



PLANNING BOARD MINUTES May 21, 2019

The Pledge of Allegiance.

Howard Post, Chairman, opened the meeting at 7:35 p.m.

Present: Howard Post, Kenneth Goldberg, Carole Furman, Daniel Ellsworth and Robert Hlavaty (alternate)

Also Present: Dan Shuster (Town Planner), Paul Andreassen (Liaison), Elizabeth Reece (Lighthouse TV23)

Absent: William Creen, Len Bouren and Michael Tiano

Review of April 16, 2019 draft minutes. Goldberg requested that the final approval for the Chestnut Hill Holdings Lot Line Revision be added in the minutes. A motion was made by Furman, seconded by Ellsworth, to accept the minutes with the addition of the final approval for Chestnut Hill Holdings as requested. All in favor, none opposed, carried.

PUBLIC HEARING(S):

1. Site Plan, A. Montano Company, Inc., Route 32N. The Board discussed the determination of significance under SEQR prior to the public hearing and concurred that there were no apparent impacts of significance. A motion was made by Goldberg, seconded by Furman, to declare a Type I action under SEQR. All in favor, none opposed, carried. A motion was made by Goldberg, seconded by Furman, to approve a negative declaration with a detailed negative declaration to be approved at the June meeting, once the landscaping documents are submitted for review. All in favor, none opposed, carried.

Public Hearing was opened at 7:39 pm. Jeff Hogan, Praetorius and Conrad, presented. A brief description was given regarding the project. The applicant proposes to operate a heavy equipment sales/lease business at this location on Route 32N. It will consist of a 30,000 square foot prefabricated building. Access to the site will be via an entrance on Route 32N across from the Cedar Grove Fire Department. A well and on-site septic system will be used.

Post-Anyone present for the public hearing? No one present. A motion was made by Furman, seconded by Ellsworth, to close the public hearing. All in favor, none opposed, carried. Closed at 7:41pm.

The Ulster County Planning Board comments were received and reviewed:

1. DOT Approval required for curb cut. Shuster-will be a condition of the resolution.
2. Health Department approval. Shuster-will be a condition of the resolution.
3. Outdoor storage details and display and existing vegetation concerns. Hogan-The yards will have a gravel surface and the outdoor storage will consist of heavy equipment and attachments. A fence is not currently on the site plan, but the owner is considering the installation of a 6" high chain-link fence for security purposes around the yard where the equipment will be stored. No other items that will be stored in the yard. A motion was made by Ellsworth, seconded by Furman, to override the UCPB

recommendation for modification because it is not applicable to the site. All in favor, none opposed, carried.

4. Display and existing vegetation. Ellsworth-Just at the site and there is a small cut on the south side of the site along the Thruway, there looks as though no further clearing is needed, the concern is not applicable. Hogan-Scott Dutton is working on getting the landscaping and display rendering done for the June meeting. There is currently a 4' high farm fence in front of the display area along the Thruway with trees to soften the view. A motion was made by Furman, seconded by Goldberg, to defer the decision regarding this recommendation until the renderings are submitted for review. All in favor, none opposed, carried.

Comments were received from the Town Engineer, Joe Mihm of Brinnier and Larios regarding the SWPPP. They were reviewed and the SWPPP submitted meets the criteria required for SEQR but there were some technical comments to work out before the engineer will give the final approval on the Town's behalf. Ellsworth-comment 1B requiring the applicant to describe the fill and where it came from is not necessary, this seems to be a reaction to current issues being addressed by the Town that have nothing to do with this applicant. Goldberg and Furman disagree, it should be required. Hogan-any fill that is used outside of what is on-site will come from a DOT approved provider. Post-that fulfills our requirement. Ellsworth-there was also a comment from the engineer restricting that all work to be done on equipment be done inside the building, sometimes that is just not possible. Hogan-This primarily refers to fluid changing and those items. Will address with Joe Mihm what items can realistically be done inside and what needs to be performed outside, for clarification.

Shuster-Comments were received from the NYS Thruway Authority and there were no problems with the visuals that were submitted from the Thruway side of the site.

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

OLD BUSINESS:

1. Major Subdivision (3-Lot), Jeffrey Zahn & Tana Bigelow, 841-847 Blue Mountain Road. Presented by the owners. An updated map was submitted on submission date, but an additional updated map was presented at the meeting in response to the Dan Shuster's review comments and a conversation with him directly. Went the ZBA but the process was going to be more complicated than the owners were prepared to do. They went back to their engineer to see if they could work out a way to satisfy the Sensitive Overlay requirement of 4-acres per parcel. The maps that were submitted for submission date were very complicated and the engineer came up with a more straight forward representation of the 3-lots, even still unconventional but less confusing and more conforming. The owners do not propose any development to the back property. Shuster-The main issue that makes this so complicated is the existing two homes and the desire to separate them on their own parcels. Shuster presented a different idea that he put together to try and help come up with a better way to work the subdivision that was less confusing. Bigelow-just to explain why the configuration is the way it is, would like to preserve the back section of the parcel with their home because it is unspoiled land and would like to keep it that way. Do have potential buyers for a parcel so that puts a time constraint on getting this subdivision completed. Post-that helps us to understand the configuration more clearly and the intent. Ellsworth-send them to ZBA. Shuster-they went but the process was going to be more difficult than they were up for. Planning Board can send it back with an opinion. Post-That is not necessary since they have submitted a plan that legally works, and the Board can understand it better. Furman-Access to Lot #2? Bigelow-Shared driveway. Ellsworth-will require that a ROW be in the deed as well as a Road Maintenance Agreement. There will be the following conditions required for approval; road maintenance agreement, written into deed that no re-subdivision of the parcel and noted on the map that it is not buildable.

A motion was made by Furman, seconded by Goldberg, to reaffirm as an Unlisted action under SEQR. All in favor, none opposed, carried. A motion was made by Furman, seconded by Goldberg to approve a negative declaration. All in favor, none opposed, carried. A motion was made by Furman, seconded by Goldberg, to set the public hearing for June 18, 2019. All if favor, none opposed, carried.

PRE-HEARING CONFERENCE:

1. Minor Subdivision, Scott Fellows, Off Burnett Road. Post recused himself at this time and did not participate in the discussion or the voting. Presented by Dan McCarthy, Praetorius & Conrad, P.C. The applicant is the potential owner of the property and would like to subdivide into two lots, one for him, which adjoins a lot he already owns. The second would go to a neighbor. There is an existing driveway and wood roads. This is not to re-sell just for personal use, hunting. There is not intent to build or develop the land. Shuster-Access is from Burnett Road, which is a Town maintained road up to a certain point, before the access of this parcel. Provisions will have to be made, such as bringing the current access road up to "Private Rural Road" standards. Creating two buildable lots, even if that is not the intent at this time it is the Board's obligation to ensure that those standards are met. Board needs more information regarding the access road; width, maintenance, who owns it, etc. McCarthy-The width varies between 12-14' and the ownership will be split down the middle. Ellsworth-Definitive ROW will need to be put in the deed for the future, Road Maintenance Agreement, when needed. Shuster-Will need a 50' ROW and a wearing surface of 16' cleared and graded to 25'. It will be a condition that building permits will not be issued until such a time that the Private Rural Road standards are met. Will need a map with the changes before the Public Hearing.

A motion was made by Goldberg, seconded by Furman, to declare as an Unlisted Action under SEQR. All in favor, none opposed, carried. A motion was made by Goldberg, seconded by Furman, to approve a negative declaration. All in favor, none opposed, carried. A motion was made by Goldberg, seconded by Furman, to set the public hearing for June 18, 2019. All in favor, none opposed, carried.

2. Lot Line Revision, Jessica & Benjamin Compain, 15 & 17 Sherwood Place. Presented by Tom Conrad, Praetorius & Conrad, P.C. This is a basic lot line deletion between two lots to create one larger parcel in the Bishop's Gate development. A motion was made by Goldberg, seconded by Ellsworth the declare a Type II Action under SEQR. All in favor, none opposed, carried. A motion was made by Ellsworth, seconded by Furman, to approve the lot line revision as presented. All in favor, none opposed, carried.

ADDITIONAL ITEMS FOR DISCUSSION:

1. Received a Lead Agency Request from Governor's Office of Storm Recovery for the Saugerties Reservoir Protection Project located on VanVlierdan Road, Brink Road and Carelis Road. Furman-Can our Board request that the design be updated to make it fit into the current character of the areas effected? Shuster-When responding to the Lead Agency Request a comment can be made to address this concern, with reasoning. Express concern that the design fit in with the rural character as done on the rest of the road, specifically VanVlierdan Road. Hlavaty-on the EAF it states that site play approval is required from the Town of Saugerties Planning Board. Shuster-that is not a requirement for a state agency. A motion was made by Ellsworth, seconded by Furman, to allow the Governor's Office of Storm Recovery take Lead Agency with concerns regarding the design. All in favor, none opposed, carried.

2. Fees. Tom Conrad has voiced concern, on several occasions, regarding the collection of fees for sketch plan review and preliminary plan review for subdivisions being due with application submission. Post-this Board does not determine the fees, which is done by the Town Board, just as an FYI. Shuster-if an applicant would like to go to a workshop first, a \$75 fee, before final submission to the Board it would allow them to meet with the Town Planner, Two Board members and the Code Enforcement Officer to answer and all questions

regarding their submission. Conrad-all of their questions cannot be answered without the whole board present. Shuster-then the next choice is to come before the Board with the "Sketch Plan", a \$150.00 fee, and then when moving forward pay the "Preliminary Plan" fees based on the number of lots being subdivided. This way seems to cost the applicant a little more money than a workshop but if is the preference then it is up to the applicant. The applicant can also submit preliminary plat without going through sketch plan but will have to pay the higher fee as indicated by the Preliminary Review Fees.

ADJOURNMENT:

Since there was no further business to discuss, a motion by Furman, seconded by Goldberg, to adjourn the meeting at 8:49 pm. All in favor, none opposed, carried.

Respectfully Submitted by,
Becky Bertorelli
Planning Board Secretary