



PLANNING BOARD MINUTES July 16, 2024

C. Howard Post, Chair, opened the meeting at 7:34 p.m. Pledge

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

Also Present: Max Stach (Town Planner, NPV)

Absent: Mike Tiano

The draft minutes of the June 18, 2024 Planning Board meeting were reviewed. A motion was made by Riozzi, seconded by Furman, to approve as written. Board vote: Post-Aye, Furman-Abstained, Hlavaty-Aye, Brady-Aye, Riozzi-Aye, Kiniry-Aye. Motion carried.

PUBLIC HEARINGS

1. Minor Subdivision (2-lot), Mark & Lori Mendelis, 85 Band Camp Road. Presented by Bruce Utter, Praetorius & Conrad, P.C. The public hearing was adjourned at the June 18, 2024 Planning Board meeting and continued.

Post opened the public hearing back up at 7:36 pm. No one from the public was present. No further questions from the board. A motion was made by Hlavaty, seconded by Brady, to close the public hearing. Board vote: post-Aye, Furman-Aye, Hlavaty-Aye, Brady-Aye, Riozzi-Aye, Kiniry-Aye. Motion carried. The public hearing was closed at 7:37 pm.

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

OLD BUSINESS

NONE

PRE-HEARING CONFERENCE

1. Lot Line Revision, Patricia Livingston, 175 & 185 Fishcreek Road. Presented by Walter Eckert (Brinnier & Larios, P.C.) and Warren Replansky (Applicant's Attorney). The applicant proposes a lot line adjustment between Lot 23 (decreasing from 4.823 acres to 3.232 acres) and Lot 22 (increasing from 43.823 acres to 45.414 acres) so that each lot will contain one single-family detached residence, and the majority of the accessory buildings and landscape features will be located on Lot 22. The sketch plan has been updated to address the comments from the Planner's memo. No easement is needed for the water supply as each lot has its own well. The outdoor storage areas to be marked. The spiral building is currently being used as the primary residency. There are no immediate plans for the rest of the property. No commercial use is proposed at this time. If it is developed in the future the applicant understands that they will have to apply for a site plan and special use permit (if required). The electrical panel that was questioned in the memo does not receive power requiring an easement of any sort. The spiral house is the principal use of Lot 23. As requested in the memo, permits and certificates of occupancy will be acquired from the Building Department. Stach-the house is located so far from

the street so that area in the front is needed to meet zoning codes and requires a supermajority vote for approval from the Planning Board since the proposed transfer of land is over one acre. An easement will be required for the section of the driveway that is shared. Replansky-to answer the question in the memo regarding the solar panels they feed back to the Central Hudson grid. Furman-is there an underground oil tank? Livingston-concrete banker around the tank and it is still being used. It is not really underground.

A motion was made by Riozzi, seconded by Brady, to waive the public hearing, sketch plan requirements and approve the application with the following conditions;

- Movement of ROW to meet zoning setback requirements for the shed and carport;
- Verification by Building Department that all structures on both lots have valid and appropriate certificates of occupancy as necessary;
- Approval of Easement/ROW by the Planning Board Attorney;

Board vote: Post-Aye, Furman-Aye, Hlavaty-Aye, Brady-Aye, Riozzi-Aye, Kiniry-Aye. Motion carried by supermajority as required for the transfer of more than 1-acre.

2. Site Plan, Jamie Watts, 149 Patterson Road. Presented by the owner Jamie Watts. The applicant is looking to add an addition to an existing attached garage, which currently has a flat roof. The flat roof of the garage was prepared for an addition by the previous owner but it was never completed. The applicant is before the Planning Board solely because the parcel is located in the Waterfront Overlay District. There will be no change in the footprint of the existing home, elevation will be increased only. For aesthetics the windows will be trimmed and the south side of the structure may have different siding for visual effect. The only neighbor that is close to the construction does not have any view past the existing house. No grading or clearing is proposed. No tree removal is proposed. Notes can be added to the final site plan to indicate both. There will be no outdoor lighting on the addition. Post-if windows will be installed in the addition on the river side they must be non-reflective. Watts-proposing two french doors and will ensure the glass is non-reflective. Hlavaty-if a metal roof is proposed it will need to be non-reflective as well. Watts-planning on doing a metal roof so that we can install solar panels which will cover the majority of the roof. Post-there is a roof material that looks like the galvanized metal is spalted. May be an option to look into as it is non-reflective. Stach-UCPB referral is not required and this is a Type II Action under SEQR.

A motion was made by Furman, seconded by Kiniry, to approve the site plan with the following conditions;

- The roof will consist of a non-reflective material/color;
- Non-reflective windows will be required on the riverside of the structure;
- No outdoor lighting will be installed and if it is it will be downward casting and comply with Dark Sky Standards
- Authorization from Marisa Kayyen submitted for this site plan

Board vote: Post-Aye, Furman-Aye, Hlavaty-Aye, Brady-Aye, Riozzi-Aye, Kiniry-Aye. Motion carried.

3. Site Plan, Max Estate 2024, LLC, 18 Montague Lane. Presented by Jeff Hogan, Praetorius & Conrad, P.C. The applicant is looking to construct a 4,000 square foot single family home (SFR) with 2,000 square feet of finished space in the basement and 2,000 square feet of finished space on the main floor. There will also be a carport. The site plan that was submitted was prepared by the architect of the project. The parcel is the last vacant lot on Montague and is close to 900' from the river. There are no river views from this lot but the applicant is required to get site plan approval because the lot is located in the Waterfront Overlay District. The neighbor to the northeast only gets seasonal views of the river. Some clearing is proposed but the existing woods are thick and will remain that way. The 2003 subdivision installed public water, public sewer and gas utilities. There is a narrow ridge that slopes from north to south with ravines. The limit of clearing shown around the proposed location of the SFR. No topping of the trees is proposed. The exterior lighting will be fully shielded.

Stach-will require authorizations/affidavits to act on the LLC's behalf. There seems to be multiple individuals involved in the LLC. Referral to UCPB is required. Furman-ensure that non-reflective windows be installed on the river side. Post-not in view of the river due to terrain so may not be necessary.

A motion was made by Hlavaty, seconded by Brady, to refer to the UCPB. Board vote: Post-Aye, Furman-Aye, Hlavaty-Aye, Brady-Aye, Riozzi-Aye, Kiniry-Aye. Motion carried.

ADDITIONAL ITEMS

None

ADJOURNMENT

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

The meeting was closed at 8:38 pm.

Respectfully Submitted by,

Becky Bertorelli
Planning Board Secretary