

PLANNING BOARD  
MINUTES FOR JANUARY 17, 2006

Six public hearings were scheduled for this meeting and the public was invited to come forward to examine maps and ask questions. William Creen, Chairman, opened the meeting at 7:35p.m. Present were James Bruno, William Creen, William Hayes, Carole Furman, John Rinaldo and Howard Post. Absent: George Collins. Chris Round and Tom, Consultants was present. Nancy Campbell was present.

A motion by Post, seconded by Furman to accept December 2005 Minutes. All in favor, none opposed, carried.

**PUBLIC HEARINGS:**

1. Site Plan amendment-H.I.T.S. – Washington Ave. Ext.-Maps presented by John Eickman and Ray Zarcone-Opened hearing at 7:38p.m. Explained a one time event for Sept 9 & 10, 2006. An inspirational event to be held in Grand Prix arena with food service. Ray Zarcone gave an overview-inspirational music and workshops with a few celebrities attending. For all denominations not just for religion - motivation and a faith based conferences. Tickets will be sold to no more than 3,000 people. Comments: Jeff Ducker-what are the hours and where are the people coming from. Zarcone-Saturday from 10a.m. – 9 or 10p.m. and on Sunday from 10a.m. – 5p.m. No lights - local people as well as outside the area people staying in RVs and hotels. Susan Poretz- read a statement – opposed to this project-concerned with having more than the 8 to 10 events H.I.T.S originally said they would have now adding non-horse related events. This will set a precedent- keep this in mind. Bill Scala-agrees with the letter just written and they have not complied with horse show events site plan with respect to removal of manure. Manure builds up for weeks and dumped in RV parking down Mike Kraut Rd. Had an anniversary party with more than 30-40 cars with no permit and were loud until 1:00a.m., police came and they were quiet then started up until 3:00a.m. Have unscheduled horse events coming from out of town with cars coming and going and parking all over. During 4<sup>th</sup> of July cars and tractor trailer driving all around with locals there trying to watch fireworks. The church across the road has to watch out for all the cars during their services. No sign on Rt. 9W-a trailer with horses missed the turn, stopped and backed up on 9W to make the turn. Spot zoning, not paying taxes – getting worse. Eliz. Shafer, J.D.-read statement- concerned with issues on environment, lack of water testing continuance, traffic and safety, manure, noise and listing event before it is even approved. After their track record of broken promises, I recommend the Board deny its request for amendment. Eickman- pay assessed taxes, had a problem with contractor on removing manure and working to rectify the problems for this season, DOT would not allow a sign on Rt. 9W

and some neighbors did not want a sign on their property. They have tried to work with the community and have responded quickly to all letters from Building Inspector on complying. Still testing water above them and below them and the water below them leaves their property better than when it came in. Still testing.

Creen- Discussed the reasoning about water testing -explained once a level has been established it usually does not change.

A lot of comments concerned with who is responsible when promises are not kept and there are problems with non-compliance - Town Board, Building Inspector and Police should be notified depending on the problem –the Planning Board does not hear about anything unless it is presented to them in writing.

Dave Jones-know there is no noise ordinance but concerned with music, noise. Also concerned with flies, even in the school they were bothered.

Chairman of Advisory Committee-has done a study on noise ordinance and all communities say it is unenforceable. After 10:00p.m. call police and they will take over.

Bob Lawless-concerned with setting a precedent and having them come back year after year to receive approvals for everything .

Creen- not here for whole H.I.T.S. problems – here for one (1) non-horse related event only – no precedent – they will need a permit. Planning Board will need to approve each event separately. No spot zoning all area is RB.

Ducker-what changes to structures will be made, why does the letter say amended site plan and how many of these have Ray done.

Eickman, Zarcone and Creen-no changes all will be held in Grand Prix arena. Zarcone has lived in Saugerties his whole life, he went to H.I.T.S. with the idea and this is first one he has done to be held out doors but has a few people helping who have experience.

Eickman-has hundreds of people asking to use facility but declines. This is family orientated and fits in with what they are about. This event is during horse show season so all food, sanitary, etc. services will be there.

Consultant-explained that the Building Inspector said that this does not comply so needs to have a site plan modification, Planning Board will hear and weigh comments and make their decision. Will not set a precedent, Planning Board can deny if not appropriate.

A motion by Post, seconded by Hayes to close hearing at 8:45p.m. Discussed: RV expanding and if manure was cleaned up. Eickman-not expanding now has 100 spaces and back corner was used for manure but removed in a week and scrapped clean, if need to do again will put on a pad and removed every day. Why not use Cantines- Zarcone said this was more remote. Discussed not having 2 local events at a time so they should check and make sure no other local events are schedules for that weekend like the Jazz Festival. The noise problem should be looked into as neighbors are putting up with a lot. Cut back on starting and ending hours. Should have a parking plan. Will check with Building Inspector to see if currently in compliance. Limit ticket sales. Access only from Washington Avenue and use parking areas along Washington Avenue. Adequate sanitary facilities. Received a letter from Stephen Shafer, MD-strongly objects to proposal-concerned with precedent, H.I.T.S. acting before they get approval and rising number of weekends and also a letter from Walter and Isabelle Hackett being opposed. Received receipt cards.

2. Major-Judith Wolf-Kelly Road-Maps presented by Judith Wolf-Opened hearing at 9:00p.m. Received minor subdivision approval in May 2005 now subdividing one more lot – 3 lot major subdivision. No comments. - A motion by Post, seconded by Furman to close hearing at 9:03p.m. All in favor, none opposed, carried. Discussed stream location – not on property. Soils are wet but not soggy. No septic approvals needed – lots are large. A motion by Post, seconded by Furman for a Neg Dec. All in favor, none opposed, carried. A motion by Post, seconded by Hayes to grant Preliminary Plat approval, waive submission of Final Plat and grant Final approval. All in favor, none opposed, carried. Received receipt cards, curb cut approval, Seqr. and 2 signed maps.

3. Minor –William Scala-Mike Kraut Rd. and Rt. 9W-Maps presented by William Scala-opened hearing at 9:10p.m. Subdividing 5 acres into Lot 1 with 3 acres and Lot 2 with 1 acre. Has water, sewer and received DOT curb cut for new lot off of Rt. 9W. No comments. A motion by Post, seconded by Bruno to close hearing at 9:15p.m. All in favor, none opposed, carried. A motion by Post, seconded by Rinaldo for a Neg Dec. All in favor, none opposed, carried. A motion by Post, seconded by Rinaldo to grant Preliminary Plat approval, waive submission of Final Plat and grant Conditional Final approval pending fees and owner’s signature. All in favor, none opposed, carried. Received receipt cards and Seqr.

4. Major-Robert Kodsi-Patterson Rd. and Hart Rd.-Maps presented by Rich Rothe-opened hearing at 9:17p.m. - a 27 acre parcel subdivided into 7 lots. Four lots will be less than 5 acres. Submit to Health Dept., Parcel 4 has approval. Parcel 5 has existing house. Lots 7, 6, 5 & 4 will access off Hart Road. Lots 1 & 2 using existing road off Patterson Road. Lot 3 using Patterson Road. Name of new road is Eagle’s View Terrace. Parcel 1 & 2 shows Federal Wetlands, not being disturbed and no State wetlands. Grading and slope is within degree. Has drainage review. Will submit all to Town Engineer. Patterson Lane is an access as submitted by Applicants attorney and received 2 curb cut letters of intent from Highway Superintendent for Patterson Road and one off Patterson Lane and that is it off of Patterson Lane unless road is widened for further developing. Will comply with Chazen comments. Comments:  
Arlene & Edward Anderson-listed in real estate already and not subdivided yet. Owns half of the road leading to the Hudson River to use the dock. She maintains the road. This road will not sustain traffic flow. Concerned with drainage to creek through their property to River and when rainy it is very wet and road washes out. They have crushed culvert pipe and Kodsi has not repaired which he promised to do, had to fix again himself. Will be too much traffic for that road. Applicant is also running his business from that property in a residential area and they are building a large marina. Buyers of lots can have access to River on that road.  
Rothe: they both own half of the road and he has permits for the marina.  
Bill Brandt-this is R1 sounds like he is creating commercial lot.  
Creen-boat house is not in this subdivision proposal – sounds like the applicant is assuming a lot without asking neighbors.  
Lori Fredette- concerned with advertising in real estate.  
Josh Randall-Lot 5-listed as 3 acres with a luxury home, the SBL was for entire total lot and was advertised for six months.

Creen-this is not his first subdivision and he is doing a lot of pre-mature things.

Lois Patterson-his business is right along side of my property.

DEC gave him permits for two (2) more slopes for marina.

Kathleen Hanzl-concerned with drainage and Wells.

Brandt-On the road and access matter-Brandt owns entire road, footage on both sides and under the road-all Deeds state owners can use. The access has bad sight. Can use another road in another direction but will not give him access- Kodsi started building all before it was subdivided. Now that he has made application to the Planning Bd., he has to stop work until Seqr. is approved. The DEC police were there because of a problem. Concerned with road drainage for all the road going in and drainage pond before all going into the River; Overlay-build so far away from the River; this area is full of wetlands, were delineated but he filled them in. Should this have a full EAF and drainage plan; check out if the cemetery will be disturbed and setbacks and septic approvals since it is solid rock.

Fredette-he also owns 26 acres across will he be subdividing again later plus this one.

Randall-that entire parcel is Saugerties Historical piece.

Jeffrey Drucker-existing house has standing water.

A motion by Creen, seconded by Hayes to table until comments have been answered.

All in favor, none opposed, carried. Has curb cut letter of intent from Highway Superintendent but assumes Superintendent did not know that Kodsi does not own up to road. Discussed: ownership of Patterson Lane-applicant needs to show ownership-this is between Brandt and Kodsi and their attorneys and determined by a Judge. Also owning half of the road to boathouse, if boathouse is private then not an issue but no commercial use in R1 zoning. Check to see if it is a business. Needs stormwater Management Plan with ponds, long full EAF and delineate wetlands. Received receipt cards.

5. Minor, Joseph & Jeanette Sauer-Churchland Rd.-not ready for a public hearing.

6. Minor-Richard & Angelia Gutheil-Platteclove Rd.-Maps presented by Tom Conrad-opened hearing at 10:15p.m.-Lot 1 is new 4 acres, A to be combined with other lands of Gutheil and Lot 2 has existing house with 14 acres. No comments. A motion by Rinaldo, seconded by Furman to close hearing at 10:17p.m. All in favor, none opposed, carried. A motion by Furman, seconded by Rinaldo for a Neg Dec. All in favor, none opposed, carried. A motion by Rinaldo, seconded by Post to grant Preliminary Plat approval, waive Final Plat submission and grant Conditional Final approval pending fees and owner's signatures. All in favor, none opposed, carried. Rec'd receipt cards & Seqr.

#### OLD BUSINESS:

1. Site Plan-John Skordilis-Rt. 32N-Maps presented by Joseph Lenskold. Access off Rt. 32, needs Health Dept. approval and have complied with Chazen comments. Has improved architecture of garage, landscaping. Has stormwater management plan approval. A motion by Post, seconded by Hayes for a Neg Dec. All in favor, none opposed, carried. A motion by Post, seconded by Hayes to grant site plan approval pending Health Dept. approval, fees paid and drawings for signatures. All in favor, none opposed, carried.

2. Minor-Heidi & Wayne Haynes-Churchland Rd.-Maps presented by Richard Rothe-35 acres and wants to subdivide long term into 5 or 6 lots. Now just one lot. This was before the Planning Bd. in May as a major. Has tested soils for additional lots. Has curb cut for 35 ft. road now and in future if longer than 1,200ft. will put in a cul-de-sac. There has also been a piece reserved to the South for a road to the back piece. A motion by Post, seconded by Rinaldo to grant sketch approval and to schedule a public hearing for February 21, 2006. All in favor, none opposed, carried.

3. Major-Glasco Ponds-Glasco Turnpike-Maps presented by Michael Morriello and Rich Praetorius-71 lots-Has pre-approval in to Army Corps and had accepted with setback of 30ft. from rear of houses then they said "No" they want 50ft. Need to revise pond and lots. Morriello-changed course near end of project. Army Corps thinks they have the right to set the setbacks with streams but Morriello cannot find anything that states that BUT NOW either have Army Corps agree with 30ft. or ask for a 10ft. area variance by road to allow for 40ft. by stream. This would involve 8 or 9 lots. Here tonight to get Planning Bd.'s opinion. Finished Water District 5 but needs to get descriptions to Town but has to wait until Army Corps decides on this. Explained Recreation fees. Would like to offer roads to Town but at the moment cannot get a Bond until maps are filed. Can they get a Final on maps and file with no building permits issued until they receive the Bond. Will try and workout with Town Attorney. ROW is 50 ft., 22ft. on side roads. Everything is in to Town Engineer for review.

4. Major & Site Plan-Mark Colligan-Rt. 32N-Maps presented by Rich Praetorius-3 lots plus site plan-Has existing Well with treatment and providing water and sewer to forced main to Rt. 212. There is a 6in. pipe for Hess Station and Land & Sea Restaurant. There is a 2in. pipe inside the 6in., can take out 2in. pipe now. Need letter to approve sewer and a Certificate of Appropriateness for Historical Society. Parking for all three lots is in compliance for a Bank and professional business not a restaurant type business. A motion by Creen, seconded by Furman for the Planning Bd. to be Lead Agency and to have a coordinated review of long form Seqr. and to forward to Co. Planning Bd. All in favor, none opposed, carried.

5. Site Plan-Twin Beaks, LLC-Rt. 32N-Maps presented by Rich Praetorius for Bruce Utter-update-Will have Ulster Co. Planning Bd. comments and Lead Agency for February 2006 meeting. Curb cuts will be 2 ways both ways. Has elevations and photos of buildings. Wells and landscaping on map. Need signage plan. Full EAF.

#### PRE-HEARING CONFERENCE:

1. Major-Saugerties Nine, LLC-Musillo Lane off Rt. 9W-Maps presented by owner-a 6 lot subdivision-Has a verbal approval from DOT for curb cut. Upgrade home in front and rent and 6 new lots with homes in the back. A motion by Post, seconded by Rinaldo to grant sketch approval and to schedule a public hearing for February 21, 2006. All in favor, none opposed, carried.

2. Minor-John Mullen & John Tabler-Kings Highway-Maps presented by Tom Conrad-Has withdrawn the concrete batch plant. Now Lot 1 will be 3 acres with access by a 30ft.

ROW off 50ft. ROW and Lot 2 is 29 acres. A motion by Post, seconded by Hayes to grant sketch approval and schedule a public hearing for February 21, 2006. All in favor, none opposed, carried.

3. Minor-Charlie Rothe-Phillips Road-Maps presented by Rich Rothe-27 acres into 2 lots one 6 acre lot and remaining 21 acres. Has access A motion by Post, seconded by Furman to grant sketch approval and schedule a public hearing for February 21, 2006. All in favor, none opposed, carried.

4. Lot line revision-Jessica Rosenblum / Charlie Rothe-Glasco Turnpike-Maps presented by Richard Rothe-Charlie Rothe owns on both side and in back of Rosenblum want to add 7 acres on one side and 8 acres on other side of Rosenblum property to Rothe who will gain a total of 15 acres. A motion by Creen, seconded by Post to waive hearing per Section 323. All in favor, none opposed, carried. A motion by Creen, seconded by Post to grant Preliminary Plat approval, waive Final Plat approval and grant Conditional Final approval pending owners signatures. All in favor, none opposed, carried.

5. Minor & Lot line revision-Sean Finn-Churchland Rd.-Maps presented by Rich Rothe-formerly John Addrizzo's property-subdivide 2 acres off and give a piece to neighbor now but in future subdivide another 2 lots off front. Needs Health Dept. approval. A motion by Creen, seconded by Hayes to grant sketch approval and schedule a hearing for February 21, 2006. All in favor, none opposed, carried.

6. Minor & Special Use Permit-Chris Crews-Ridgeview Drive-Maps presented by Chris Crews-subdividing 25 acres into 4 acres and 20 acres. Has Health Dept. approval. Needs permit for a B & B – has private entrance which is part of house but can be sectioned off when rented out. Does not affect wet area. A motion by Post, seconded by Hayes to grant sketch approval and schedule a public hearing for February 21, 2006. All in favor, none opposed, carried.

#### MISCELLANEOUS:

1. JJ Land Trust- received signed maps.
2. Florence Rivenburg – received signed maps.
3. Ethel and LeRoy Donaldson-received signed maps.
4. Quarry Ridge LLC - received signed maps.
5. John Rinaldo – A motion by Post, seconded by Hayes to updated and resign maps. Rinaldo abstained, motion carried.
6. Received ZBA materials on January 13, 2006.

Since there was no further business to discuss, a motion by Post, seconded by Rinaldo to adjourn the meeting at 11:50p.m.

Respectfully submitted:

Juanita M. Wilsey, Recording Secretary