



PLANNING BOARD MINUTES
VIRTUAL -WebEX
September 15, 2020

C. Howard Post, Chairman, opened the meeting at 7:36 p.m.

Present: C. Howard Post, William Creen, Ken Goldberg, Daniel Ellsworth, Len Bouren, Robert Hlavaty (alternate), Adriana Beltrani (Town Planner, NPV).

Absent: Carole Furman and Mike Tiano

The draft minutes of the August 18, 2020 Planning Board Meeting minutes were reviewed. A motion was made by Post, seconded by Hlavaty, to approve as written. Board Vote: Goldberg-Aye, Bouren-Aye, Hlavaty-Aye, Ellsworth-Aye, Creen-Aye, Post-Aye. Motion carried.

PUBLIC HEARINGS

1. Minor Subdivision, Brian Josselyn, 155 Harry Wells Road.. Presented by Charles Holtz, Holtz Surveying. The applicant is looking to subdivide a vacant 16+-acre lot into 2 lots. The first lot will be 2.47-acres and contains the existing house and structures and the second lot will be a 14-acre residential buildable lot.

Post opened the public hearing at 7:38p.m. for any questions/comments from the public.. There were no comments. A motion was made by Goldberg, seconded by Creen, to close the public hearing. Board vote: Goldberg-Aye, Creen-Aye, Bouren-Aye, Ellsworth-Aye, Hlavaty-Aye, Post-Aye. Motion carried. Public hearing closed at 7:40p.m.

Post-any Board comments/concerns? Goldberg-would like the Town Planner's comment #7 addressed regarding access and if there are any existing agreements for access to cross Lot A/driveway label/map note? Holtz-there is nothing in the indeed regarding any agreements for the access through Lot A. However, each of the lots does have direct access via a curb cut from Harry Well Road. Beltrani-appropriate, satisfied with each lot having its own access to Harry Wells Road. Poll the Board for questions/comments: Creen-no, Goldberg-no, Ellsworth-no, Bouren-no, Hlavaty-no. A motion was made by Goldberg, seconded by Creen, to approve the minor subdivision. Board Vote: Creen-Aye, Bourne-Aye, Hlavaty-Aye, Goldberg-Aye, Ellsworth-Aye, Post-Aye. Motion carried.

2. Minor Subdivision, Kevin Drescher, Old Kings Highway. Presented by Charles Holtz, Holtz Surveying. The applicant would like to subdivide a vacant 12.3-acre lot into two residential buildable lots. The first lot would be 3-acres and the second would be 9.32-acres. This parcel is located next to the Asbury FireHouse. Post opened the public hearing at 7:45p.m for any questions/comments from the public. There were no comments. A motion was made by Creen, seconded by Hlavaty, to close the public hearing. Board vote: Goldberg-Aye, Creen-Aye, Bouren-Aye, Ellsworth-Aye, Hlavaty-Aye, Post-Aye. Motion carried. Public hearing closed at 7:46p.m.

Post-any Board comments/concerns? Goldberg-review of Town Planner's comments. Beltrani-the only comment is that the bulk table be updated to reflect that this parcel is in the Sensitive Area Overlay district. A negative declaration was previously approved. Holtz-will do. A motion was made by Goldberg, seconded by Ellsworth, to approve the minor subdivision Board vote: Creen-Aye, Bouren-Aye, Hlavaty-Aye, Post-Aye, Goldberg-Aye, Ellsworth-Aye. Motion carried.

3. Minor Subdivision, Edward Martino III, 2332 Route 32. Presented by Jeff Hogan, Praetorius & Conrad, P.C. The applicant would like to subdivide a 1.1-acre developed lot. The first lot would have access via an existing drive from Route 32 and contains an existing house. The second lot would have access via an existing drive from Riozzi Court and contain an existing commercial garage and duplex. Post opened the public hearing at 7:50p.m. for any questions/comments from the public. There were no comments. A motion was made by Hlavaty, seconded by Goldberg, to close the public hearing. Board vote: Bouren-Aye, Ellsworth-Aye, Post-Aye, Creen-Aye, Hlavaty-Aye, Goldberg-Aye. Motion carried.

Post-any planner comments to be reviewed. Beltrani-no comments. Creen-the subdivision meets all bulk requirements? Beltrani-Yes. A motion was made by Goldberg, seconded by Creen, to approve the minor subdivision. Board vote: Creen-Aye, Bouren-Aye, Ellsworth-Aye, Hlavaty-Aye, Goldberg-Aye, Post-Aye. Motion carried.

OLD BUSINESS:

1. Site Plan, Brapas Land Development LLC, Route 9W/off Tiger Maple Lane. Presented by Nick Pascaretti and Bruce Brady. The plans were submitted by the engineer. The lot to be subdivided has been enlarged to the 1-acre minimum requirement in zoning. Catch basins have been shown. Beltrani-there is a question as to whether it would be more beneficial for the applicant to do the major subdivision at this time to separate each townhouse on a separate parcel, as it will be sold that way. Spoken with George Redder, Planning Board Attorney, and he feels that it is necessary to show the major subdivision now and the subdivision needs to meet all metes and bounds requirements, which are not currently show on the map that was submitted. Since the townhouses will be individually owned, along with the land, it must be subdivided before sale. If the applicant were to do the minor subdivision at this time, separating the 1-acre parcel, they would not be able to do another subdivision within the next three years. Creen-property lines can not be done until after the foundation is set. Post-you could always do the major subdivision with anticipated lot lines and then do a lot line adjustment if necessary after the townhouses are constructed. Pascaretti-at what point are we able to move forward without having to go back and change things because new issues come up. First it was the size of the lot to be subdivided out to put the townhouses on and now it is a question as to whether we have to redo our maps to show a major subdivision rather than a minor at this time? Post-what if the applicant were to get approval on the site plan for the townhouses on the entire parcel and then once construction begins and the building points are set they can come back for a major subdivision, when metes and bounds may be done. Beltrani-that is a possibility, will refer to the Board on their thoughts. Do request that the applicant remove the "future road" on the site plan, as if it is left on the Board will have to review as though it was being put in at this time. Pascaretti-can do that, was just showing the existing curb cuts that could be used, even in the future. Beltrani-if you leave the road it will have to be reviewed by the Town Engineer and if you do not plan on completing in the near future would remove from this site plan and come back for an amendment when you plan to create it. Would like the applicant to show all areas of disturbance in

detail, including around garages if they are being built. Post-it has been a long time since the board has reviewed an application like this, probably back to when the original Twin Maples was developed, but the subdivision can be done and then the metes and bounds can be done after the foundation is set. Beltrani-that seems sufficient. Will need the EAF Part I updated, this project has not been classified yet. A hand written EAF Part I was submitted but the DEC requires that EAF mapper on the website is completed. Post-we will need the full site plan/subdivision map, EAF Part I, construction detail, sediment/erosion control description and water/sewer plans. Pascaretti-spoke with Mark Resso, Town Water/Sewer Department, we can not submit an application until we are ready to hook into the public water/sewer lines. Spoke with Mike Sasso, Chief of Glasco Fire Department, and he is satisfied with access for emergency vehicles. Beltrani-would like letters in writing from both to confirm, for the files. Pascaretti-would like to do the public hearing next month. Post- we can do that as long as the EAF Part I is submitted prior to the meeting for review to ensure that the board is ready to take action under SEQR, regarding classification and approving a negative declaration. Creen-does this need to be referred to the Ulster County Planning Board. Beltrani-no. If the applicant would like to contact me prior to the next meeting with any questions/concerns they are welcome to do so. Post polled the board to see if they felt it was appropriate to move forward with scheduling a public hearing for the October meeting; Creen-yes, Goldberg-yes, if we are able to complete SEQR prior to the opening of the public hearing, once the EAF Part I is received, Bouren-yes, Ellsworth-yes, Hlavaty-yes, Post-yes. A motion was made by Hlavaty, seconded by Ellsworth, to set the public hearing for October 2020. Board vote: Goldberg-Aye, Bouren-Aye, Creen-Aye, Post-Aye, Hlavaty-Aye, Ellsworth-Aye. Motion carried.

2. Site Plan/SUP, Stillwater Getaway Campground (De Gagne/DePalma), off Pond Lane.

Presented by Melanie De Gagne. An updated description and site plan were submitted today, everyone may have not had the chance to review yet. Decided to go with a composting toilet, have removed the showers that were connected to the well. Will just be keeping it simple cabins with electricity. Beltrani-will need the location of the well, even though the outside showers are no longer being proposed. De Gagne-the well is existing and it is located where the showers were shown on the previous plan. Beltrani-would like there to be a zoning block added to the site plan reflecting the zoning district requirements, such as bulk and setbacks. Will need a detailed area of disturbance to be shown to ensure that a Stormwater Prevention Plan is not necessary. De Gagne-the area of disturbance will be minimal as there are already areas that are cleared where we will be able to place the first two of the cabins and we do not wish to remove too many trees and will do the minimum to place the third and fourth cabin. The parking area is already a cleared space. Will be working around natural surroundings as much as possible. Post-will need to describe and show the area of disturbance as part of the site plan, and our review. Beltrani-grey water will not be a concern if you are using composting toilets. Post-definitely a better alternative then what was previously proposed.

A motion was made by Goldberg, seconded by Hlavaty, to declare this a Type II Action under SEQR. Board vote: Bouren-Aye, Ellsworth-Aye, Post-Aye, Hlavaty-Aye, Creen-Aye, Goldberg-Aye. Motion carried. A motion was made by Goldberg, seconded by Creen, to set the public hearing for October 2020. Board vote: Creen-Aye, Bouren-Aye, Ellsworth-Aye, Post-Aye, Goldberg-Aye, Hlavaty-Aye. Motion carried. Post-the building department would like to know how the composting toilets will be monitored. De Gagne-emptied every 4-6 weeks as suggested by the

instructions, will depend on use of course. Will have to assess as we rent them out and see what works.

3. Site Plan Amendment, Fehr Bros., 895 Kings Highway. Presented by Khattar Elmassalemah, Praetorius & Conrad, P.C. The applicant is looking to amend an approved site plan by adding a storage building. The application was referred to the Ulster County Planning Board(UCPB), as required, and recommendations were received. The UCPB recommendations were as follows:

- Applicant to update the lighting on the existing building to the same dark sky lighting that is proposed on the new storage building.
- Landscaping be more specific as to the type of tree that will be planted, to match the existing landscape.

Elmassalemah-the final site plan will include red maples, to match the existing trees. The applicant would prefer not to change the lighting on the existing building as that was approved on the original site plan. Post-poll the Board regarding the UCPB recommendation on lighting:

Hlavaty-favor towards required modification of lighting

Goldberg-do not see why the existing lighting should be changed, override the UCPB recommendation.

Bouren-proposed lighting for new structure is ok, do not change the existing, override

Ellsworth-override

Creen-override

Post-favor recommendation of UCPB

A motion was made by Ellsworth, seconded by Creen, to override the UCPB recommendation to update the existing lighting on the existing building. Board vote: Hlavaty-Aye, Bouren-Aye, Creen-Aye, Goldberg-Aye, Post-Nay, Ellsworth-Aye. Motion carried.

A motion was made by Goldberg, seconded by Bouren, to approve a negative declaration under SEQR. Board vote: Creen-Aye, Hlavaty-Aye, Bouren-Aye, Post-Aye, Goldberg-Aye, Ellsworth-Aye. Motion carried. A motion was made by Goldberg, seconded by Ellsworth, to approve the amendment. Board vote: Creen-Aye, Bouren-Aye, Post-Aye, Hlavaty-Aye, Ellsworth-Aye, Goldberg-Aye. Motion carried.

4. Site Plan/SUP, Sparling Road Solar/NY Solar 1000, LLC, Sparling Road. Presented by Andrew Varrow and Chris Vorlicek - Lightstar Renewables, Meg Thorton and John Miller-Mock MacDonald. Varrow-reviewed the planner's comments. Comments #6-#10 addressed. Completed visual analysis and the application for the Army Corps. of Engineers. Thorton-SHPO finished survey, three sites are not eligible, multi-component site, no diagnostics available. No particular time period besides pre-historic could be found. The SHPO report will be included in the Army Corps. permit application, which will in turn be included in the Army Corps. response. Beltrani-SHPO response will need to be received by the Planning Board as well as it is part of the review process. Varrow-can a negative declaration be completed with a condition of approval by the Army Corps.? Beltrani-determination can only be made when all documents are received. NYS Thruway Authority response? Varrow-that is completed, will forward this week for review. Looking to schedule a public hearing. The PILOT agreement has been sent to the Town Board, Town Attorney and the Town Assessor for their review. The decommissioning plan has been submitted, and has added additional items such as re-seeding and regrading as part of the bond conditions. It has been re-drafted and will be given to the Town Attorney for review. Thornton-the

seed mix has been updated and completed to be a native seed mix as required. Trees on the border, eastern white pine, which are native and fast growing. Beltrani-something to keep in mind is that the eastern white pine is prone to disease. Post-we could schedule the public hearing for next month. The PILOT agreement has nothing to do with the Planning Board review and is not considered when reviewing the application. Beltrani-that is a Town Board review process. This was already declared a Type I Action under SEQR and a NOI was sent out.

A motion was made by Ellsworth, seconded by Hlavaty, to set the public hearing for the October 2020 meeting. Board vote: Goldberg-Aye, Bouren-Aye, Creen-Aye, Post-Aye, Hlavaty-Aye, Ellsworth-Aye. Motion carried.

Ellsworth-just a comment that white pine is a problem with disease, a diversified planing would be a better option, not just one tree type. Post-agree and that is something that can be discussed in a public hearing. Varrow-we need to have the negative declaration approved prior to the opening of the public hearing.

ADDITIONAL COMMENTS

1. UCPB Safety Tower-presented by Dennis Doyle, Director, Ulster County Planning Department and Steve Peterson, construction. Prepared a short presentation based around need, environment, design and build. The proposed location of the Ulster County Safety Tower is located at 35 Quarry Road, which was a former tire dump site. All environmental liens have been rectified and removed. Peterson-the project coverage was discussed and the need for Fire Department services. It is difficult to communicate with the County in this area. Goldberg-does area does not cover south of the big circle correct? Peterson-no, that area will be covered by surrounding towers located in Overlook, Tonche and Kingston.

Doyle-the balloon test was completed on 7/18/2020 between the hours of 9am and 2pm. There were 2 locations where the balloons were visible, Harry Wells Road intersection with Route 32 and the site entrance. Distance to the nearest structures located around the proposed tower location are as follows: North- 840', South-1,780', Trinity Church-1,450' and the West-950'. The tower will be visible during leaf off seasons from Trinity Church. One location where there was visibility of the balloon was from Route 32/Harry Wells Rd. intersection. Due to the point of view from Route 32 it will not be that visible front the road except for a quick glimpse, there will be full visibility from Harry Wells Road. The entrance to the proposed tower site was also a point of visibility. The entrance is 1,900' from the tower site. The angle of the view will give drivers a brief view of the upper half of the tower from this location.

There was a Federal review of the site for historical/cultural significance by the FAA. There is no evidence of archeological sites or standing historical structures. No national registered properties. No significant impact/SHPO has concurred.

The site grading plan, there will be very little site grading/disturbance. Geo tech work will be performed, there is rock, will need a little work for this to pin or dig for the foundation of the tower. Enclosed area with the tower equipment, generator and propane tank.

Construction is proposed to begin in the Spring 2021 with the tower being fully operational in Fall 2021.

The Balance of Public Interest Test will be included in the proposed resolution. The UCPB has been trying to connect with the Town Attorney. This application is not subject to the local zoning structure, as the Town of Saugerties zoning does not allow a public tower anywhere in the Town limits.

A virtual meeting will be hosted by the UCPB on September 17, 2020 at 7pm. It will be a public meeting not a public hearing. Public comments will continue to be accepted until September 30, 2020, in writing. Anyone that wishes to view the information pertaining to the project can visit the website at: <https://ulstercountyny.gov/pstower>. Goldberg-the Monroe Balancing Test requires public awareness and is this enough? Can the Town of Saugerties host a public hearing? Doyle-public meetings are significant, there is no requirement by the local Board to conduct a separate meeting, but we can not stop you. Beltrani-suggested that anyone that is available on the Board to listen to the public meeting on 9/17/20 and then it can be discussed at the "Special Meeting" next week on 9/22/20. Goldberg-anyone that can attend should. Doyle-the presentation will be posted to view after the meeting as well. Post-thank you.

Additional comments: Doyle-SEQR determination does not have to be made prior to the public hearing, that is in the statute. In regards to the Fehr Brothers lighting required modification made by the UCPB it was made because the current type of lighting, not the dark sky approved, does create shadows in certain areas and can be unsafe.

2. Rich Rothe, of Rothe Engineering, presented a brief overview of an upcoming application. The applicant will be proposing an AirBnb at 33 Blue Mountain Church Road. They would like to add an event barn to host corporate type retreats. There will be 4 cabins on site. The sewage handling will be via holding tanks that will be maintained by a local hauler. The parcel does have shallow bedrock and a water body close to the proposed cabin sites. There will be no addition to impervious areas, existing parking seems adequate. The owners Liz & Gary Hardwick were present-we have lived here since December 2016 and have business interests in NY and CA. The house has already been rented out on VRBO and HomeAway websites, with many positive reviews. The proposed architectural barn will be for small weddings, wellness retreats, writer's retreats or corporate retreats. The cabins will be sustainable loft style to expand the footprint. It will be seasonal Memorial Day through Labor Day. Post-there are no questions from the Board at this time. We will await the application submission for our review and comments. Thank you.

ADJOURNMENT

Since there was no further business to discuss, a motion was made by Creen, seconded by Goldberg, to adjourn the meeting. Board vote: Creen-Aye, Goldberg, Aye, Hlavaty-Aye, Ellsworth-Aye, Post-Aye, Bouren-Aye. Motion carried. The meeting was closed at 9:46 p.m.

Respectfully Submitted by,

Becky Bertorelli
Planning Board Secretary