TOWN of COCHECTON PLANNING BOARD
June 25, 2026

The monthly meeting of the Town of Cochecton Planning Board was called to order at 7:32 p.m. by Chairman Robert Smith.

Everyone in attendance recited the Pledge to the American Flag at the request of Chairman Robert Smith

A quorum was established. Planning Board members in attendance included Robert Smith, Jason Kraack, Frank Kratz, Jeff Neidert, Jeff Nober, Brenda Farmiloe and George Blaso. Attendees included: Darren Doetsch Town Engineer, Mike Attianese Chair of the Zoning Board of Appeals, Ed Grund Acting Town Supervisor, Frank Michaelski, Barbara Jane Attianese, Randall J. Lane, Jennifer Szekely, Brian Goodstein, S. Schultz, Kelly Lawler, Jon Thorndike, and Peter Grosser.

PUBLIC HEARING GOODSTEIN MINOR SUBDIVISION

The Chair asked the applicant if he had received the engineer's comments. Frank Kratz asked to check the clearance in relation to the power lines and the right away, need to confirm that the building needs to be 50' from the power lines. The board discussed the matter and clarified the question of the clearance. The Chair asked Goodstein to show on the map the location of the house and septic. The Chair asked the town engineer to confirm what the setback needs to be. According to the maps, the house will be more than 25' away. The Chair asked if the Board had any further questions or concerns. Blaso asked if he needed to get approval for the single-family house and the Chair clarified that as this is a public hearing, the more information the better. The only concern in this matter is the subdivision approval. The Chair stated the perc test is not required for the minor subdivision but will need to be approved by the town's engineer. The Chair called for a motion for the board to declare itself the lead agency for SEQRA review. Frank Kratz so motioned, seconded by Jason Kraack. The motion passed unanimously.

A resolution needs to be drafted. The Chair will make sure the applicant gets a copy and knows what the conditions are.

The Chair motioned to adjourn the public hearing. The motion was seconded by Jeff Nober and passed unanimously.

GENERAL BUSINESS

The Chair directed the applicant to bring one mylar and eight paper copies of the subdivision map. The Chair directed the applicant to conduct a title report and submit that prior to the next meeting. The Chair asked if the applicant had been directed to submit escrow money.

Jeff Nober made a motion to accept the May 28, 2026 minutes with the corrections noted by the Chair. Jeff Neidert seconded. The motion passed unanimously.

JENNIFER SZEKELY MINOR SUBDIVISION

The Chair invited the applicant, Jennifer Szekely to present the application. Szekely has hired Mike Packer to survey the property and serve as a proxy. She wishes to subdivide the property. The Chair clarified that burial on private property is not prohibited by state law; the town law has conditions, 40-16i refers to this. Private burial sites for human remains shall be subject to site plan review. They may not be located in front. Yards or closer than 200 feet to any principal structure, well water, source or water body and otherwise comply with New York state law. Also any land owner establishing a private burial site shall also place a permanent deed covenant on the property assuming all responsibility for maintenance of the site and absolving the town of any responsibility. The Chair directed the applicant to engage someone to draft a deed with these covenants. Also, the burial site itself should be protected by a fence. Additionally, the deed must stipulate whether the cemetery is closed to future interments if and when the property is sold. Neidert asked to clarify if the burial site is only 100 feet from the property line would the neighboring property's ability to build be impacted by the burial site. The Chair restated that at this time, the applicant is only seeking a minor subdivision and that questions regarding the burial site will be deferred to a site plan review. The Chair asked if the audience had any questions and there were none.

RANDALL J LANE / JAVA STREET HOSPITALITY DBA COCHECTON PUMP HOUSE

Randall Lane stated that it is his understanding that they are here requesting that the Planning Board serve as the lead agency for the SEQRA. The Chair stated that his concern is that the applicant will have to go through the SEQRA process for the use variance application before the Zoning Board of Appeals but that they are also subject to Site Plan Review after receiving a use variance and will have to go through the SEQRA process again. The Chair contacted the attorney for the Planning Board who recommended that the two boards do this cooperatively, conducting a work session with some members of the Planning Board and the Zoning Board with the respective attorneys for each board. The Chair will call the work session and can include the applicant if he wishes to be present and this way they can conduct the SEQRA review once. Lane would like to be there and asked the Chair to contact Lane and to cc Lane's attorney Jake Johnson. Mike Attianese (the Chair of the Zoning Board) confirmed this process and they agreed that they would address all questions at the joint work session. The Chair asked the applicant if he had received a positive response from NY State and the Railroad. Lane stated he has a positive response from the state, but that they are still working on the railroad. The state has been positive and has a lease ready to go once they receive a use variance. The well and the holding tank are approved by the state. One half of the shipping containers are sitting on the railroad property and they can be moved, part of the plan going forward which raised the nonexistence of the use variance would mean that the containers would not be on the railroad property. Attianese stated that if the lawyers agreed that the containers do not have to be moved under a conditional approval but there is concern that they cannot give a use variance as long as the containers are on the railroad property. The applicant's attorney has been in conversation with the Zoning Board's lawyer and clarified that the applicant is not trespassing as they have not been cited with any violations. Nober asked if the board can even

give a conditional SEQRA approval. The Chair stated that the Planning Board couid give SEQRA approval but if the project doesn't go through then it just doesn't mean anything. Lane said that with this understanding then the applicant should not meet with the Zoning Board unless the work session has been conducted. The Chair restated that the work session is intended to get the proper sequence of events; that the ZBA could still grant a use variance but the applicant would still have to do a site plan review and that is where the trespass would come up. The Chair clarified for the applicant that if you are trespassing you are trespassing, that you don't need to receive a violation for it to be trespassing. The Chair reassured the applicant that despite these complexities the town is trying to work with them to move this forward. The Chairs of both boards will coordinate to conduct a joint work session with the respective attorneys and those members of the boards who wish to join.

REMINDER: The next regular Planning Board Meeting will be held July 30, 2026.

There being no further business, the Planning Board Meeting was adjourned at 8:10 p.m. on motion made by George Blaso and seconded by Brenda Farmiloe. The board supported the motion unanimously without exception.

Respectfully submitted,
Tracy Broyles
Tracy Broyles, Clerk