



PLANNING BOARD MINUTES

Virtual

February 15, 2022

C. Howard Post, Chairperson, opened the meeting at 7:34 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)

Also Present: Max Stach (NPV, Town Planning Firm) and Jonathan Midler (NPV, Town Planning Firm)

The draft minutes of the January 18, 2022 Planning Board meetings were reviewed. A correction was requested by Tiano under “Rust Free Motors, LLC” to ensure the wording states “aerosol spray can usage”. A motion was made by Tiano, seconded by Furman, to approve. Board vote: Furman-Aye, Goldberg-Aye, Tiano-Aye, Bouren-Aye, Brady-Aye, Post-Aye, Hlavaty-Aye. Motion carried.

PUBLIC HEARINGS

1. Major Subdivision, Abe & Nicole Friedman, 159 Band Camp Road. Presented by Donald Brewer, surveyor and Scott Lane, engineer. A plan was submitted to address the flooding concerns. The proposed driveway into Lot #2 will be 500’ in length and 18’ wide. There is an 18” existing culvert pipe. There is a swale into an existing culvert, proposing a new swail onto Lot #2 to alleviate water and divert it towards the existingContinued public hearing from the January 18, 2022 Planning Board meeting. The applicant is proposing a 3-lot subdivision. Lot 1 will contain an existing home and the remaining lots are vacant.

Public Comments, Cont.:

- Rich Decker, 143 Band Camp Road - major concern is the disturbance of the Floodplain, which is AE high risk. Concern with filling in for the proposed driveway above the floodplain and the consequences of that. The area is marked as a FEMA flood hazard. The water flows down and stops in the middle of my backyard. The culvert that the Town has installed on Band Camp Road is too small for the amount of run-off. Lane-water directed there now. Brewer-County map is skewed and not accurate with boundaries, with the floodplain overlay. Some areas are shifted by 50’. They show estimated, not actual FEMA lines. The area in question is not high-risk with a chance of flooding once in 100-years. Mr. Brewer is a certified flood manager certified by FEMA. We have worked on the base elevation to determine how high the foundation would have to be.
- Nicole Roskos, 10 Stoll Road - water comes down and pools under the solar panels on my land. The water comes off Stoll Road and moves back to where the proposed house is to be built. The proposed driveway and new house will push the water back towards our property and the neighbors (Kellerhouse). Will there be tree cutting? Would like to see a buffer to keep some privacy. Lane-the drainage proposed will drain away from your property and around where the proposed house is to be built. There will be minimal cutting of trees for the driveway and house. There are setbacks that will not be disturbed. There is a small septic. Any disturbance will be more than 100’ from that area. The area will be built up around the proposed house, 2’. Roskos-what happens if the flooding gets worse as a result of the

drainage plan and the proposed house and driveway? Who is responsible? Lane-the drainage is designed so that the water concerns do not get worse, designed to divert away from the neighboring homes.

- Hope Kellerhouse, 193 Pine Lane - Lot #1 septic is located behind the house. Would like the drainage explained better and more clear. Contacted FEMA and an encroachment of the floodplain is not allowed. No fill is allowed in the floodplain area. Lane-the water will move to the swail, ditch towards the culvert on property line to Friedman's property, ditch swale along driveway to divert water from Kellerhouse property, curtain durian and piping to the north onto Friedman's property. Kellerhouse-the culvert pipe that is existing can not keep up with the water flow at this time and there will be back up, standing water/pond. Brewer-can be approved by FEMA to fill with engineer's plans. Kellerhouse-the existing box container on the Friedman's property causes standing water on my property. There is complete flooding around the maple tree to where the driveway is proposed. Not sure how any drainage that is proposed will alleviate this. Post-can attest to this, drove by this morning and it was a skating rink. Lane-trying to divert the water from the north. Post-at some point it could be built on, refer to the Town Engineer for comment.

Post-would like to defer to the Town Engineer, with the neighbor's concerns, for comment. Board's comments: Hlavaty-yes, Bouren-yes, Tiano-yes, Goldberg-yes, Brady-yes, Furman-yes. Will be sent to the Town Engineer. Post and Tiano will walk the property to see the concerns. Post-will keep the public hearing open. Furman-suggested that the applicant's team sit down with the neighbors and explain the drainage plan better.

2. Major Subdivision/Lot Line Revision, Greenspace Realty, LLC/Mullen, Harrison Court. Presented by Bruce Utter, Praetorius & Conrad, P.C. The applicant is proposing lot line revisions and a 6-lot subdivision in a previously approved development located off of Glasco Turnpike. Looking to extend Harrison Court 350' to the south inside the Glasco Ponds subdivision, to access a previously landlocked parcel. Reconfigured the previously approved plan to include 6 new residential lots. The lot line revisions are proposed to make the new configuration work, as there are Federal Wetlands marked. There is a total of 11 acres but the construction of houses will be confined to 3-acres. There is public water and sewer.

Public Hearing opened by Post at 8:20 p.m. Public Comments:

- Rich Donlan, 2870 Route 9W - will additional subdivision be proposed? Additional building on the top of the parcel? Utter-there is not much buildable land located in that area, not much potential. If anything additional is proposed in that area it would have to be approved by the Planning Board.

Since there were no further comments a motion was made by Furman, seconded Brady, to close the public hearing. Board vote: Hlavaty-Aye, Brady-Aye, Tiano-Aye, Goldberg-Aye, Bouren-Aye, Furman-Aye, Post-Aye. Motion carried. Public hearing closed at 8:25 p.m.

Stach-reviewed the revised drawings, lighting, signage, sidewalks and received the original subdivision maps that were approved. Will need additional time to review those. Monumentation to be added along wetlands. Utter-have made a note on the updated plans to include signage, stake out wetland boundary. Stach-the number of lots on a road, 20 lot limit, will have to be discussed by the Board to see if a waiver will be approved. Furman-how do you count the number of lots? Utter-count from the intersection of Harrison and Bromley. Stach-the main purpose of the provision is for concentration of traffic and emergency services access. Tiano-the Fire Chief does not have any problem at all for the emergency access with the proposed additional lots.** Personal concern with lighting, it is very dark in that area and there are a lot of children in that area that ride bicycles. Can street lights be installed? A bike path? Hlavaty-not a fan of waiving the 20 lot limit requirement. Brady-no issues with waiving. Goldberg-no issues with waiving if the Fire Chief is ok with it. Utter-length of Harrison is 800' and there is no way for additional access. Bouren-ok to waive. Furman-ok to waive. Post-ok to waive.

A motion was made by Furman, seconded by Tiano, to waive the general requirement within §215.21(E) of the subdivision regulations, 20-lot provision. Board vote: Hlavaty-Aye, Brady-Aye, Tiano-Aye, Goldberg-Aye, Bouren-Aye, Furman-Aye, Post-Aye. Motion carried.

Stach-the FEAF was received and the NOI distributed. The SWPPP is to be updated and submitted to the Town Engineer. May require a resubmission to SHPO. Utter-will work on SWPPP, sent a letter to CRIS before meeting to make sure of requirements. A lighting district may be a difficult approval to receive, since one was not required or approved for the original subdivision. Will check with the Town Board.

A motion was made by Post, seconded by Furman, to reaffirm this as a Type I Action under SEQR. Stach-would like to receive the Town Engineer's comments on the amended SWPPP for the Part III of the EAF. Post-will schedule a second public hearing after receipt of the Town Engineer's comments. Post-further questions: Hlavaty-no, Brady-no, Tiano-no, just the bike path/sidewalks, Goldberg-no, Bouren-no, Furman-lighting district and sidewalks.

3. Site Plan/SUP, Tarpon Towers II/Verizon, 17 Industrial Drive. The Planning Board is in receipt of legal action documentation. A motion was made by Brady, seconded by Tiano, to adjourn indefinitely until litigation is resolved. Board vote: Hlavaty-Aye, Brady-Aye, Tiano-Aye, Goldberg-Aye, Bouren-Aye, Furman-Aye, Post-Aye. Motion carried.

OLD BUSINESS

1. Major Subdivision, Robert Gelb & Norma Hill, 269 Wilhelm Road. Presented by Chris DiChiaro, Engineer and Chuck Holtz, Surveyor. The survey was completed and submitted. It was discovered that one of the lots already exists as Lot #1. The remainder will be addressed as Lot #2 a, b, c and d. Nothing has changed regarding the proposed subdivision and lot boundaries. Will update the subdivision map to include the survey information. Holtz-no additional comments regarding the survey. Stach-will just require updated subdivision maps to induce the survey information. Ownership and maintenance agreement Wilhelm received, will need something similar for the new proposed road, particularly where the Town's responsibility ends. The road has been reviewed by the Town Engineer and is acceptable. Will the applicant request a waiver for the tree requirement? Private Rural Roads, lot lines are supposed to be split down the centerline, this needs to be addressed. Negative Declaration completed. DiChiaro-leave Lot #1 as existing. Holtz-if you move it may not meet requirements. Stach-no perk done on that lot, maybe abandon the lot line? DiChiaro-doing improvement to drainage, leave as is. Post-waive the lot line requirement? Hlavaty-yes, Brady-yes, Tiano-yes, Goldberg-yes, Bouren-yes, Furman-yes, Post-yes. DiChiaro-what about the tree requirement? Proposed road follows an old wood road, there are large pines, and will stay along the ridge with the existing trail. Furman, Tiano and Post will walk the property to mark trees that are 8" or larger in diameter at chest height. DiChiaro will be present.

2. Site Plan/SUP, Rust Free Motors, LLC, 2 Simmons Drive. Presented by Steven King, owner of Rust Free Motors, LLC, applicant. We have provided a revised site plan with the added cars for the parking lot, DOT entrance w/curb and garbage truck access path. Rich Rothe will be the Engineer to complete the professional site plan, which will be completed in March 2022. Post-Board questions: Hlavaty-no. Brady-no. Tiano-there is a trailer located in the back of the building that will need to be removed or moved every 180-days, applicant should speak to the Building Inspector about this. King-that trailer is not permanent and will be moved as required. Goldberg-parking of 35 or 36 cars in the back is demonstrated, how is that beneficial to be able to work on these vehicles? King-will not be working on them in the back lot only working on them in the garage bays of the building. Bouren-no. Furman-no. Post-no, looks good just need the engineered plan. Stach-the Planning Board will consider some requirements for the Special Use Permit, including but not limited to, lighting duration, timing, hours of operation, etc.

Discussion regarding hours of operation. King-prefer to show cars by appointment only, as we are in and out of the building throughout the day. Hlavaty-7am-5pm. Brady-7am-6pm. Bouren-7am-5pm w/appointments available. Tiano-7am-5pm w/appointments available. Goldberg-7am-5pm w/appointments available. Furman-ensure that the noise is confined to the garage and agrees with the rest of the Board on hours of operation with what makes sense, 7am-5pm w/appointments available. King-we do not particularly use air tools, regarding the noise concern. Post-7am-6pm w/appointments.

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

3. Lot Line Revision, David Holloway, 41 Rivka Road. Presented by the owner/applicant, David Holloway. The applicant is looking to delete the lot line between the two lots he owns, creating one large lot. Stach-no concerns, simple lot line deletion. Board questions: Hlavaty-no. Brady-no. Tiano-no. Goldberg-no. Bouren-no. Furman-no. Post-no. A motion was made by Tiano, seconded by Furman, to waive sketch plan approval, waive the public hearing and approve the lot line revision. Board vote: Hlavaty-Aye, Brady-Aye, Tiano-Aye, Goldberg-Aye, Bouren-Aye, Furman-Aye, Post-Aye. Motion carried.

4. Site Plan, John Reidy, 9 Montague Lane. Presented by Diego Celaya, Architect. The applicant is looking to build a SFR on their parcel that is located in the Gateway Overlay and Waterfront Overlay districts. The proposed site plan was referred to the Ulster County Planning Board (UCPB) as required. UCPB responded as "No County Impact". Stach-all comments have been addressed and resolved by the applicant, no further comments or concerns. The Board had no further comments/questions. A motion was made by Brady, seconded by Hlavaty, to approve the site plan. Board vote: Hlavaty-Aye, Brady-Aye, Tiano-Aye, Goldberg-Aye, Furman-Aye, Bouren-Aye, Post-Aye. Motion Carried.

5. Minor Subdivision/Lot Line Revision, 1033 Kings Highway LLC/Arthur Green, 1033 Kings Highway. Presented by Dan McCarthy, Praetorius & Conrad, P.C. The owner/applicant, Arthur Green, was also present. Stach-dimension changes added. Outstanding items listed in the subdivision requirements. The Planning Board waivers requested are acceptable, no further concerns. Attached Part II & III (negative declaration). Reached out to the DEC regarding monitoring of the land and they had no concerns. No Board questions. A motion was made by Hlavaty, seconded by Tiano, to set the public hearing for the March 15, 2022 Planning Board meeting. Board vote: Hlavaty-Aye, Brady-Aye, Tiano-Aye, Goldberg-Aye, Bouren-Aye, Furman-Aye, Post-Aye. Motion carried.

PRE-HEARING CONFERENCE

1. Site Plan, Fehr Brothers/Solar Generation, 895 Kings Highway. Presented by Brendan Boland & Zach Schrowang, Solar Generation. The applicant is looking to install a 750kw ground mounted community solar project. Stach-the applicant was before us in a workshop. The application is pretty straightforward. The parcel is a separate lot from the current site of the Fehr Brothers business buildings. Does not seem to be visible from the NYS Thruway. There was concern at the workshop of visibility and reflective concerns from the northside of Kings Highway. The applicant has added forsythia bushes for screening in that area. The plan seems to be at the sketch plan stage and will need a professional signed plan. Waivers should be requested for items that the applicant believes do not pertain to them. A curb cut is required, lighting details, details regarding size of plantings at time of installation. SWPPP requirement is still a question. Impervious surface is where ground mounts go in the ground. Will be referred to the Town Engineer to determine if a SWPPP is required and to review the engineering aspects of the proposed project. This is an Unlisted Action under SEQR. County curb cut permit required, UCPB referral required, NYSERDA requirements and the area to be disturbed needs to be shown. Project parcel is 2.5 acres but less than an acre will actually be disturbed, showing that area to ensure. Boland- usually does not require a SWPPP with the limitation of disturbance. Stach-if a SWPPP is required CRIS will need to be notified. This can be done as a coordinated review if the Planning Board decides to go that route. NOI can be distributed if so. The Board agreed that it is not necessary to do a coordinated review.

Post-will await the updated professional site plan to move forward with negative declaration. Board questions: Hlavaty-none. Brady-none. Tiano-no. Goldberg-Decommissioning Bond required. Bouren-have you ever considered sheep instead of cutting/mowing the grass? Schrowang-we have not. Furman-will the solar panels be moving or fixed? Schrowang-stationary. This array will be the same size as the one across from the Lazy Swan golf course.

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

2. Site Plan Amendment, ELNA Magnetics, 203 Malden Turnpike. Presented by Bruce Utter, Praetorius & Conrad, P.C. The applicant is looking to amend the 2008 approved site plan to expand. The parcel is 9.7 acres with federal wetlands present, which were delineated in September 2021. The parcel is relatively flat in topography. There is an existing building which is 33,000 square feet in total with the second story. There is an existing curb cut. The stormwater and landscaping that are existing have been properly maintained and the intention is to continue with the expansion. The applicant is looking to construct another 15,000 square foot building which is attached to the existing building and a detached building for cold storage. Would be increasing the current 65 parking spaces to 75. A new loading dock is proposed on the cold storage building. There is existing water and sewer, no additional will be needed. The sprinkler system will be expanded if needed. A separate access drive for the Fire Department is proposed in the rear part of the building, as requested in the workshop meeting. It will be gated and the FD will be provided a key for access. A landscaping and lighting plan will be provided further in the process. Plan to expand the stormwater pond for additional new runoff. Stach-the County is in the process of re-zoning requirements for the Industrial District, just an FYI. Some items that the Planning Board will require are measurements, building elevations, floor plans, limits of disturbance, SWPPP requirements. Looks as though a small section of the proposed fire access road is within the wetlands, and will require permission from the Army Corps of Engineers. Utter-can pull the access road back if needed. A gravel road only is proposed for that, 20' wide with some grading necessary but very limited. Stach-wetland protection measures needed during construction. If anything is proposed in the wetlands further requirements will be needed. Calculate development coverage. Utter - at 15% and the zoning limitation is 30%. Only included the buildings/structures in this calculation. Stach-§245.28(B) notes that at least 20% of the gross site area shall be devoted to green space. Utter-there is over 20% of green space located on the southside. Looking for a parking requirement waiver - the applicant only requires 75 parking spaces, we can show some potential additional parking spaces but would prefer waiver. Stach-can request a waiver from the Planning Board or get a variance. Landscaping is to be added, dimensions to parking spots and aisles added, call out for the gated emergency access, truck movement shown. Utter-the last row of parking proposed is 24' wide, access to the rear of the building was requested by the Fire Department and it is gated to prevent being used as a secondary entrance. Stach-show landscaping islands and signage. Utter-need to leave the last row without an island for movement, no new signage is proposed, handicapped and visitor parking marked. Stach- Ulster County DPW will be involved for the curb cut, Army Corps of Engineers only if there is wetland disturbance. Referral to the UCPB is required. This is an Unlisted Action under SEQR. Post-Board's comments on distribution of "Notice of Intent to declare Lead Agency" at this time: Board unanimously agreed. Board comments: Hlavaty-none. Brady-none. Tiano-none. Goldberg-none. Bouren-none. Furman-The place always looks good. EV plug in parking spots? Shade trees in the parking area? Rooftop solar? Utter-can look into EV charging spots. There are existing shade trees in the parking area. Can speak with the applicant about possible rooftop solar. Post-are the proposed addition and detached building steel? Utter-yes similar to what is currently there.

A motion was made by Tiano, seconde by Brady, to declare this an Unlisted Action under SEQR. Board vote: Hlavaty-Aye, Brady-Aye, Tiano-Aye, Goldberg-Aye, Bouren-Aye, Furman-Aye, Post-Aye. Motion carried.

3. Minor Subdivision, William & Michele Haines, 12 Michele Boulevard. Presented by Jeff Hogan, Praetorius & Conrad, P.C. The applicant is looking to do a minor subdivision on a 9-acre parcel located off of Route 32A. There is an existing SFR w/driveway off of Michele Boulevard, private road. There is an existing

small gravel parking area where the owner parks his business vehicles. The western portion of the parcel is wooded and vacant. Would like to split the parcel in half, propose a new drive off of Route 32A towards western property for future development of a SFR. Have spoken to the Building Inspector regarding the trucks being parked on-site and he has confirmed they are acceptable as part of the applicant's business. Stach-the parking of the trucks is not operative to the subdivision and is an existing condition, not a new proposed use. This is a conforming 2-lot subdivision, it is an Unlisted Action under SEQR, will require a curb cut from the NYSDOT, will require referral to the UCPB.* Requirement of driveways to be spaced properly. No SWPPP is required.

A motion was made by Tiano, seconded by Brady, to declare this an Unlisted Action under SEQR and approve a Negative Declaration. Board vote: Hlavaty-Aye, Brady-Aye, Tiano-Aye, Goldberg-Aye, Bouren-Aye, Furman-Aye, Post-Aye. Motion carried. A motion was made by Furman, seconded by Tiano, to refer to the UCPB* and schedule the public hearing for the March 15, 2022 Planning Board meeting. Board vote: Hlavaty-Aye, Brady-Aye, Tiano-Aye, Goldberg-Aye, Bouren-Aye, Furman-Aye, Post-Aye. Motion carried.

4. Lot Line Revision, Janice & Robert Martin, 62 & 68 Canterbury Drive. Presented by Jeff Hogan, Preatorius & Conrad, P.C. The applicant owns two adjacent SFR lots in the Bishop's Gate development. They are looking to eliminate an encroachment of a gravel parking space on the existing house lot by adjusting the lot line to include and meet setback requirements. Both lots will be conforming after the proposed lot line revision. Stach-all comments have been addressed. Meets requirements, the Board can waive the public hearing, no SEQR review is required. There were no Board comments/concerns. A motion was made by Furman, seconded by Tiano, to waive sketch plan approval, waive the public hearing and approve the lot line revision. Board vote: Hlavaty-Aye, Brady-Aye, Tiano-Aye, Goldberg-Aye, Bouren-Aye, Furman-Aye, Post-Aye. Motion carried.

ADJOURNMENT

Since there was no further business to discuss, a motion was made by Tiano, seconded by Brady, to adjourn the meeting. Board vote: Hlavaty-Aye, Brady-Aye, Tiano-Aye, Goldberg-Aye, Bouren-Aye, Furman-Aye, Post-Aye. Motion carried. The meeting was closed at 10:36 pm.

Respectfully Submitted by,

Becky Bertorelli
Planning Board Secretary

****Upon further review and communication with the Ulster County Planning Board Referral Officer this application does NOT need to be referred to the UCPB as the Town of Saugerties has executed the "Referral Exception Agreement".***

*****Upon receipt of a letter from the Glasco Fire District dated March 14, 2022 the Board was informed that the Glasco Fire District does not want to undermine town laws pertaining to the 20 lot limit.***