

TOWN OF SAUGERTIES, NY PLANNING BOARD
Meeting Minutes, April 20, 2010

Chairman Post called the meeting to order at 7:30 PM.

Board members present were: Howie Post (Chairman), Carole Furman (Vice-Chair), Bill Creen, Ken Goldberg, Dan Weeks, Tom Francello, Paul Andreassen, Bill Hayes (Alternate)

Also present: Bruce Leighton (Town Board), Jeremy Kane (Planner)

Goldberg made a motion, with second by Furman to accept March meeting minutes with the following amendment: within the second paragraph, the word "opposed" was to be added. All in favor. None opposed.

Public Hearings

1) *John Finn – Special Use Permit*

The public hearing from the March meeting was continued.

The project engineer, Richard Rothe, explained the proposal and changes since last meeting, including: the creation of a fenced and vegetated buffer zone within 35ft of the federal wetland and the placement of a stable inside the riding arena. Rothe also explained the Stop Work Order issued by the Building Dept and stated that all previously disturbed areas would be re-seeded. Tom Francello read correspondence from the applicant and the Ulster County Soil & Water Service (UCSW) into the record. The floor was then opened to comment.

Sally Trough asked about the zoning in the area. Kane responded, explaining the various districts in effect. Kim DeNito asked for clarification of the proposed use- will it be commercial? Rothe responded – it falls under the Stables / Riding Academy classification within the Zoning Code and requires a Special Use Permit.

Kim DeNito stated that the primary issue was new truck traffic. Rothe explained that horses would have extended stays and not daily use as previously described. He claimed this would reduce the frequency of trips. He also stated that the applicant's preferred route would be via West Camp Rd and then John Shultz per the Planning Board request.

Barry Greco, a neighbor of Mr. Finn's on Churchland Rd. property (which operates as a use similar to that proposed in John Shultz) expressed admiration of Finn's existing operation and observed little increase or impact from truck traffic. Jill Greenberg, also a neighbor on Churchland Rd. claimed Finn and his horse operation were excellent neighbors. She also presented photo of Finn's Churchland property. Barbara Hammerstein expressed similar sentiment. Joanne Brennan, manager of Finn's horse operation stated that the site would likely be in disarray during construction, but would inevitably be an improvement, and in reference to additional traffic, she stated that drivers of horse trailers must maintain caution for the horse's safety.

Furman made a motion to close the public hearing, second by Creen; 7:55. All in favor. None opposed.

Weeks asked how the applicant would adopt the UCSW recommendations. Rothe responded: the applicant would install fence and buffer around the wetland and maintain a density of horses below the UCSW recommendation, but a manure management plan would be difficult given quantities to be produced. Weeks noted the possible alternative residential use for the property.

Goldberg- how many acres used for grazing? Rothe- approximately 14. Goldberg- what are the proposed operating season and hours? Rothe- there will not be events, rather individual horse boarding and pasture facilities, operation will essentially be continuous. Finn stated trailers will not be moving on a daily basis; transport will be sporadic. Finn also noted that there is an existing horse farm adjacent to his proposed operation.

Discussion ensued about the limits and rights afforded by a Special Use Permit. Andreassen read definition for a Special Use Permit from the zoning law.

Goldberg asked the Board whether they had a desire to restrict times of operation. Weeks expressed concern about night operations. Rothe stated that there would not be night operations, and that lighting would be restricted to outside of building. Lighting fixture details were provided on plan.

Creen stated that the Board could limit horse density. Furman noted that UCSW allowed for two horses per acre of land used for grazing; in this case, this equals 28 horses. Weeks noted that there are measures for recourse if lands became eroded.

The Board identified the following issues as conditions for approval: screening of site, buffering from wetland, maximum number of horses, and manure management. Rothe and Finn agreed to the installation of landscape around building. It was discussed this would be more effective than planting along the property perimeter, a landscape plan would be included in the final site plan.

Creen made a motion for Neg. Dec on SEQR, second by Furman. All in favor. None opposed. The Board stated the actions described in the UCSW letter provided sufficient measures of mitigation for potential environmental impacts.

Furman made a motion to grant Conditional Final approval, and waive submission of Final Plat, with the following conditions:

- 1) Landscape plan will be provided by applicant for screening of building.
- 2) Full manure containers will be removed in a maximum of 30 days.
- 3) Fencing and vegetated buffer will be maintained 35 ft. around the perimeter of the wetland areas. Wetland disturbance will be mitigated by re-seeding.
- 4) The maximum number of horses on the site at one time will be 28.

Creen provided a second for the motion. All in favor. None opposed.

Old Business

2) Woodstock Day School(WDS)- Site Plan

Bruce Utter, representing WDS, explained the lot line change requested previously by the Board and stated that a grease trap for the new building would not be installed, but space would be maintained for one if needed in the future. Utter explained that the lot line change approval was not yet warranted by the Board until the applicant's banks approved the change.

Weeks asked about current enrollment numbers; Utter will provide.

A conditional final approval was discussed for the site plan, independent of the lot line change. The Board informed the applicant of the risk of approving the site plan without the lot line change. The applicant was aware of the risk, but stated that they were confident that the banks will approve, and that site plan approval was a priority.

Weeks made a motion for SEQR Neg. Dec.; second by Furman. All in favor. None opposed.

Furman made a motion to grant Conditional Final Approval and waive submission of Final Plat based on the following:

- 1) The applicant will provide the final lot change plan to the Board for approval.
- 2) The applicant will provide a statement of the school's total enrollment.

Creen provided a second to this motion. All in favor. None opposed.

3) Lazy Swan Golf & Country Club – Special Use Permit

Barry Jordan, representing the Lazy Swan, explained there had been no major changes to the plan and the stormwater plan was currently under review by the Town Engineer.

The Ulster County Planning Board comments were presented to the Board and discussed. Post made motion to accept the two UCPB required modification relating to the stormwater and access Lauren Tice Rd. Creen provided a second to the motion. All in favor. None apposed.

Kane explained work permits that are needed from the NYS Thruway Authority and Town Highway Dept. prior to any work on Lauren Tice Rd. The project engineers are responsible for obtaining these permits.

A motion was made by Creen to issue SEQR Neg. Dec. Second by Andreassen. All in favor. None opposed.

A motion was made by Weeks to grant Conditional Final approval based on the final acceptance of the stormwater plan by the Town Engineer. Andreassen provided a second. All in favor. None opposed.

4) *Win One For Jesus(WOFJ) – Special Use Permit*

Francello recused himself from the proceeding.

WOFJ was before the Board for the purpose of renewing its Special Use permit which was granted in April 2009 and requires annual renewal. All conditions of this permit have not yet been met, and WOFJ is not operating.

Pastor Don Moore, a board member of WOFJ, represented WOFJ. Moore explained work done to date and work remaining. Goldberg asked how long it would take WOFJ to complete the remaining work. Moore responded it would be one month maximum.

The Board discussed the state of driveway given that it is shared and that construction has begun on lot behind WOFJ. Moore expressed concern that improvements performed by WOFJ would be undone by construction vehicles. The Board advised WOFJ to complete the driveway to the approved specification, and any repairs be made through a driveway maintenance agreement with the neighbors. Tamarra Taylor said that such a maintenance agreement already existed and that it would be provided to the Board.

The Board authorized final inspection of the site by the Town Engineer, if needed.

A motion was made by Creen to extend the Special Use Permit for one year with the added provision that remaining site work be completed in one month. A second was provided by Furman. All in favor. None opposed.

Francello returned.

5) *John and Eda Mayone –Minor Subdivision*

Representing Mr. and Mrs. Mayone, Mike Vetere presented an updated subdivision plan based on the Board's 2007 review. Kane reported on the installation of a 4 inch diameter pipe that had been installed from Mayone's pond through the drainage easement.

Peter Petramale, who intends to buy the new lot, was present and asked about the liability associated with the portion of the new lot that contained a piece of the pond. The Board advised that that portion of the pond would become the liability of the new lot. Petramale stated that he understood and had no problem with the plans as presented.

A motion was made by Ken Goldberg to classify the project as an Unlisted Action. A second was provided by Furman. All in favor. None opposed. Furman made a motion for a SEQR Neg. Dec. with second by Creen. All in favor. None opposed.

Furman made a motion to grant Conditional Final Approval based on owner signatures and submission of mylar plans; Weeks made the second. All in favor. None opposed.

6) *Raymond and Selina Rothe – Minor Subdivision*

Representing Mr. and Mrs. Rothe. Mike Vetere presented an altered plan from that previously given Conditional Final approval by the Board. The alteration concerned the access arrangement for the lots. Instead of a shared right-of-way, separate access points for each lot were proposed. A letter from the NYS DOT granting conceptual approval for this arrangement was provided and discussed.

Goldberg made a motion to accept the proposed amendment to the Conditional Final approval. A second was provided by Creen. All in favor. None opposed.

New Business

7) *George and Eileen Oswald – Minor Subdivision*

Plans for a two-lot subdivision were presented to the Board by Nick Shelling. These plans differed from those originally presented to the Board in that the proposed “Parcel 1” was expanded from 1.36 acres to 3.5 acres. The Board asked whether the applicant was prepared for a public hearing in May. The hearing was then scheduled, with the understanding that the applicant would notify the Board within the week, if the hearing would need to be postponed.

A motion was made by Goldberg to schedule the public hearing for the May meeting; a second was provided by Creen. All in favor. None opposed.

8) *Jesse and Amy DiCesare – Site Plan*

Mr. and Mrs. DiCesare presented the plan to the Board. Goldberg asked about the proposed use of the retail space. Mr. DiCesare responded that it would be used as a sporting goods store. The Board explained the site plan requirements and provided a detailed Planning Board memo explaining requirements for landscape, screening, lighting, etc. The DiCesares were directed to Mr. Kane to further develop the plan. The Board asked whether the applicant was prepared for a public hearing in May. The hearing was then scheduled, with the understanding that the applicant would notify the Board within the week, if the hearing would need to be postponed.

A motion was made by Goldberg to schedule the public hearing for the May meeting; a second was provided by Furman. All in favor. None opposed.

Meeting adjourned at 10PM.