is being added. Mr. Grant pointed out that inasmuch as this is in the SCOZ any added lighting should be addressed by the ZBA. Mr. Prendergast will look into this. Mr. Haight pointed out that the site is well lit. Mr. Grant addressed the fact that additional lighting would add to the non-conformity.

Mr. Haight referred to Town Code 232-10J(4)(a) which reads: *Clear-cutting of all trees in a single contiguous area in excess of 1/2 acre in area shall be prohibited* and noted this would be why the application would need to go to the ZBA. Ms. Becker would like to see if the trail would be visible from Route 22. Mr. Prendergast once again brought up the fact that it was decided that the Berkshire Mountain Hotel would not be visible on Route 22 in the SCOZ. Mr. Haight pointed out that the hotel was at the bottom of the hill and the trail would begin at the top of the mountain. He also noted that lighting could be an issue in the SCOZ as there are certain light levels that need to be addressed.

Mr. Grant felt that the ZBA would need to consider Town Code 232-10L Lighting which reads: *Exterior lighting in the SCOZ is subject to the requirements of section 232-15 of this chapter, except that to the extent this subdivision imposes additional or greater restrictions, such lighting shall also be in conformance with the requirements established herein. The light level at any lot line shall not exceed 0.2 footcandles, measured at ground level. Floodlights shall not be used to light any portion of a principal or accessory structure facade (except for temporary lighting. All outdoor light sources mounted on poles, buildings or trees to illuminate driveways, sidewalks, walkways, parking lots, or other outdoor areas shall use fully shielded light fixtures. For purposes of this section, a "fully shielded light fixture" is one in which no more than 2.5% of the total output is emitted at 90° from the vertical pole or building wall on which it is mounted. All such fixtures shall be installed or shielded so that any part of the light bulb or light source is not visible beyond the property boundaries. The maximum allowable height of a freestanding light fixture shall be 16 feet above the average finished grade. Exceptions to the maximum height limitations up to 25 feet above the average finished grade may be made when it can be demonstrated to the Planning Board that glare to off-site locations will not occur with such higher fixture. The maximum allowable height of a building or structure mounted light fixture shall be 35 feet.* Mr. Haight did make note that there is only a small section of the site that would be visible from Route 22.

Mr. Prendergast will address this.

## **2020-12            ZBA REFERRAL/SPR – CATAMOUNT SKI AREA (MAINTENANCE BUILDING) – State Route 23 [Copake]**

- Building Permit Application Denial dated June 24, 2020
- Letter from Rich Edwards dated June 24, 2020
- Pictures
- Site Location Plan

Pat Prendergast also represented Catamount Ski Area in their request to construct a new Maintenance Building. He explained to the Board that this will be a fifty by one-hundred foot (50' x 100') Morton Building that will be twenty-four feet (24') high and will have twelve foot (12') doors. Mr. Prendergast did make note of the fact that the applicant might not begin work on the building this year but they wanted to receive Site Plan Approval if they do.

Mr. Haight asked if anyone had any issues with the Maintenance Building. Mr. Grant questioned whether it is a permitted use. Attorney Dow clarified that this would be considered an accessory building. Ms. Becker acknowledged that this is a permitted use in the MU Zoning District. Mr. Grant also acknowledged that the size and height are acceptable however the application might need to be referred to the NYS DEC Natural Heritage Program to look for endangered species. Mr. Grant asked whether there would be any lighting on the Maintenance Building. Mr.

Prendergast noted that there would most likely be a light at the entrance which would be designed according to Town specifications.

Ms. Becker asked whether there would be any water in the building. Mr. Prendergast responded saying that there would probably be a bathroom. Ms. Becker noted that well and septic information would be needed. Mr. Haight questioned whether the septic will be relocated. Mr. Prendergast clarified that the two septic tanks that are there are being relocated but the septic fields will remain where they are. Ms. Becker asked whether the electric is underground and whether the old Maintenance Building will be removed. Mr. Prendergast said that the electric will be underground. Regarding the removal of the existing Maintenance Building, Mr. Prendergast believed the old building will eventually be removed. However, he did add that the applicants might decide to add onto the existing building when they consider the cost of a new one.

Ms. Becker asked whether Mr. Prendergast had elevations for the building. Mr. Prendergast said he did not have any at this time. Ms. Becker felt elevations should be provided. Mr. Grant questioned whether there were any SCOZ issues with the Maintenance Building. Mr. Haight did not believe the building was in the SCOZ. Mr. Prendergast noted that the Board made the decision that the Hotel which would have been four (4) or five (5) stories high, was not detrimental to the SCOZ. Mr. Haight made note of the fact that the Town Code states that the SCOZ refers to the protection of the Town's Route 22 corridor and not Route 23. Mr. Grant addressed Town Code 232-10J(2) which reads: *Colors. Reflective materials and bright colors that contrast dramatically with the colors of the land and vegetation around them shall not be used as predominant colors on any wall or roof surface.* Mr. Prendergast made note of the fact that the applicant would comply with these restrictions.

Mr. Grant asked whether anything will be cut down for the Maintenance Building. Mr. Prendergast said there are some small trees that might need to be removed. Ms. Becker asked whether the Maintenance Building was in the same location as the previous plans showed. Mr. Prendergast acknowledged that the location for this is different. Ms. Becker requested a revised Site Plan showing the changes and Mr. Haight requested that elevations be supplied at the next meeting. Mr. Prendergast made note of the fact that he had sent this in digital form and it can be viewed online.

Mr. Grant made note of the fact that utilities should be underground whenever possible. Mr. Prendergast believed they are but will look into this.

**2017-31        SITE PLAN REVIEW – 13 LACKAWANNA PROPERTIES [BUILDING #1] –  
Lackawanna Road [Copake]**

**2017-32        SITE PLAN REVIEW – 13 LACKAWANNA PROPERTIES [BUILDING #2] –  
Lackawanna Road [Copake]**

- Proposed Operating Plan
- Letter from Michael H. Sussman dated June 14, 2020
- Sketch of Northern Tract
- Survey dated January 21, 2019
- Full Site Development dated June 12, 2020

Attorney Michael Sussman and David Weiner were in virtual attendance representing the applicant. Mr. Haight acknowledged that he received everything he had requested. Ms. Becker asked whether the floor plan had been received for the Farmer's Market. Mr. Haight explained that the only reason the Board would need this is to determine parking and this had been done already. He did point out that this would need to be supplied before a Building Permit could be issued.

Mr. Haight acknowledged that he had requested the layout of the farm and large barn which he received. He went on to clarify that the farm layout shows the uses of the fields and the large barn shows the locations of hay, feed and equipment storage as well as birthing areas.

Mr. Sussman acknowledged that lighting issues that were brought up at last month's meeting was addressed.

Ms. Becker questioned whether everything had been received to deem the application complete.

Ms. Becker acknowledged receipt of:

- Full site development Plan – Farm Stand Detail dated June 12, 2020
- Full site development Plan With Building Schedule dated June 12, 2020
- Full site development Plan – Barn Floor Plan dated June 12, 2020
- Edited Operating Plan dated July 1, 2020
- Northern Tract Map
- Southern Tract Map
- Survey dated January 20, 2019
- Farm Market Entrance Engineering Prints dated May 19, 2020 (not stamped)
- Agriculture and Markets letter dated May 21, 2020
- Conservation Advisory Committee Letter dated May 7, 2020

Ms. Becker asked whether there was anything else that needed to be submitted. Mr. Haight clarified that the DOT will not issue approval until approval is received by the Board. Ms. Becker clarified that she was referring to the fact that the plans were not stamped by the engineer and didn't mean the plans were not stamped by the DOT. Mr. Haight noted that this will be received once DOT approved it.

Ms. Becker also brought up the fact that this application will need to go to the Columbia County Planning Board once a complete application is received. Ms. Becker questioned whether everything received constitutes a complete application. Mr. Haight acknowledged that everything he asked for had been received.

Mr. Sussman questioned whether the County had jurisdiction over an Expedited Site Plan. Mr. Haight pointed out that this application contains the agricultural use as well as the commercial use of the Farm Market. Mr. Sussman disagreed that the County had jurisdiction over this. Ms. Becker cited Town Code 232-21H(7)(b) which reads: Required Referral. *For site plan review of any parcel subject to County Planning Board review pursuant to New York State General Municipal Law section 239-m, prior to taking the final action on the site plan, and at least ten (10) days prior to the public hearing, if one is held, the Planning Board shall refer the plan, including a full statement of the proposed action, with notice of the public hearing, if applicable, to the Columbia County Planning Board for its review and recommendation.*

Mr. Haight asked why under this section of the Code the Board would send this to the County. Both Mr. Grant and Ms. Becker acknowledged that the Board is required to send this. Ms. Becker made note of the fact that any real property within 500 feet of a boundary of a city village or town; boundary of an existing state park or area; right of way of any existing or proposed state parkway, thruway, road or highway needs County approval. Mr. Grant questioned whether the application was complete and could be sent to County Planning. Mr. Sussman advised the Board that inasmuch as he had nothing more to submit the application was complete. Mr. Haight made note of the fact that this will be sent to County Planning.

Attorney Dow addressed the fact that the County Planning Board meets the third (3<sup>rd</sup>) Tuesday of the month. Mr. Savarese corrected this and noted that they are not on that schedule at this time and will be meeting on July 21<sup>st</sup>. Mr. Sussman asked what the time schedule was for the County submission. Attorney Dow explained that if the County did not act within 30 days of the application being sent to them the application is considered acted on. After discussion, Mr. Sussman questioned whether this could be addressed by the Board's September 3<sup>rd</sup> meeting.

Attorney Dow acknowledged that there were earlier discussions with Ag and Markets about things being used as non-agriculture such as the grinder and there is a continuing concern about the use of this piece of equipment being placed in a large building as a shield. Attorney Dow addressed an earlier email he sent showing the use of Restricted Covenants issued to ensure that whatever is used is being used for the approved purposes of use. Attorney Dow clarified that should this be approved for agricultural purposes it would have to be used for agriculture only and the approval can be rescinded if the use is violated. Mr. Sussman acknowledged that what Attorney Dow stated is true and is the law of New York and if anything is observed against what the approval was granted for the Town has the right to take whatever action they deemed necessary.

Mr. Grant questioned what the legality was should an approval be rescinded. Mr. Sussman explained that in such instance an injunction can be obtained and acted upon. Mr. Sussman also pointed out that the Town Court also has the ability to issue fines. Attorney Dow also addressed the fact that there is an outstanding and active Court Order enjoining the owner from violating terms of the Town Code with a \$10,000.00 fine for any violation. Mr. Sussman acknowledged that the applicant is not asking for this to be vacated. It was Mr. Haight's understanding that if this application was passed by the Board as strictly a farm operation they can request that the large piece of equipment in question that is not related to farm use be removed from the property. Mr. Sussman noted that it is not within the Board's purview to dictate the conditions of a Building Permit however they can approve an application with the restrictions they see fit. He also noted that a Restricted Covenant is attached to a deed and runs with the land. The Board will take these suggestions under consideration. Attorney Dow said that he addressed this as it was brought to his attention that this is something that is sometimes done by Towns.

Ms. DeConti questioned what this is being sent to the County as since she only has applications for Building 1 and Building 2 and does not have one for a Master Plan. Mr. Haight acknowledged that this has dwarfed into a Master Plan. Ms. DeConti requested that an application be submitted for a Master Plan.

Attorney Dow addressed the fact that the applicant came before the Board in 2008 with an agricultural plan that was denied and subject to an Article 78 and a Court order rose out of that. Attorney Dow asked the Board and the applicant if they are satisfied that the plan now submitted

is a different plan and is not the same proposal addressed years ago and subject to the Court decision. It was Ms. Becker's opinion that this was very similar to the plan submitted in 2008 and is basically the same only bigger. Mr. Grant also did not see any substantive change from the earlier plan. Mr. Haight acknowledged that some of the silos have been removed but the plan is otherwise pretty much the same.

Mr. Grant questioned what this means. Attorney Dow addressed the applicant for a clarification as to why this should be revisited and why it should not be subject to the decisions of the previous review that was addressed in the Courts. Mr. Sussman pointed out that this was reviewed and rejected by Ag and Markets as referenced in their letter of September 2019. Mr. Sussman also acknowledged the fact that the Board can make the decision they seem fit and if denied it can be addressed by litigation. A discussion ensued as to whether the application was different or not. It was Mr. Sussman's opinion that the applicant is being subjected to an extraordinary level of review.

Ms. Becker addressed Mr. Sussman's letter of July 14<sup>th</sup> that refers to the Board's "personal prior issues with Mr. Cascino." Ms. Becker believed that no one on the Board had any "personal prior issues" with Mr. Cascino and the Board's dealings with Mr. Cascino have only been Planning Board members reviewing his Site Plan and never anything personal. Mr. Haight told the Board to be ready to vote in September.

Mr. Haight addressed the fact that it was his belief that the biggest issue of the 2008 Review was use of the grinder. Ms. Becker pointed out that the grinder is still accounted for in the Site Plan they are reviewing at this time. Mr. Grant questioned what the implications are if they consider the Site Plan the same of that submitted in 2008. It was Ms. Becker's opinion that this does not need to be reviewed. Attorney Dow explained that if an application is denied by the Board they cannot come back to the Board two months later and reapply for the exact same thing. He went on to note that there is also the principal that when a Board acts on an application and reviews things a second time it can be consistent with the other one unless there is a reason to depart from an earlier decision. He pointed out that circumstances can change and times can change, He noted that as demonstrated with the Catamount application, after a period of time similar things came up and some of the same issues came up but over decades some of these circumstances also changed and that is why things are not so clear cut.

Attorney Dow noted that when a decision has been made under certain times and places it isn't to be revisited but if there has been change over time, or specifications, or any number of conditions, an application can be subject to a complete review. Mr. Grant acknowledged that the decision is up to each Board member to come to that conclusion. Attorney Dow wanted it noted that he is not saying that the application should not be reviewed. Mr. Grant suggested each Board member review this so as to come to their own decision. Mr. Haight asked Mr. Sussman to come up with a list as to why this application is different from the other.

**2019-24 SITE PLAN CONFERENCE– ECO-SITE II, LLC & T-MOBILE NORTHEAST LLC – Overlook Road [Copake]**

- Letter from David J. Kenny Dated July 7, 2020

This application has been withdrawn

**MINUTES**

The Minutes of the June 18<sup>th</sup> meeting were approved by the Board.

**On a motion made by Mr. Haight and seconded by Ms. Cohen the Board voted unanimously to approve the minutes of the June 18<sup>th</sup> Planning Board Meeting.**

**ADMINISTRATIVE**

**IN PERSON MEETING:** Mr. Haight advised that the Town Board was having discussions about the possibility of In-Person meetings. He asked the Board’s opinion on this. It was the general consensus of the Board to continue to hold the meetings by ZOOM for the time being.

**SUBDIVISION IN TACONIC SHORES:** Mr. Haight advised the Board that he had a conversation with someone from Taconic Shores regarding a piece of property they would like to purchase and subdivide. Mr. Haight explained that the property has three (3) houses on it that they would like to subdivide off however one of the three acre parcels would have two (2) houses on it and the other would have one (1) house on it. Mr. Haight explained that two of the houses are so close together they couldn’t be separated. Ms. Cohen clarified that that parcel would have a main house with an accessory house and be on one deed. Attorney Dow pointed out that they would not be able to be separated at a future time and would always have to be sold as a unit. Ms. Cohen made note of the fact that the Code reads that an accessory dwelling unit shall consist of not more than two (2) bedrooms, one (1) full bathroom and the appropriate kitchen, living room and dining room and questioned how many bedrooms the accessory home has. Mr. Grant believed that it also had to be no more than two-thirds (2/3s) the size of the main building. Mr. Grant did not see this being a problem if the Code was followed as stated by Ms. Cohen.

**CASCINO:** Mr. Haight advised the Board that Salvatore Cascino called the Building Inspector and asked if he needed a permit to grade off a knob on the piece of property just north of the Farm Market the he recently purchased from the Edelmans. Mr. Haight said he told the Building Inspector that if Mr. Cascino just wanted to level the property it was not an issue. Mr. Haight then explained that this turned into approximately five feet (5’) of dirt being removed from a good portion of the property. Mr. Haight said he met with the Building Inspector on Wednesday and they reviewed the Code and it turned out that removing anything over 20 yards would be considered excavation and a Building Permit would be required. Mr. Haight then brought up the fact that New York State Code does not have a Building Permit for excavation so the Building Inspector did not issue a Building Permit and could not put a Stop Work Order on it.

Attorney Dow did not agree with this and cited Town Code 232-11I(1) Excavation which reads: *Excavations shall be permitted only for agricultural use, as excavation for development for which a building permit has been obtained, or for extractive operations for which a special use permit has been issued and any and all required mining or other permits from the New York State Department of Environmental Conservation or other entity with legal jurisdiction have been obtained. Such excavation shall not affect natural drainage. All excavations shall meet all NYS DEC stormwater requirements.*

Attorney Dow also cited Town Code 232-11I(2) and (2) (a), (b), (c) and (d) which reads; **(2)** *In addition to the above, property owners may move, for filling or leveling, topsoil, sand, stone and gravel on the owners' property, provided said activities meet all of the following conditions: (a) Are limited and localized in impact, affecting no more than two acres of the property at one time. (b) Do not breach the water table. (c) Are reasonably necessary for, and incidental to, carrying out the improvements and/or agricultural uses permitted on the property. (d) No excavation within 100' of any waterway.*

Mr. Haight also noted that he does not know what Mr. Cascino is doing with the soil he removed and if he is selling it that would fall under mining. Mr. Haight did point out the fact that the map he just received from Mr. Cascino showed these fields as crops or hay fields. Attorney Dow asked how large of an area was being disturbed and Mr. Haight told him that this appeared to be more than a couple of acres. Mr. Haight said that this was brought to his attention by the Supervisor who asked that he be stopped. Mr. Haight acknowledged the fact that the Building Inspector said that he could not issue a Building Permit. However, Attorney Dow said that the Building Inspector cannot allow this either as it is just not allowed because excavation for Agriculture is only permitted for twenty (20) yards or permitted for development when a Building Permit has been issued

Mr. Haight also cited Town Code 232-3 Definitions which reads: *EXCAVATION FOR DEVELOPMENT – Removal, relocation, or reconfiguration of earth materials for the purpose of development, grading, or landscaping, to the extent necessary for such purposes, but not for the purpose of commercial sale or use of such earth materials or products derived from such earth materials.*

Mr. Haight noted that the sale of removed soil is not permitted and also made note of the fact that the soil being removed had to be removed by tractor trailer. Attorney Dow addressed the fact that this would be essentially mining and would require a Special Use Permit in the RU District. Attorney Dow asked how long this had been going on and Mr. Haight advised him that it has been going on for about a week. Attorney Dow brought up the fact that the issue is not getting a permit to do this it is the fact that this is absolutely not allowed. Attorney Dow will address this.

## **CARRY OVER**

The following matters were carried over to the next meeting:

**NONE**

## **ADJOURNMENT**

There being no further business...

- **On a motion made by Mr. Haight and seconded by Ms. Cohen the Board voted unanimously to adjourn the meeting. The meeting was adjourned at 9:00 p.m.**

---

Bob Haight, Chair

**Please note that all referenced attachments, comprising 14 pages, are on file with the Copake Town Clerk and in the Planning Board office. The referenced attachments are filed in the individual project files. An annotated listing follows:**

**ADMINISTRATION**

CATAMOUNT [SKI TRAIL]

June 24, 2020	Building Permit Denial (2)
January 17, 2020	Request for Area Variance (2)

CATAMOUNT [MAINTENANCE BUILDING]

June 26, 2020	Building Permit Denial (2)
February 20, 2020	SEQRA (3)

13 LACKAWANNA PROPERTIES

June 14, 2020	Proposed Operating Plan (3)
	Sussman to Haight/Dow (1)

ECOSITE II/T-MOBILE

July 7, 2020	Kenny to Haight/CPB (1)
--------------	-------------------------