

## MINUTES FOR DECEMBER 20, 2005

Seven public hearings were scheduled for this meeting and the public was invited to come forward to examine maps and ask questions. William Creen, Chairman, opened the meeting at 7:35p.m. Present were James Bruno, William Creen, William Hayes, George Collins, Carole Furman, John Rinaldo and Howard Post. Chris Round and Tom, Consultants was present. Tom Macarille was present.

A motion by Post, seconded by Rinaldo to accept November 2005 Minutes. All in favor, none opposed, carried.

### PUBLIC HEARINGS:

1. Minor-John Gramatikos-Rt. 32S-Maps presented by Michael Vetere-opened hearing at 7:40p.m. Comments - Derek and Roger Spada- who owns property. Last they knew Nick Fotos owned property, there are also 2 addresses one for Wright and other Fotos. Need to be cross-referenced. Question on what Zoning is there- they do not meet requirements for width of property for setbacks and have the soils been checked. Vetere-At the November meeting the Planning Bd. said they met setback requirements. If you add the feet the width measures 252ft. for width of property. Where the house is being built, it meets requirements. Spada-House is higher and septic is higher but in the middle is lower. Vetere-It is around 30ft. to 40ft. away from property line. Spada-water drains onto his property. Question on stormwater prevention plan if needed on this project, more than an acre disturbed. He has lawsuit against Fotos. They striped whole lot and brought in fill and now all water runs onto his property. He cannot use the back piece anymore always under water. (Showed pictures of standing water). Vetere-plans designed by an Engineer and approved by Health Dept. A modified system. Sean Sasso-Building a house behind this property and can only put in an above ground system. (Sasso informed Pl. Bd. the next day that he has a Well drilled back behind where the septic is going about 55ft. off property line. There will now be two septic systems running down hill to his Well.) Sasso has 8 acres and can build one house while this property is very wet and can build 2 houses? Spada-has a lawsuit with Fotos, will include Gramatikos, default since July 2005. They have disturbed his trees and property. Consultant-can only solve drainage and septic problems here not encroachment. Creen and Bruno-under litigation – they cannot inconvenience any neighbors. Sasso-where is reserve. Collins showed him. Furman-they created the mess and has to correct first. Consultant-septic does call for fill and should be shown in detail.

Spada sent a letter to the Zoning Board but Planning Board did not receive a copy. (Received a copy of the ZBA letter on December 22, 2005). A motion by Collins, seconded by Hayes to close hearing at 8:10p.m. All in favor, none opposed, carried. Applicant needs to answer the questions on drainage, erosion control plan, grading, mark the Well and have all reviewed by Town Engineer. Received receipt cards.

2. Minor & Site Plan-Gas Land Petroleum, Inc.-Rt. 9W-Maps presented by Richard Praetorius & Bruce Utter-opened hearing at 8:15p.m.-second public hearing. Changes public recommended were access from 9W, smaller third building with added gable and a height of 30ft. not 40ft. and are parallel not in a U shape and evergreen and fencing. DOT still wants access from Stephan's Court. Discussed if Planning Bd. could write a letter stating concerns for Stephan's Court access like they did for Mid-Hudson Credit Union, if need be.

Comments: Mr. Maday-over crowded schools, appreciates concerns but project is too big for area; there are two houses for sale with no bids; cluster housing will hurt water system; problem with side streets; four major developments in this area are being built in this winter conditions; Gas Land owner lied when put in gas station said leaving back open and now developing.

Bob DeRuyter-concerned with smaller pond 2ft. from property line; curbing and access to apartments when curbing that is there for gas station does not allow 18 wheeler delivery trucks enough passing space now with extra cars, school buses, pedestrians; does not like the size of project, can build single family homes on Stephen's Ct. and can extend Stephen's Ct.; school bus pickup with 24 more apartments; lighting will be bright; substantial load impact on sewer and water; and schools over flowing now.

Praetorius-the pond existed, they put in storm water pipes and DOT ran into it before; this area allows for 36 units building 24 units; explained density; DOT wants to narrow the pavement of roads to try and calm traffic down.

Maday-take old building down and access from there. Praetorius-thought of that but DOT said not a good site view.

DeRuyter-there are 2 apartments open for less than \$1,000 a month that cannot be filled; with snow removal makes it even smaller parking space; this does not fit in here, wants single family homes, this is not what we want but better than apartments.

Eleanor Sgro-showed where playground was near her; lights shine into her house; the other day at 5:00a.m. a car had loud music playing; in summer where are they going to sit; all these buildings in less than 1 acre with no buffer, playground over sewer easement; dumpster by playground and her house only 10ft. away with rats, etc.

Praetorius-will plant trees. Sgro-with other buildings 80ft. away from her with the lights on the gas station building shining on her, now more lights-where is my privacy.

Joe Damrath, speaking for Kuriplach-he is a certified erosion specialist concerned with stormwater as nothing has been done with pond. He said it does not matter if disturbing less than an acre because with the gas station it makes it a "hot spot".

Praetorius-this is existing – only change is that State pipes were installed to route to pond.

Damrath-said gas station is not in compliance with storm water and cannot do another subdivision until in compliance. Needs pollution control, the existing development does not have a permit. Planning Bd. should check if gas station is in compliance and check if pond can hold polluted water.

Praetorius-this is an existing gas station, the tanks were removed and DEC was involved. Clean up was done then. We are in process of preparing pre-development plan and study for stormwater control and will be complete for review in a few months.

Damrath-there has also been erosion on Kuriplach property, lighting and noise problems and landscaping should be done for pond in back.

Ron Coons-what about wetlands where pond is going and where am I located on map.

Praetorius-showed Coons where he was located off map and beyond a stream and Bishop's Gate. Roger Case has surveyed and marked and Bert Lowe too. No Federal wetlands on this property.

Laquidara-120 cars now, cannot move cars in gas station parking lot, school overflowing and for ¼ mile on 9W all you see are ponds all over, buses having problems turning and now construction trucks.

A motion by Rinaldo, seconded by Post to close hearing at 9:10p.m. All in favor, none opposed, carried. Needs to answer questions on storm water, access and playground. Received receipt cards.

3. Minor-Ethel & LeRoy Donaldson-Church Rd.-Maps presented by Kathy Skidmore, daughter of Donaldson-opened hearing at 9:17p.m. Has septic and Well. Needs curb cut and setbacks for new lot. Raised system. No comments. A motion by Post, seconded by Hayes to close hearing at 9:21p.m. All in favor, none opposed, carried. Needs perk test letter from Rothe and letter of intent for curb cut from Highway Superintendent. A motion by Post, seconded by Hayes for a Neg Dec. All in favor, none opposed, carried. A motion by Post, seconded by Collins to grant Preliminary Plat approval, waive submission of Final Plat and grant Conditional Final approval pending receipt of letter of intent for curb cut and Perk Test letter from Rothe. All in favor, none opposed, carried. Received receipt cards and Seqr. Will call Skidmore when maps are signed.

4. Major-Quarry Ridge, LLC-Rt. 212-Maps presented by Richard Syracuse-4 lots-opened hearing at 9:25p.m.-86 acres subdivided into 3 estate lots. This is in Forestry Program and has deed restrictions. Existing access and road with Road Maintenance Agreement already filed but will update agreement. Richard Rothe reviewed map as he lives close to this project. Richard Mellert reviewed maps. No comments. A motion by Post, seconded by Hayes to close the hearing at 9:30p.m. All in favor, none opposed, carried. Lot 4 has wetlands-wetlands are on 64 acre piece not being developed. A motion by Creen, seconded by Rinaldo for a Neg Dec. All in favor, none opposed, carried. Quarry Ridge owns the road and lots will share – flag lots now until further developed. A motion by Collins, seconded by Hayes to grant Preliminary Plat approval, waive submission of Final Plat and grant Conditional Final approval pending fees paid, owner's signature and updated road maintenance agreement. All in favor, none opposed, carried. Received receipt cards and Seqr. \*\*Received road maintenance agreement and 2 signed maps on January 4, 2006\*\*

5. Minor, William Scala-Mike Kraut Rd.-opened hearing at 9:40p.m.-no representation-will call William Scala to see if he has advertised since there were no comments. Called Scala and he did not advertise but will for January 2006. Not a legal public hearing.

6. Minor-Jack Breen-Hudson Street-Maps presented by Tom Conrad-opened hearing at 9:42p.m.-access driveway from existing access. No comments. A motion by Post, seconded by Furman to close hearing at 9:43p.m. All in favor, none opposed, carried. A motion by Post, seconded by Rinaldo for a Neg Dec. All in favor, none opposed, carried. A motion by Post, seconded by Hayes to grant Preliminary Plat approval, waive Final Plat submission and grant Conditional Final approval pending fees and notation of water front overlay. All in favor, none opposed, carried. Received receipt cards & Seqr.

7. Minor-Frank & Linda Pipitone-Rt. 32N-Maps presented by Tom Conrad-opened hearing at 9:50p.m.-Lot 1-existing house. Lot 2-new lot. Existing access. No comments. A motion by Post, seconded by Creen to close hearing at 9:52p.m. All in favor, none opposed, carried. Need Road Maintenance Agreement for all 10 lots. A motion by Post, seconded by Hayes for a Neg Dec. All in favor, none opposed, carried. A motion by Post, seconded by Hayes to grant Preliminary Plat approval, waive Final Plat submission and grant Conditional Final approval pending owners signatures and fees. All in favor, none opposed, carried. Received receipt cards and Seqr.

#### OLD BUSINESS:

1. Lot line revision-Robert Kodsi-Patterson Rd.-Maps presented by Richard Rothe-Add a portion to another piece. Revised maps. A motion by Post, seconded by Furman to grant Preliminary Plat approval, waive submission of Final Plat and grant Conditional Final approval pending owners signature. All in favor, none opposed, carried.

2. Major-Robert Kodsi-Patterson Rd. and Hart Road-Maps presented by Richard Rothe-a 27 acre parcel subdivided into 7 lots. Four lots will be less than 5 acres. Submit to Health Dept. Working on soil review. Parcel 5 has existing house. Lots 7, 6, 5 & 4 will access off Hart Road. Lots 1 & 2 using existing road off Patterson Road. Lot 3 using Patterson Road. Needs to name new road and file with Assessor's Office. Parcel 1 & 2 shows Federal Wetlands, not being disturbed and no State wetlands. Show building sites, septic and grading on each lot. Needs curb cut approval. Set public hearing for January 2006. A motion by Furman, seconded by Collins to grant sketch approval and schedule a hearing for January 17, 2006. All in favor, none opposed, carried.

3. Ed Fetzer-Twin Maples-Red Maple Road-Lot 16 – Maps presented by Ed Fetzer. Needs to update maps. A motion by Creen, seconded by Hayes to update and resign maps. All in favor, none opposed, carried.

4. Major-Ed Fetzer-Twin Maples-Red Maple Road-Lot 17–3 lots. Hearing was waived. A motion by Creen, seconded by Collins to grant Preliminary Plat approval, waive submission of Final Plat and grant Final approval. All in favor, none opposed, carried. Received 2 signed maps.

5. Major-James Thorsen-Fred Short Road-Maps presented by Richard Praetorius- check if there is a Neg Dec approval - Neg Dec was signed on July 19, 2005.

6. Site Plan-Woodstock Jewish Congregation-Rt. 212-Maps presented by Bruce Utter-Had Conditional Final pending Health Dept., now has approval on 11,700ft. building. A motion Creen, seconded by Hayes to grant sketch approval as this is consistent with previous site plan for a larger building. All in favor, none opposed, carried.

7. Site Plan-Twin Beaks, LLC-Rt. 32N-construction of new buildings. Needs DOT approval letter. Remove homes and Wells and leave 3 existing building and build 4 new buildings for rentals. No restaurants due to septic system but can have 8 employees. Has adequate parking spaces and landscaping. Town Engineer reviewed plans and received their approval letter. Has existing Well. Lighting and signage is appropriate. A motion by Creen, seconded by Furman for the Planning Bd. to be Lead Agency and to have a coordinated review of long form Seqr. and to forward to Co. Planning Bd. All in favor, none opposed, carried.

8. Lot line revision-Phyllis Silvers-Maps presented by Tom Conrad-revised maps. Signed maps and received 2 signed copies.

#### PRE-HEARING CONFERENCE:

1. Major-Judith Wolf-Kelly Road-Maps presented by Judith Wolf-Received minor subdivision approval in May 2005 now subdividing one more lot – 3 lot major subdivision now. Needs curb cut approval letter. A motion by Creen, seconded by Bruno to grant sketch approval and to schedule a public hearing for January 17, 2006. All in favor, none opposed, carried.

2. Lot line revision-Florence Mower-Mower Mill Road-Maps presented by Peggy Livermore-giving a piece to neighbor. Making a bad situation better. A motion by Creen, seconded by Hayes to waive public hearing per Section 323. All in favor, none opposed, carried. A motion by Collins, seconded by Post to grant Preliminary Plat approval, waive submission of Final Plat and grant Final approval. All in favor, none opposed, carried. Received 2 signed maps.

3. Lot line revision-Mark & Allyson DeCicco / Thomas & Christine Carpino-Arthur Lane-Maps presented by Mike Vetere. A motion by Collins, seconded by Post to waive hearing per Section 323. All in favor, none opposed, carried. A motion by Collins, seconded by Post to grant Preliminary Plat approval, waive submission of Final Plat and grant Final approval. All in favor, none opposed, carried. Will forward 2 signed maps.

4. Lot line revision-John Addrizzo / RRV Acquisitions-John Carle Rd.-Maps presented by Tom Conrad-adding upper piece to rest of lower property so not a subdivision. Has revised maps. A motion by Creen, seconded by Hayes to waive hearing per Section 323. All in favor, none opposed, carried. A motion by Creen, seconded by Hayes to grant Preliminary Plat approval, waive Final Plat approval and grant Conditional Final approval pending fees and owners signatures. All in favor, none opposed, carried.

5. Lot line revision-Joe & Linda Bisignano / Michael & Krista DeAngelis-Emerick/Eavesport Rd.-Maps presented by Tom Conrad-Building addition on house and

needs to acquire a piece from neighbor's property which still does not comply with Zoning setbacks. Received ZBA discussion but did not include area variance. Not a large piece from Bisignano to DeAngelis. A motion by Creen, seconded by Hayes to waive public hearing per Section 323. All in favor, none opposed, carried. A motion by Creen, seconded by Hayes to grant Preliminary Plat approval, waive submission of Final Plat and to grant Conditional Final approval pending owner's signature and fees. All in favor, none opposed, carried.

6. Minor-Joe & Jeanette Sauer-Churchland Rd.-Maps presented by Tom Conrad-subdividing 2 acres for son to build. Needs curb cut and septic. A motion by Creen, seconded by Rinaldo to grant sketch approval and schedule a public hearing for January 17, 2006. All in favor, none opposed, carried.

7. Minor-Richard & Angelia V. Gutheil-Platte Clove Rd.-Maps presented by Tom Conrad-Subdivide off Lot 1 with 4 acres, has Well and house setbacks. Lot A adding to other lands of Gutheil and Lot 2 to sister. A motion by Creen, seconded by Hayes to grant sketch approval and schedule a public hearing for January 17, 2006. All in favor, none opposed, carried.

MISCELLANEOUS:

1. Birches at Saugerties-Rt. 9W-neighbor-Mr. Hodder-still getting water into his basement and property and they have not received approval yet either for the drainage down Rt. 9W. Birches said that the first thing they would do was to eliminate water onto his property and to get approval for Rt. 9W drainage.

Since there was no further business to discuss, a motion by Creen, seconded by Rinaldo to adjourn the meeting at 11:45p.m.

Respectfully submitted:

Juanita M. Wilsey, Recording Secretary