



PLANNING BOARD MINUTES

Virtual

September 21, 2021

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

Present: C. Howard Post (Chair), Carole Furman (Vice-Chair), Mike Tiano, Robert Hlavaty, Kevin Brady, Ken Goldberg, Len Bouren and William Creen (Alternate).

The draft minutes of the August 17, 2021 Planning Board meetings were reviewed. A motion was made by Furman, seconded by Tiano, to approve as written. Board vote: Furman-Aye, Goldberg-Abstain, Tiano-Aye, Bouren-Abstain, Brady-Aye, Post-Aye, Hlavaty-Aye. Motion carried.

PUBLIC HEARINGS

1. Major Subdivision, Robert Gelb & Norma Hill, 269 Wilhelm Road. Presented by Chris DiChiaro, Engineer. The public hearing has been held open from the August 17, 2021 meeting. The applicant is proposing a 4-lot subdivision of a 54-acre parcel located on Wilhelm Road. There will be three new lots created and the residual land, 37-acres, will remain with the existing house. Improvements are proposed to the existing well. The Town Engineer and Fire Chief are in agreement that the proposed improvements to the road are sufficient for the emergency vehicles.

- Fred DiVito, 350 Wilhelm Road-how will the changes to the road affect the neighbors that use that section of the road for access to their property? Will there be culverts for drainage? Will the proposed width increase be on the stream of the house side of the road? Will there be mailbox movement and if so who will take care of that? DiChiaro-the road as it has a 20% grade at its worst part, the applicant is proposing a 13.5% grade and 12% grade on the shared driveway. The way that the road is now does not meet the Town Private Rural Road Standards, working to improve so that those standards are met. Width is proposed to be 16' wide w/drainage on each side. Will not impact utility poles, stone protected roadside swails will be installed. The improvements will help resolve the pooling on the roadway. DiVito-will the mailboxes need to be moved? DiChiaro-will only move them if absolutely necessary. Do not think there will be any impact to the clustered mailboxes.

Post-leave the public hearing open until next month but the Board can approve a negative declaration at this time. Still awaiting the survey. A motion was made by Furman, seconded by Hlavaty, to approve a negative declaration under SEQ. Board vote: Furman-Aye, Goldberg-Aye, Tiano-Aye, Bouren-Aye, Brady-Aye, Hlavaty-Aye, Post-Aye. Motion carried.

OLD BUSINESS

1. Site Plan Amendment, Holmes Memorials LLC, 3785 Route 9W. Presented by Robert H. Schuman, owner. The applicant is proposing an amendment to their previously approved site plan to add a 1,680 square foot storage building behind the current commercial building. The storage building would be located in the rear of the property. An updated site plan with building elevations was submitted. Post-this application will have to be referred to the Ulster County Planning Board, as required. A motion was made by Hlavaty, seconded by Brady, to refer to the UCPB. Board vote: Furman-Aye, Goldberg-aye, Tiano-Aye, Bouren-Aye, Brady-Aye,

Hlavaty-Aye, Post-Aye. Motion carried. Goldberg-is there any new lighting proposed? Landscaping to the west? Schuman-no additional lighting is proposed, the area to the west is heavily screened with existing evergreens and foliage. The property on the north is owned by Rod Martin and is commercial. The property to the south is owned by the Town of Saugerties and has heavy foliage. Furman-what will the siding on the proposed storage building be? Schuman-it will match the existing building.

Post-it is up to the Board if a public hearing is necessary. A motion was made by Goldberg, seconded by Furman, to hold a public hearing for the next Planning Board meeting. Board vote: Furman-Aye, Goldberg-Aye, Tiano-Aye, Bouren-Aye, Brady-Aye, Hlavaty-aye, Post-Aye. Motion carried.

2. Major Subdivision, Catskill Terraces/HV Contemporary Homes LLC, Ralph Vedder/Manorville Road.

Presented by Jeffrey Hogan, Praetorius & Conrad, P.C. The application has submitted a revised sketch plan to reflect the relocation of "Laurel Ledge Lane" as requested at the last public hearing. This will move the previously proposed road location 400' to the northeast and position it between proposed lots 3 and lot 4. The upper road was moved, also, 25' to the north to provide a building envelope for lot 7. The applicant's attorney has submitted a deed restriction document which has been forwarded to the Town Attorney for review and all documents seem to be in order at the time of review.

Post-a public hearing will be required for the updated sketch plat. A motion was made by Furman, seconded by Bouren, to schedule the public hearing for the next Planning Board meeting. Board vote: Furman-Aye, Goldberg-Aye, Tiano-Aye, Bouren-Aye, Brady-Aye, Hlavaty-Aye, Post-Aye. Motion carried.

Post-the "Notice of Determination of Significance" was distributed to all required agencies. It is believed that the negative declaration was approved at the last meeting. A ratified motion was made by Furman, seconded by Hlavaty, for the acceptance/approval of the negative declaration as written. Board vote: Furman-Aye, Goldberg-Aye, Tiano-Aye, Bouren-Aye, Brady-Aye, Hlavaty-Aye, Post-Aye. Motion carried.

3. Site Plan/Lot Line Revision, Glasco Apartments, 260 Glasco Tpke., 2964 & 2966 Route 9W, Rt. 9W, 30 Belknap Ln./off Glasco Tpke.

Presented by Chris LaPorta, Passero Associates. The Stormwater Management Plan was submitted to the Town Engineer, Brinnier & Larios, for review. The applicant has had a meeting with the Engineer to discuss any changes/requirements. It has been confirmed that the capacity is there for the proposed water/sewer requirements. The traffic impact study is being conducted, the NYSDOT did want this completed as well. The NYSDOT would prefer not to see a bus stop located on Route 9W for safety reasons. The applicant is looking to accommodate that on-site. The landscaping has been addressed around the pool, there will be a detailed vinyl fence. A panel fence is being proposed, is that enough or does the applicant need more than a 6' high fence, to screen the neighbors to the north. Part III EAF needs to be completed by the applicant's team. Landscaping discussion requested. Furman-will the tenants be driving to and from the pool or walking? How many parking spaces will be provided at the club house? Will there be sidewalks? Would like them to be included in the plan, for safety of those residents walking through the development. LaPorta-we are not anticipating the residents to walk to the pool, it is not unreasonable that they may walk. There will be no through traffic. Have not included sidewalks due to the restrictions in the size of the lot, setbacks and length of driveways to provide adequate parking for the residents. Will look at sidewalks and additional safety features, walking paths. Furman-the way that it is currently proposed it is not a walkable community. Goldberg-agree that sidewalks are necessary. Tiano-sidewalks should be included, if you look at Bishop's Gate they do not have sidewalks and it is dangerous. They are needed for safety, and should also be included along Route 9W. LaPorta-that will be up to the NYSDOT if we can put sidewalks along Route 9W because that area is in the NYSDOT right-of-way. Bouren, Brady, Creen and Post agree with sidewalks. A sign plan needs to be submitted, as per the Planner's comment letter, demonstrating size, location and lighting (to follow the Gateway Overlay District restrictions). A comment also included in the Planner's comment letter is regarding the addition of a playground area for the children that will be living within the community.

Post-no further action, except the UCPB referral can be done at this time. A motion was made by Furman, seconded by Brady, to refer the application to the UCPB. Board vote: Furman-Aye, Goldberg-Aye, Tiano-Aye, Bouren-Aye, Brady-Aye, Hlavaty-Aye, Post-Aye. Motion carried.

4. Site Plan/SUP, Denier Car Wash/Duncan Properties, LLC, 2891 & 2897 Route 32. Presented by Scott Ouimet (Kaaterskill Associates) and Mike Moriello, Esq. The proposed car wash is located in the General Business zoning district with an Aquifer Overlay. It currently is not an allowed use in that zoning district or overlay district. The applicant is currently before the Town Board for a zoning change for this property and others within the same districts. Post-this meeting will focus on recommendations to the Town Board in regards to the request for the zoning change. Moriello-this application before the Planning Board can not be separated from the review before the Town Board and SEQR must be determined while considering both actions. The Planning Board can review the application in reference to the negative declaration. Post-can a public comment session be held? Moriello-yes, and it can be called a public hearing and notified as such, with the 500' notification letters. A motion was made by Post, seconded by Furman, to set a public hearing for the next Planning Board meeting for SEQR determination regarding the site plan and change in zoning. Board vote: Furman-Aye, Goldberg-Aye, Tiano-Aye, Bouren-Aye, Brady-Aye, Hlavaty-Aye, Post-Aye. Motion carried.

Post-Board comments: Furman-does this site have access to municipal sewer/water? Moriello-according to Town officials they are hoping that the DEC will extend the sewer/water into this area, there have been talks regarding that possibility. Ouimet-the design will allow an easy connection if the sewer/water district is extended. There will be a settling tank, reclamation of water run off that is contained and filtered, and an overflow tank for extra security. Furman-how will the wax, soap and other cleaning agents be contained and removed from the water before recirculation? Ouimet-anything that washes off the vehicles will go into a three-section containment unit, where it will be filtered and all elements that are removed will be pumped out to an offtaker which will be removed on a periodic basis. The tank has a dual wall and leak protection. Moriello-the applicant will provide a bullet list of features that are proposed to protect the groundwater area, recirculation of water. Ouimet-the circulation will go: car wash-settling tank (diagram on sheet 10 of submission)-baffles to collect debris-water sent to mechanical room-conditioned-reused. 75% of the water is recirculated and 25% is fresh water. The system will only use 6-8 gallons of water per wash with the reclamation system as opposed to the 100 gallons, on average, that are used when a vehicle is washed at home where there is run off into the groundwater. Tiano- no questions at this time. Bouren-how many gallons do the tanks hold and how long does it take to filter, will there be blasting as there is a lot of bedrock in that area? Ouimet-it takes approximately 60 minutes of settling time-retention time in the tank. Do not propose blasting, hoping to get the job done with a hammer. Brady-no questions. Hlavaty-EAF Part I, what are the impact of the zoning change, tabulation of impact within the Town Planner's memo. Ouimet-can add that information. Creen-no comments. Goldberg-would like to see if the Board can hire an outside consultant/engineer to look at the information that is provided to ensure that the Aquifer is protected with the proposed zoning change and additional use. The 2008 amendment to the zoning specifically removed car washes and would like to ensure that we do not change the zoning to its previous state from the 1989 zoning law that did not take the environment into consideration. Moriello-this is not a conventional car wash so that is one thing that is different from previous car wash facilities.

No further action can be taken at this time.

5. Site Plan/SUP, Tarpon Towers II/Verizon, 17 Industrial Drive. Presented by Scott Olsen, Young/Sommer LLC. Post-this meeting will consist of a discussion regarding the negative declaration so that the applicant can return to the Zoning Board of Appeals, as required since the Planning Board is Lead Agency. The Board has been advised by the Town Planner and the Planning Board Attorney to adopt the negative declaration at this time. Once that is completed the applicant can go back to the Zoning Board of Appeals for a public hearing. Board comments: Furman- wondering if there are any issues with the view shed? Goldberg-the Planning Board

will still need to hold a public hearing for the Special Use Permit and then the public comments can be addressed, which will likely include the view shed. Tiano-no comment. Bouren-no comment. Brady-interested in the public comments. Hlavaty-no comment. Creen-no comment. Post-this is just a basic step for the ZBA to move ahead with the public hearing.

A motion was made by Furman, seconded by Brady, to approve the negative declaration under SEQR. Board vote: Furman-Aye, Goldberg-Aye, Tiano-Aye, Bouren-Aye, Brady-Aye, Hlavaty-Aye, Post-Aye. Motion carried. A motion was made by Hlavaty, seconded by Furman, to refer to the Ulster County Planning Board, as required. Board vote: Furman-Aye, Goldberg-Aye, Tiano-Aye, Bouren-Aye, Brady-Aye, Hlavaty-Aye, Post-Aye. Motion carried. A motion was made by Goldberg, seconded by Furman, to set the public hearing for the next meeting. Board vote: Furman-Aye, Goldberg-Aye, Tiano-Aye, Bouren-Aye, Brady-Aye, Hlavaty-Aye, Post-Aye. Motion carried.

PRE-HEARING CONFERENCE

1. Lot Line Revision, Thomas & Jeanette DiSimone/Steven & Kathleen O'Connor, 759 & 769 Kings Highway. Presented by Dan McCarthy, Praetorius & Conrad, P.C. The applicant is requesting to move lot lines to eliminate existing encroachments. The applicant has received the required 19' area variance from the ZBA prior to this meeting. The lot line adjustments will resolve an issue with setbacks, with the approved variance. Post-questions/comments? None. A motion was made by Goldberg, seconded by Post, to declare this a Type II Action under SEQR, waive sketch approval, waive public hearing and approve the lot line revisions as presented. Board vote: Furman-Aye, Goldberg-Aye, Tiano-Aye, Bouren-Aye, Brady-Aye, Hlavaty-Aye, Post-Aye. Motion carried.

ADDITIONAL ITEMS

1. Site Plan/SUP, Bluestone Solar, Churchland Lane. Presented by Andrew Gordon, AES Clean Energy. Bluestone Solar previously received an approval for a solar facility located on Churchland Lane but final maps were never submitted within the 3-year allotted time frame. The project has been bought by AES Clean Energy and they are seeking a 1-year extension to submit the final maps. They would like the extra time to go over the project and ensure that all required items have been addressed. A motion was made by Tiano, seconded by Furman, to approve the 1-year extension. Board vote: Furman-Aye, Goldberg-Aye, Tiano-Aye, Bouren-Aye, Brady-Aye, Hlavaty-Aye, Post-Aye. Motion carried.

2. Minor Subdivision, PWO418 Holding, Inc., Blue Mountain Road. The applicant has submitted a request for a 1-year extension for the submission of final maps. A motion was made by Hlavaty, seconded by Brady, to approve the 1-year extension. Board vote: Furman-Aye, Goldberg-Aye, Tiano-Aye, Bouren-Aye, Brady-Aye, Hlavaty-Aye,

3. Ohayan Subdivision - Greene County/Catskill. An update was received from the Town of Catskill regarding the update of roads. The Board will forward this to the Saxton Fire Chief for his review. No further comments.

4. NOI to Serve as Lead Agency-Village of Saugerties. A "Notice of Intent" was received from the Village of Saugerties for a storage facility, known as Storage 28 LLC, located on North Street. The Planning Board of the Town of Saugerties has no objection to the Village of Saugerties being Lead Agency in the application review. Board comment: Furman-agree, Goldberg-agree, Tiano-agree, Bouren-agree, Brady-agree, Hlavaty-agree, Creen-agree, Post-agree. A letter will be sent to the Village of Saugerties Planning Board to accept the NOI.

5. Hope Farm - 70 Blue Mountain Road. The Board received a letter regarding the use of the parcel of land located at 70 Blue Mountain Road. The concern is that there are multiple animals, including farm animals, located on that property that are being used for business purposes without a site plan review/special use permit.

The tenant that lives at that location, Tammy Drost, operates Hope Farm and claims that any business in which the animals are used for, petting zoos, horseback rides, etc., is conducted off site and that she has the right to have the animals on that property without a site plan/SUP. The neighbors have noted that the ASPCA and NYSDEC have been called on numerous occasions for issues regarding the animals and how they are treated. Post-at this time this issue is in the hands of the Building Department to handle the complaints. The Planning Board can reach out to the Town Attorney, John Greco, for his legal opinion regarding the requirements to have the animals on-site and if a Site Plan/SUP is required. The neighbors voice that there have been numerous posts on social media advertising the business being conducted with the animals. The Board will request a directive letter from John Greco, Esq.

ADJOURNMENT

Since there was no further business to discuss, a motion was made by Furman, seconded by Tiano, to adjourn the meeting. Board vote: Furman-Aye, Goldberg-Aye, Tiano-Aye, Bouren-Aye, Brady-Aye, Post-Aye, Hlavaty-aye. Motion carried. The meeting was closed at 9:32 pm.

Respectfully Submitted by,

Becky Bertorelli
Planning Board Secretary