



## PLANNING BOARD MINUTES December 19, 2023

Present: C. Howard Post (Chair), Carole Furman (Vice-Chair), Mike Tiano, Bob Hlavaty, Kevin Brady, Al Riozzi and Gina Kiniry.

Also Present: Max Stach (Town Planner, NPV)

The draft minutes of the November 21, 2023 Planning Board meeting were reviewed. Hlavaty-one change, add my name to approval of the October meeting minutes. A motion was made by Riozzi, seconded by Tiano to approve with the minor change. Board vote: Furman-Aye, Tiano-Aye, Hlavaty-Aye, Riozzi-Aye, Kiniry-Aye, Brady-Aye. Post-abstained. Motion carried.

Post-the Board will be slightly changing the order of reviews tonight.

### **OLD BUSINESS**

**1. Lot Line Revisions, 9W Car Wash & Barber Shop/Costello, 3101/3099/3081/3085/3087 Route 9W & 13 Arthur Ln.** Presented by Tom Conrad, Praetorius & Conrad, P.C. The applicant is looking to move several lot lines with adjoining properties. Ultimately, starting with 6 parcels and consolidating down to 3 parcels after the lot lines have been moved. The three outlying parcels containing single-family residences will be combined with the large parcel in the rear. Stach-the only concern is if 3 single family residences are allowed on one parcel within the General Business district, which we will require a determination from the building inspector. This can be a condition of approval. No Ulster County Planning Board referral is required. Conrad-sent all the information to Alvah Weeks for his review on December 18, 2023.

A motion was made by Tiano, seconded by Brady, waive sketch plan approval, waive and a public hearing and to approve the lot line revisions as proposed, with the condition that the applicant get a determination from the Building Inspector that 3 SFR's are allowed on one parcel within the General Business zoning district. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Riozzi-Aye, Kiniry-Aye. Motion carried.

### **PUBLIC HEARINGS**

**1. Minor Subdivision, Barclay Dairy Bar Inc., 3099 Route 9W.** Presented by Tom Conrad, Praetorius & Conrad, P.C. The applicant is proposing to subdivide a 6.1-acre parcel into two parcels. The car wash will be separated so that it is on its own parcel with two access easements through the restaurant parcel, one from Arthur's Lane and the other from Route 9W. The updated minor subdivision maps reflect the lot line revisions that were approved with the previous application.

Post-opened the public hearing at 7:35pm. Public Comments:

- Sandra & Leo Reinhard, 128 Barclay Lane-is there a plan to develop that parcel? It abuts our property and there is an easement that runs through our parcel, for Town access and concerned that it will be used for access to that parcel. Conrad-there is no plan to develop at this time, just separating the car wash from this larger parcel.

Post-are there any more comments/concerns? None. Stach-a negative declaration was prepared and provided with the comment memo. A motion was made by Furman, seconded by Riozzi, to declare this an Unlisted

Action under SEQR and approve the negative declaration as prepared by NPV. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Riozzi-Aye, Kiniry-Aye. Motion carried. A motion was made by Furman, seconded by Hlavaty, to close the public hearing. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Riozzi-Aye, Kiniry-Aye. Motion carried.

Stach-access easements will need to be provided to and approved by the Planning Board Attorney, this can be a condition of approval.

A motion was made Hlavaty, seconded by Riozzi, to approve the application with the condition that the easement for access from Route 9W and the easement for access from Arthur Lane be provided to and approved by the Planning Board Attorney prior to the final subdivision maps being signed for filing with the Ulster County Clerk's office. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Riozzi-Aye, Kiniry-Aye. Motion carried.

### **OLD BUSINESS**

**1. Site Plan, The Villa Residences (Senior Housing), 49 Spaulding Lane.** Presented by Matt Wexler, AKRF and Jeff Hogan, Praetorius & Conrad, P.C. The applicant is currently still in front of the Town Board for the proposed zoning change. The second public hearing was held and closed. The Town Board is still accepting written comments from the public. Awaiting the new year to see where we are in that process. Hogan-additional trees have been proposed along the property line that abuts the Lasher House. Stach-one comment that still needs to be addressed is the design of the engineered slope to the East of Buildings 1 & 2. Also the design for between the north and south set of buildings. Hogan-currently proposing an 18' wide box culvert to cross the stream/wetlands, which will result in approximately 0.25 acres of wetland disturbance. However, when the design is reviewed by the US Army Corps of Engineers they may require a bridge instead to reduce the wetland disturbance to less than 0.1 acres. Stach-those items will be reviewed by the Town Engineer but highlighting that they were requested. The concern is that there is a lot of clay in that area and the slope proposed may be an issue. Hogan-we have not provided any additional engineering at this time, awaiting to see what happens with the Town Board and the zoning change request. Anticipate structural fill. Intent to hire a geotechnical engineer.

Stach-most other comments at this time have been reflected in the updated site plans provided. The applicant should look at moving forward with the Town Engineer. Tiano-is there anyway to highlight the changes that are made to updated site plans. They are significant plans and it is hard to catch the changes. Hogan-masonry work has been added to the existing bridge to stabilize. Tiano-can the garbage storage area by Lasher House be moved to lessen the noise that the pick up will create and allow them to be more accessible to the Garbage trucks? Hogan-will discuss with the applicant.

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

**2. Site Plan Amendment, HITS, LLC, 454 Washington Ave. Ext./Mike Krout Road.** Presented by Rian Beals, HITS. Stach-the area under the tent does constitute floor area, as determined by the Building Inspector, Alvah Weeks. There will be no impacts on the environment as a result. This is an Unlisted Action and a negative declaration has been prepared and distributed with the NPV review memo. All other outstanding planning comments have been addressed by the recent submission.

A motion was made by Brady, seconded by Kiniry, to declare this an Unlisted Action under SEQR and approve the Negative Declaration as prepared by NPV. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Riozzi-Aye, Kiniry-Aye. Motion carried.

Biels-the wash racks were not required to be provided as part of the site plan, according to Alvah. We have submitted a curb cut to the Town Highway Department for the second access off of Mike Krout Road. The circulation arrows have been updated on the recent site plan provided. Tiano-what are the pads used for?

Beals-to exercise the horses. Tiano-will there be water in the tents? Biels-will use hose water for the horses. Buckets are used, that area never floods. Tiano-these tents are being relocated from where? Biels-they have been located behind the highschool, there will not be any at that location once these are moved.

A motion was made by Hlavaty, seconded by Kiniry, to approve the site plan amendment. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Riozzi-Aye, Kiniry-Aye. Motion carried.

**3. Lot Line Revision, Scott Kolb/Lewis Trust, 21/25 Oakledge Park.** Presented by Tom Conrad, Praetorius & Conrad, P.C. The applicant has received approval from the Zoning Board of Appeals for the necessary setback variances to allow for the lot line revision requested. Lewis Trust will acquire the area between the two existing garages on both parcels to allow them to have space and yard space. Currently the parcel owned by the Lewis Trust does not have any land on either side of their existing garage and the Kolb parcel has area on both sides of their existing garage.

Stach-this meets the requirements with the approved variances and is a Type II Action under SEQR. UCPB referral is not required.

A motion was made by Tiano, seconded by Brady, to waive sketch plan approval, waive a public hearing and approve the lot line revision as proposed. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Riozzi-Aye, Kiniry-Aye. Motion carried.

### **PRE-HEARING CONFERENCE**

**1. Minor Subdivision, Janet Marazita, 236 Dutchtown Road.** Presented by Paul Mueller, Bethlehem Land Surveying, PLLC. The applicant was before the Board last month for lot line revisions to distribute part of the parcel located 236 Dutchtown Road to adjoining parcels and is now before the Board to subdivide the remaining lands of 236 Dutchtown Road into two parcels. One parcel will contain the existing house and consist of 15.8 acres and the second parcel will be wooded and consist of 10.8 acres.

Stach-this is an Unlisted Action under SEQR and a negative declaration was prepared and attached to the review memo for this meeting. There are no environmental impacts. No UCPB referral is required. A public hearing is required.

A motion was made by Kiniry, seconded by Tiano, to declare this an Unlisted Action under SEQR and to approve the Negative Declaration as prepared by NPV. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Riozzi-Aye, Kiniry-Aye. Motion carried. A motion was made by Hlavaty, seconded by Riozzi, to set the public hearing for the January 16, 2024 meeting. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Riozzi-Aye, Kiniry-Aye. Motion carried.

### **ADDITIONAL ITEMS**

**1. Major Subdivision, Greenspace Realty, Inc., Harrison Court.** A request was received for a 6-month extension for submission of the final subdivision maps for signatures. The extension will allow for the applicant to get the required permits that were conditions of approval. A motion was made by Hlavaty, seconded by Furman, to approve the 6-month extension request. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Riozzi-Aye, Kiniry-Aye. Motion carried.

### **ADJOURNMENT**

Post took a moment to thank everyone on the Board for their hard work and dedication over the past year. It has been an exceptional year and it is because of the individuals on the Board that have made that happen. It is a pleasure to work with everyone and looking forward to another great year. Also, we still need an alternate, so if anyone has anyone in mind that may be interested please let Becky know.

Since there was no further business to discuss, a motion was made by Kiniry, seconded by Brady, to adjourn the meeting. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Riozzi-Aye, Kiniry-Aye. . Motion carried. The meeting was closed at 8:06 pm.

Respectfully Submitted by,

Becky Bertorelli  
Planning Board Secretary