



PLANNING BOARD MINUTES
VIRTUAL -WebEX
February 16, 2021

C. Howard Post, Chairperson, opened the meeting at 7:30 p.m.

Present: C. Howard Post, Carole Furman, Ken Goldberg, Kevin Brady, Mike Tiano, Robert Hlavaty, William Creen (alternate), Adriana Beltrani (Town Planner, NPV).

Absent: Len Bouren

The draft minutes of the January 19, 2021 Planning Board meetings were reviewed. A motion was made by Post, seconded by Furman, to approve. Board vote: Goldberg-Aye, Tiano-Aye, Furman-Aye, Creen-Aye, Post-Aye, Hlavaty-abstained. Motion carried.

PUBLIC HEARINGS

1. Minor Subdivision, 71Goathill3, LLC, 71 Goat Hill Road. Presented by Chris DiChiaro for the applicant/owner. The owner is looking to do a 2-lot subdivision, splitting 10-acres with an existing house from the 40-acre lot. There will be a ROW note on the map to bring up to Private Rural Road standards as required by the Town of Saugerties if development is to occur on the remaining vacant 30-acre parcel.

Post opened the Public Hearing at 7:34 p.m. for public comments/concerns:

- James Barbaro, 80 Goat Hill Road-received the notification and just wondering what the future plan is? DiChiaro-just subdividing off the house at this point, which they plan on selling, and keeping the additional lot to possibly develop later on but there are no definite plans at this point in time. If they do choose to do any additional subdivision of that 30-acre parcel they will have to come back before the Planning Board, and that will include another public hearing.

Beltrani-a note will be required on the final plans indicating that if any development is to occur on the 30-acre parcel the access roadway will have to be brought up to the standards required by the Town for a Private Rural Roadway. A road maintenance agreement seems to be sufficient at this point for the shared portion of the driveway, as discussed with the Building Inspector Kevin Brown.

A motion was made by Furman, seconded by Hlavaty, to close the public hearing. Board vote: Furman-Aye, Tiano-Aye, Goldberg-Aye, Hlavaty-Aye, Post-Aye, Brady-Aye, Creen-no comment heard. Motion carried, public hearing was closed at 7:39 p.m. A motion was made by Goldberg, seconded by Brady, to approve the minor subdivision with the addition of the note regarding future development of the 30+-acre parcel requiring the access to be brought up to Town Private Rural Road Standards, and a road maintenance agreement for the shared portion of the driveway. Board vote: Goldberg-Aye, Furman-Aye, Tiano-Aye, Brady-Aye, Hlavaty-Aye, Post-Aye, Creen-Aye. Motion carried.

OLD BUSINESS

1. Major Subdivision, Catskill Terraces/HV Contemporary Homes, LLC, Ralph Vedder Road/Manorville Road. Presented by Jeff Hogan, Praetorius & Conrad, P.C. The applicant is

requesting to develop a 10-lot subdivision which will be created using the total acreage of three existing lots combined for a total of 90-acres located off Ralph Vedder and Manorville Road. A conservation analysis was requested because the parcels are located within the Sensitive Area Overlay district and more than 5 lots are being proposed, which is required by the zoning code. Hogan provided a letter to the Board regarding a "Conservation Subdivision" vs. "Conventional Subdivision". The conservation subdivision was demonstrated with a possible 10-lot cluster. The impact and pros/cons were outlined. Beltrani-the purpose of the conservation analysis is to allow the Planning Board the ability to evaluate the land and see which subdivision would be best suited for the area. This is normally done prior to the subdivision submission to ensure that the right layout is proposed. The analysis will include the overall site characteristics and value. This can be shown on an existing conditions map that is created without the proposed lots. The conservation value is discussed in §245-23.B(2)(c) of the Town Code. It is noted that the site is located less than 0.5 miles from the Kaaterskill Wild Forest. The Hudson Valley Natural Resource Mapper is a good resource when completing the analysis. It shows that the parcels are located in the core forest area and coldwater stream habitat. The impact should be considered regarding the water quality of the Lucas Kill. The proposed roadways will create habitat fragmentation. This is a sensitive area for wildlife and should be evaluated as such. The Board may want to have a public comment period prior to determining which subdivision layout would suit this area best. According to §245-23.B(2)(g) of the Town Code the Board the Planning Board may determine, based on the conservation analysis, that there is no reasonable basis for requiring a conservation subdivision, In which case, a conventional subdivision may be pursued. SEQR can not be determined until this is decided.

Post asked the Board for their comments. Goldberg-there are requirements listed for this decision and at least one has to be demonstrated by the applicant in order for the Board to determine a conventional subdivision is warranted. Furman-encourage the developers to allow dedicated land, what are the applicant's feelings about either? Hogan-when doing the base density of the property, taking into consideration the constrained land, the applicant is able to put in 16 lots, according to bulk regulations and setbacks. This will leave conservation land set aside for the public. Adding those additional 5 or 6 lots, for a conservation subdivision, would add more area of disturbance and an additional 1.6-acres of tree clearing, compared to the conventional 10-lot subdivision shown. The applicant would like to stay with the proposed conventional subdivision due to the unique layout of the land and restrictions. Would prefer to do small clearings for each house opposed to cluster pocket clearings. Tiano-when you say there will be open land for public use, does that mean anyone can use it? Concern about that. Beltrani-this would be land set aside as a conservation easement, which will require figuring out who maintains the land and who will be able to use it. Brady-is there a type of gap analysis that can be done, to go step-by-step on what is permitted and what is not? Beltrani-this particular process is more about considering the conservation value and achieving a balance between well designed residential development, meaningful open space conservation and natural resource protection to preserve traits of environmentally and scenically significant undeveloped land. Hlavaty-the conservation analysis is needed, as required, with photographs to demonstrate the existing conditions. Beltrani-the code is very clear and specific on what is required for the analysis, photographs will be needed. Creen-no comments. Furman-the existing trails should be indicated, animal trails and wetland fragmentation should be shown. Post-walked that land many times and there is a large deer population on the north and south side of Manorville Road. Due to the layout of the land and the natural constraints, leaning towards the proposed conventional subdivision layout. Goldberg-reasonable basis for conventional, ensure that one of the requirements that are outlined in the Town Code is met, up to the applicant to demonstrate that to the Board. Unless one is true the Board can not consider a conventional subdivision. Post-lot configuration is unique, and will need areas to be cleared. Hogan-will create the

conservation subdivision layout with the 16-lots allowed. Deed restrictions and notes on the maps that no further subdivision can occur. Possibly can set aside an area that limits clearing, set-up a buffer of 50' on each side of the lot creating a 100' buffer between the two lots that will remain uncleared. The wetlands are protected by the Army Corps. of Engineers, protected covenant, no clearing of wetlands permitted.

Post polled the Board: Goldberg-ok with comparing the two subdivisions and the suggestion of the buffer on each side of each lot. Furman-same, Tiano-same, Brady-same, Hlavaty-no further comments, Creen-same, Post-same. Beltrani-comparison of the 16-lot cluster, the Board is not permitted to reduce the density of the cluster in a conservation subdivision, so all 16 need to be shown. The Board will wait for all the required submittals to take further action. Goldberg-discuss with the applicant the note regarding further subdivision and the buffer as discussed. Marica McKeel (owner)-agrees with those restrictions and the conservations around the wetlands. The land that would be set aside with a conservation subdivision is a concern, regarding liability.

No further action can be taken by the Board at this time.

PRE-HEARING CONFERENCE

1. Site Plan/SUP, Lineman Institute of the North East Inc., 1032 Kings Highway. Presented by Donald Leiching, owner of Lineman Institute of the North East Inc. In the process of purchasing the property to build a 8,000 to 10,000 square foot building that will host classes and offices for the Linemen Institute. There will be parking and an outdoor training facility on-site. The outdoor training facility will have equipment, materials and poles. Beltrani-for the next meeting the Board would like to have a survey map which shows the adjacent property owners and the topography. The CSX train line runs parallel to the parcel. A title search should be done, which will provide any access agreements, easements, that have been filed. There will be a significant increase in traffic from a single family residence to a vocational school. A narrative should be provided with a description of the operation; including hours, classes and number of students. There is currently a single family residence on the parcel, what will happen to that? A detailed parking plan will be required, showing spaces with width and length. Circulation demonstrated for emergency vehicle access throughout the site. 4-acres are the proposed disturbance, a SWPPP will be required. Recommend that the Board wait until a complete site plan is submitted and reviewed before classifying as an Unlisted Action. Will need to go to the NYS Historic Preservation office for review. Wetlands and water bodies may be located on the site, need to be indicated. Leiching-easement was found on the survey map. Beltrani-transfer over to the site plan to ensure it is reviewed. It is unclear from the current site plan where access is. Any easement will have to be shown and documented.

No further action may be taken by the Board at this time.

2. Site Plan, Konrad Kaletsch, 211 Tissal Road. Justin Kacur, Architect from Highlands Architecture, presented for the owner/applicant. The applicant would like to complete the third phase of the property renovation. Previously has completed an accessory apartment, detached garage and now renovation of an existing single family residence. The home is located on a steep slope of the Esopus Creek and the applicant would like to dismantle the existing house and build a new structure using the same footprint. There will be an addition to the footprint which will increase the house by 300 square feet. Change to paved areas will decrease the existing impervious surface area and help with run off. Erosion and sediment control will be used during the construction phase. The house can not be seen by neighboring homes and can only be seen from the creek side. The applicant is proposing

to use natural color stucco, increase the number of windows for natural light and views, create an energy efficient house and use the same roofing material as used on previous projects on-site. Looking to preserve and protect the environment.

Post-polled the Board for questions. Goldberg-seems self-explanatory, no questions. Furman-no questions. Tiano-please send a copy to Mt. Marion FD for their review. What is the total height of the new structure? Kacur-31.2'. Brady-looks great. Creen-no questions. Hlavaty-no questions. Post-no questions.

A motion was made by Furman, seconded by Goldberg, to declare this a Type II Action under SEQR. Board vote: Goldberg-Aye, Furman-Aye, Tiano-Aye, Brady-Aye, Post-Aye, Hlavaty-Aye, Creen-Aye. Motion carried. A motion was made by Goldberg, seconded by Hlavaty, to approve the site plan as presented. Board vote: Goldberg-Aye, Furman-Aye, Tiano-Aye, Brady-Aye, Post-Aye, Hlavaty-Aye, Creen-Aye. Motion carried.

3. Major Subdivision, Robert Gelb & Norma Hill, 269 Wilhelm Road. Presented by Chris DiChiaro, Engineer, for the owner/applicant. The applicant is proposing a 5-lot subdivision form an existing 50+/- acre parcel located on Wilhelm Road. The parcel currently has a house and barn. The majority of the parcel will remain with the existing house and barn. Have already been in contact with the Fire Chief of the Saxton Fire Department to discuss emergency access. Will need to bring the private section of Wilhelm Road up to the Town's "Private Rural Road Standards", but may require a slope grade variance as it may exceed the 10% grade required by the standards. This was discussed with the Chief. Any section that will have a driveway over 300' will have to brought up to the private rural road standards as well. Wilhelm will need improvements, including utility poles being relocated and possibly the edge of the existing barn reconfigured to ensure the standards are met. The UCDOH has been on-site. As seen in the sketch plan, the topography creates limitations. Looking for the Board's comments at this point as the applicant tries to move forward. Goldberg-look forward to a more complete sketch plan. Furman-hard to see as the topography takes over. Beltrani-would like to see the existing conditions and an additional map with less topographical detail so that the subdivision lines are more visible. DiChiaro-will decrease the topography to 10' intervals. Wetlands and flood zone shown. Can darken the disturbance zone for better visibility. Beltrani-detail pages will be needed. DiChiaro-the septic for the existing house is located to the southwest of the house and a test pit was done for the reserve to the southeast of the garage, which showed good soil. The improvements to the road will be the biggest issue, especially between proposed Lot 2 and Lot 3. There is an existing road maintenance agreement for that section of Wilhelm Road and some improvements have been made to the section that is maintained by the Town. Beltrani-will need an updated maintenance agreement to include the additional lots, and would like a copy of the existing. It does state in the Town Code that trees with a diameter of 8" or more should be shown on the subdivision map. It is up to the Board's discretion. DiChiaro-can put in the tree line, mostly vegetated area, wooded and lot 3 is an open meadow. Post-yes, please add the trees to the map.

Post-questions from the Board: Goldberg-no questions, Tiano-no questions, Brady-no questions, Hlavaty-no questions, Creen-no questions.

No further action can be taken by the Board at this time.

4. Lot Line Revision, Jonathan Delson, 10 Delson Lane/18 Browns Lane. Presented by Dan McCarthy, Praetorius & Conrad, P.C., for the owner/applicant. Furman and Brady recused themselves

at this time. The applicant would like to move the lot line to rectify an encroachment of an existing house onto Parcel 1. The applicant has already received approvals from the Zoning Board of Appeals for an area variance of Lot 1 in the amount of 11.1% and a side yard setback variance of 19.2' on Lot 2, to eliminate the encroachment.

Post-board questions/concerns: Goldberg-no questions, Tiano-no questions, Post-no questions, Hlavaty-no questions, Creen-no questions. Beltrani-this is a Type II Action and the variances are noted on the plat. A motion was made by Goldberg, seconded by Hlavaty, to declare this a Type II Action under SEQR. Board vote: Goldberg-Aye, Tiano-Aye, Hlavaty-Aye, Post-Aye, Creen-Aye. Motion carried. A motion was made by Goldberg, seconded by Tiano, to waive the sketch plan review and public hearing. Board vote: Goldberg-Aye, Tiano-Aye, Hlavaty-Aye, Post-Aye, Creen-Aye. Motion carried. A motion was made by Hlavaty, seconded by Tiano, to approve the lot line revision. Board vote: Goldberg-Aye, Tiano-Aye, Hlavaty-Aye, Post-Aye, Creen-Aye. Motion carried.

5. Minor Subdivision, Peter & Theresa Levin, 598 Schoolhouse Road. Presented by Jeff Hogan, Praetorius & Conrad, P.C., for the owner/applicant. The applicant would like to subdivide a 24.4 acre lot on the east side of Schoolhouse Road into two lots. This parcel is located to the east of the Plattekill Creek and the NYS Thruway. The existing single family residence and barn will remain on a 18 acre parcel and the applicant would like to sell that. They would then build a new home on the remaining 6+/- acres for themselves. UCDOH has been to site, everything looks good to them. Due to the layout of the property and the overlay districts most of the development has been done close to Schoolhouse Road. Beltrani-the existing buildings are within the front yard setback but they were built prior to zoning and are pre-existing non-conforming. The proposed parking area is 10' or more away from the lot line, correct? Hogan-yes, it is about 18'. Beltrani-are there any restrictions tied to the easement on the parcel? Hogan-will have to look into that. It may be no underground foundations, generally will add a note to the map. Goldberg-the Bald Eagle is in that area will a DEC referral be required? Hogan-did not notice any large nest in any trees, not present.

Post-board questions/concerns: Goldberg-none, Furman-none, Tiano-none, Brady-none, Hlavaty-none, Creen-none, Post-none. A motion was made by Goldberg, seconded by Furman, to declare an Unlisted Action under SEQR. Board vote: Goldberg-Aye, Furman-Aye, Tiano-Aye, Brady-Aye, Hlavaty-Aye, Post-Aye, Creen-Aye. Motion carried. A motion was made by Goldberg, seconded by Furman, to approve a negative declaration. Board vote: Goldberg-Aye, Furman-Aye, Tiano-Aye, Brady-Aye, Hlavaty-Aye, Post-Aye, Creen-Aye. Motion carried. A motion was made by Furman, seconded by Hlavaty, to set the public hearing for the March 16, 2021 planning board meeting. Board vote: Goldberg-Aye, Furman-Aye, Tiano-Aye, Brady-Aye, Hlavaty-Aye, Post-Aye, Creen-Aye. Motion carried.

ADDITIONAL ITEMS

Ohayan Subdivision-Town of Catskill-Wilhelm Road. The Board received notice of a proposed subdivision of a parcel that straddles the Town of Catskill and Town of Saugerties line. Beltrani-referral should be sent to the Town Highway Department for comment on the access via Wilhelm Road, from the Saugerties side, as this is a private road. Main concern will be that access and the ability of Wilhelm Road to be used. Draft a response letter to the Town of Catskill Attorney with our concerns related to Wilhelm Road being used as primary access. Notify the Saxton Fire Chief to see his thoughts/concerns. There is a public hearing set up by the Town of Catskill for February 23, 2021, we should get our concerns to them prior for review and discussion. Wilhelm is a private road and maintenance is already an issue.

ADJOURNMENT

Since there was no further business to discuss, a motion was made by Furman, seconded by Brady, to adjourn the meeting. Board vote: Goldberg-Aye, Furman-Aye, Tiano-Aye, Brady-Aye, Hlavaty-Aye, Post-Aye, Creen-Aye. Motion carried The meeting was closed at 9:23 pm.

Respectfully Submitted by,

Becky Bertorelli
Planning Board Secretary