



PLANNING BOARD MINUTES
VIRTUAL -WebEX
August 18, 2020

C. Howard Post, Chairman, opened the meeting at 7:30 p.m.

Present: C. Howard Post, William Creen, Ken Goldberg, Carole Furman, Mike Tiano, Daniel Ellsworth, Robert Hlavaty (alternate) and Dan Shuster (Planner), Adriana Beltrani (Town Planner, NPV).

Absent: Len Bouren

The draft minutes of the July 21, 2020 Planning Board Meeting minutes were reviewed. A motion was made by Furman, seconded by Tiano, to approve as written. Board Vote: Goldberg-Aye, Tiano-Aye, Furman-Aye, Hlavaty-Aye, Post-Aye. Ellsworth abstained. Motion carried.

PUBLIC HEARINGS

1. **Minor Subdivision, PWO418 Holdings, Inc., 180-184 Blue Mountain Rd.** Presented by Jeff Hogan, Praetorius & Conrad., P.C. The applicant is looking to subdivide a vacant 14-acre lot into 2 residential buildable lots.

Public Hearing was opened at 7:33p.m. Post asked if anyone was present for comment.

- John Russell, 150 Blue Mountain Rd-the parcel to be subdivided is adjacent to our property on two sides. There has been significant flooding from the culverts and concerned the flooding will get worse as the land is developed. Hogan-to the north has been wet for many years, which is a seasonal occurrence. There are mapped wetlands that will remain untouched and the culvert installed with driveway will help with that. There will be no other disturbance to the wetlands. The culvert is already installed in the northern parcel proposed (Lot #1) and the southern driveway culvert has not yet been installed. The water collects into the County Highway drainage, the proposed culverts if anything will slow the water down on the release into their area and reduce the peak run off during heavy storms. There have been no engineer calculations done at this time, this is only a professional opinion. Russell-bulldozed road? Hogan-will not affect their property. Post-will second culvert help? Hogan-culvert is running under the County Road and they have done work on the "S" curve which may have led to an issue with drainage. May want to address this with the County. The new culvert that the applicant will install will create a little retention area that will help with better drainage from this property. Salerno (previous owner of property to be subdivided)-property has always been seasonably wet, development will not change that.

/

Post-any more comments/concerns? None. A motion was made by Furman, Seconded by Hlavaty to close the public hearing. Board vote: Creen-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Post-Aye, Ellsworth-abstain. Motion carried. Public hearing was closed at 7:45p.m. Post asked if the Board had any further questions. Goldberg-no, Creen-no, Furman-no, Hlavaty-no, Tiano-no. A motion was made by Goldberg, seconded by Furman, to approve the 2-lot minor subdivision as presented. Board vote: Creen-Aye, Tiano-Aye, Goldberg-Aye, Furman-Aye, Hlavaty-Aye, Post-Aye. Motion carried.

2. Site Plan Amendment, Wyldwyck(Agawam), Liberty Street Ext./Off Delaware St./Rt. 32S.

Presented by Bruce Utter, Praetorius and Conrad, P.C. Fariah Choudhary and Bruce Anderson, architects. There have been several changes to the originally approved site plan to make the project less impactful to the surrounding environment/neighborhood. Anderson-there will be 1-bedroom and 2-bedroom cabins. Carts will be used to provide access to the cabins from a main parking area. The area will be heavily screened by trees and vegetation, and the parking area will be well screened as well. Cabins will be located downhill from the main building and designed to be understated with simple weathered cedar siding. The south end of the main floor of the main building will be the event space with a fireplace to one side, and the greenhouse will be at the north end. The remainder of the main floor will consist of a bar, restaurant with outside terrace, galley space and guest rooms. The lower/bottom floor will consist of a spa, pool, kitchen, storage, office space, loading dock and staff locker rooms. Choudhary-there will be an open staircase to the lower level. The spa will consist of 6 treatment rooms and the pool. The cabin floor plans were shown and there will not be a kitchenette in either the 1-bedroom or 2-bedroom cabins. Post-just a note, the glass will have to be non-reflective towards the Hudson River. Anderson-yes, lighting as well will be downward facing. Landscaping was presented by Dale Schafer. Upon arriving on-site you will drive down a corridor with screening, orchard trees, on either side of the road with a berm between this parcel and the neighboring parcels to disguise the parking area. There is a natural meadow as well.

Post opened the public hearing at 8:11p.m. Questions/comments from the public at this time were addressed.

- Tom Francello, 2179 Route 32-Does the elevator have an exterior overhang? Handicap accessibility? Anderson-the elevator is located in the interior of the building with no external access. We will have a certain number of cabins and rooms that are handicapped accessible as required. Fancello-cedar siding on the cabins, is aged? Will there be a fence around the pool? Anderson-the plan is to allow the cedar to age or make it look like naturally aged wood, there will be non-reflective windows facing the Hudson River and there will be fencing around the outside pool, as required, to be shown in the landscaping plan. Beltrani-the Board will need more detail on the loading area-engineering, representation of circulation plans, material to be used, and lighting. It will be up to the Board if they would like the Town Engineer to review the plans. Post-yes. Utter-will send to the Town Engineer. Anderson-lighting is in the conceptual stage but the intention is that the exterior lighting be subdued. We will follow the night sky ordinance. Beltrani-will need pathway lights where golf carts and pedestrians are intermixed. Make sure that safety lighting is adequate. Friedman-plan is to keep it low but safe. There will be no dark spots on pathways. Utter-fire access roads have been created to minimize the amount of gravel to be exposed.

/

Choudhary-more of a clear separation between the materials to be used on the road will be shown with the next submission. Beltrani-clarification of that should be noted in the legend. Tiano-what will be the event tent occupancy? Fariah-we are not applying to change that from the originally approved site plan. Tiano-mentioned that there will be fireplaces in the cabins, what type of heating source will be used. Friedman-installing pipeline for natural gas, but propane tanks will be installed if natural gas can not be connected. Francello-will the propane tanks be buried or above ground. Friedman-they will be below grade but installed only if they are required. The landscaping plan was shown with a significant buffer. Choudhary-working on a more detailed buffer plan for the next meeting. Francello-SP2 roadways tar and chip? Choudhary-Schafer's plans do not show materials for the roadways and will ensure that they are there for the next submission. Francello-note that on the proposed site plan there are 8 houses that do not have screening and on the originally approved site plan there were 89 evergreens to be planted and the amendment only shows 29 to be planted. Friedman-note that there is a sewer easement that runs along the entrance from Liberty Street Ext. We will show a more detailed buffer in that area. Francello-where are the dumpsters located? Anderson-they have been moved below grade in the loading dock area to keep them as out of sight as possible. Francello-will it still be organic? Will a maneuverability plan be completed for firetruck access? Friedman-yes we will still be operating as organic and a maneuverability plan tends to be required when you do not have a loop for access. Anderson-the second row of cabins is located within the 150' limitation for hose length and the grade is not steep and is easily accessible for a gurney if ever needed. Tiano-there are several fire pits noted on the plan, how will they be used? Anderson-they will be monitored and maintained by staff only and will show a more clear area around them.

- Tammy Benton, 2184 Route 32-a letter was received from Ms. Benson and read by Post. The letter outlined the handicapped accessibility standards and regulations. Sighting the cabins, the spa, pool and throughout the site to ensure that the applicant will be ensuring that they are met. Friedman-the entire property is to be handicapped accessible, as required. There will be an ADA accessible cart that will provide transportation for those that require it to all areas on site. Anderson-the applicant will be following requirements to ensure that anyone with any type of handicap will be able to enjoy the property. Benton-Was the traffic study conducted during the shelter mandate? Utter-no, this was a Traffic Study from 2018. Benton-is a performance bond necessary? Moriello-NYS law notes that private improvements are not required to be bonded. Public improvements are required to be bonded or have a letter of credit. The applicant is not planning to bond.
- Ted Miller-number of access roads? Utter-there is a main entrance off Liberty Street Ext. and a "Right in, Right out" entrance off Route 32. Miller-will there be access to the river? There will be a car path to the river and will use existing trails located on the 80-acre site. Miller-will connection to the public water/sewer affect the draw for the neighbors? Utter-the water line will be connected on Liberty Street Ext., run behind and back out to Route 32. The sewer line is existing and will tie into them as is. The land south of this area is Central Hudson land and is located after a boosting station. Miller-will there be a buffer to the south? Utter-there is a 40' natural buffer that will remain. Friedman-there are existing trees that will not be cut along the southern border. Miller-will the use that the applicant is

/

approved for be something that the surrounding property owners' can do? Utter-not altering or changing any zoning for this project.

Post-the public hearing will remain open until the next Planning Board meeting. Post asked the Board if they had any other questions for the applicant to address at this time: Goldberg-no, Furman-no, Tiano-will send in writing, Creen-no, Ellsworth-no, believe that this is an improved site plan from the previously approved site plan, Hlavaty-no, Post-no.

3. Minor Subdivision, Michael & Heidi Ferraro, Wegebauer Road. Presented by Tom Conrad, Praetorius & Conrad, P.C. Goldberg-a negative declaration approval is required before the start of a public hearing. Does Adriana Beltrani feel comfortable with that at this time? Beltrani-did receive the updated subdivision plan a few days prior to the meeting. There is nothing that should stop the approval of a neg dec at this time. Comfortable with that. A motion was made by Goldberg, seconded by Hlavaty, to approve a Negative Declaration under SEQR. Board vote: Creen-Aye, Furman-Aye, Tiano-Aye, Ellsworth-Aye, Post-Aye, Goldberg-Aye, Hlavaty-Aye. Motion carried.

Post opened the public hearing at 9:11 pm for comments/concerns. None. A motion was made by Creen, seconded by Furman, to close the public hearing. Board vote: Goldberg-Aye, Tiano-Aye, Hlavaty-Aye, Post-Aye Motion carried. Public hearing closed at 9:13p.m.

Beltrani-concern regarding the stream that crosses the front of the proposed Lot 1. Private rural road standards regarding access road? Conrad-there is an existing culver for the stream that runs under the access drive. The Town Highway Superintendent and Code Enforcement Officer have been to the property to look at the 50' wide right-of-way and have approved the work that has been done. Goldberg-is it correct to say that when the parcel is one lot it was accessible but now proposing to subdivide the ROW will be over 300' in length and now must be brought to private rural road standards? Beltrani-other options include creating a flag lot or dedicating a roadway for any parcel that has an access road over 300' in length. A review will need to be done to ensure that the Private Rural Road standards are met, by the Town Engineer, this could be a condition of approval. Conrad-requested the Board consider approval with the condition that approval from the Town Highway Superintendent is received instead, he is the one that normally regulates the private rural roads. Post asked the Board for questions: Creen-no, Goldberg-fine with an approval with the condition that we receive approval from the Town of Saugerties Highway Superintendent for the 50' wide ROW, Furman-agree w/Goldberg, Ellsworth-agree, Hlavaty-same, Post-same. A motion was made by Ellsworth, seconded by Furman, to approve the 2-lot minor subdivision with the condition that approval be received from Doug Myer, Town of Saugerties Highway Superintendent, for the 50' wide ROW. Board vote: Creen-Aye, Goldberg-Aye, Tiano-Aye, Hlavaty-Aye, Post-Aye. Motion carried.

OLD BUSINESS:

1. Site Plan Amendment, Kiniry West, LLC/Kim Kiniry, 1740 Route 212. A resolution was written and submitted by Dan Shuster for review and comments prior to the meeting. Post read the resolution and redline changes as submitted by the applicant's lawyer, Mike Moriello. Post asked for questions from the Board:

Ellsworth-time restrictions/hours of operation are not required by the applicant unless it is a Special Use Permit application, this is not that so why are we imposing them on the applicant? Do we have

/

the right to do so? Do not want to set a precedent for future applicants in which neighbors use this application to try and impose hours of operation limitations on others, where it is not required. Kiniry-we agreed with these conditions and hours of operation with the interest of the neighbors. Post-this is also located within the Gateway Overlay district and we have to look at those requirements as well. Moriello-agree with Dan (Ellsworth) in that it is not a requirement with site plan review. However, the applicant did agree to the hours of operation and therefore may be included into the resolution. There are several redline changes to ensure that all other situations are included, where necessary. Post-emergency call outs were discussed and included. The applicant agreed to the limitations. The Board has to follow the law. Goldberg-do we have the right to limit hours? Shuster-case history precludes establishment of business hours if not a SUP. Moriello-the applicant would like to get approval and therefore will include the hours of operation. Goldberg-does that mean if the hours were not included in the resolution they would be able to operate 24-hours a day? Moriello-Planning Board is only bound by precedent depending on pressing facts. The applicant does agree in this case to include the hours of operation. Post-the resolution will read as Moriello redlined 7am-5pm, M-F and Saturday 8am-12pm. Shuster-will update the resolution to reflect the concerns as addressed. Tiano-Emergency hours will be different. Moriello-note on Pg. 4 of the resolution it has been added M-F along with weekend emergency use. #9 to be changed to Saturday-Sunday for emergency response related work any time, or a statement similar. Post-the extended hours have been addressed where necessary. Moriello-"Emergency response related work shall be limited to be undertaken on emergency purposes only" is a suggestion for wording.

A motion was made by Ellsworth, seconded by Tiano, to approve the site plan amendment and resolution w/changes as described above in terms of hours of operation. Board vote-Creen-Aye, Goldberg-Aye, Furman-Aye, Post-Aye, Hlavaty-Aye, Tiano-Aye, Ellsworth-Aye.

2. Minor Subdivision, Brian Josselyn, 155 Harry Wells Road. Charles Holtz, Holtz Surveying, presented. The applicant proposes to subdivide a 17-acre lot into a 2.42-acre lot with an existing house and a 14.58-acre buildable lot. Beltrani-request that the bulk requirement table be inserted into the subdivision map for reference. There is a stream located on the site, according to the EAF. Holtz-there is no stream on-site, that was an auto-fill answer on the EAF mapper. Not sure why it has a stream but there is not one on the parcel. Beltrani-lot extends into the center line of the road, make note. There is an access road depicted on the map going through an adjoining parcel. Holtz-there is a note referencing subject to right title interest of public use. Do not plan on using that access but a note will be added to reference that. A motion was made by Goldberg, seconded by Hlavaty, to declare this an Unlisted Action under SEQR. Board vote: Creen-Aye, Furman-Aye, Tiano-Aye, Post-Aye. Motion carried. A motion was made by Goldberg, seconded by Tiano, to approve a negative declaration under SEQR. Board vote: Creen-Aye, Furman-Aye, Post-Aye, Hlavaty-Aye. Motion carried. A motion was made by Furman, seconded by Tiano, to set the public hearing for the September 15, 2020 Planning Board meeting. Board vote: Creen-Aye, Goldberg-Aye, Hlavaty-Aye, Post-Aye, Ellsworth-Aye. Motion carried.

3. Site Plan, Brapas Land Development, LLC, Route 9W/off Tiger Maple Ln. Presented by Charles Wesley (Architect) Burce Brady and Nick Pasqaretti (Developers/applicants). The applicants would like to build 4 Townhomes rather than 3, which they presented at the last meeting they were before the Board on August 20, 2019. The parcel is located in various zoning districts.

/

Even though the parcel is located in the Gateway Overlay district, the area that is to be developed can not be seen by Route 9W, or any other major roadway. Beltrani-it will be up to the Board's discretion on whether the project will be subject to those provisions of the Gateway Overlay District. Wesley-there is a question whether townhouses are considered multi-family dwellings and must follow those guidelines. Would like to focus on the lot to be subdivided at this time. The proposed townhouses will be hooked up to public water and sewer which changes the bulk requirement. Beltrani-according to zoning regulations anything more than 2 attached dwellings is considered multi-family. Upon speaking with Alvah Weeks, Code Enforcement Officer, the minimum lot requirement for subdividing would be 1-acre. Pascaretti-Alvah was the one that made the distinction between a townhouse and a multi-family dwelling for us. Tiano-was this sent to the water/sewer department to ensure that it was feasible to tie into the existing systems? There may be a water pressure issue. Also needs to be sent to the Fire Department for their comments. Beltrani-reading through the zoning law it states that multi-family dwelling is anything containing 3 or more attached units, including townhouses. Will need more details on the parking and landscaping for future submission. Kevin Brown, Code Enforcement Officer-once the townhouses are built they will be considered individual lots, they contain a firewall system in between each unit which makes them each single family dwellings. Beltrani-zoning code does not make that distinction. Post-will there be one water service or 4 separate? Wesley-four separate services. Pascaretti-will the Board be requiring Gateway Overlay restrictions on the site plan? Post asked the Board if they were ok with relieving the applicant from the Gateway Overlay restrictions given that the site where the townhouses are to be constructed is not visible by any major roadway. Board response: Creen-Aye, Goldberg-Aye, Furman-Aye, Tiano-Aye, Post-Aye, Hlavaty-Aye. No further action can be taken by the Board until the applicant responds to Beltrani's comments and addresses the concerns with additional submittals.

4. Minor Subdivision, Andrew Omotoso, 266 Malden Turnpike. Presented by Tom Conrad. This application was last reviewed in December 2018 and the Board had requested that a Road Maintenance agreement and ROW agreement were obtained, both have been received. A public hearing was held on December 18, 2018 and closed that same meeting. A motion was made by Creen, seconded by Furman, to approve the 2-lot minor subdivision. Board vote: Goldberg-Aye, Tiano-Aye, Post-Aye, Ellsworth-Aye, Ellsworth-Aye, Hlavaty-Aye. Motion carried.

PRE-HEARING CONFERENCE

1. Site Plan/SUP, Stillwater Getaway Campground, off Pond Lane. Presented by Melanie De Gagne & Matthew DePalma, owners/applicants. The applicants propose to install 4 units via an existing access drive for rental. Each 240 square foot rental cabin will have electricity, wifi, outside grilling facility and a small bathroom w/bucket toilet. There will be one well pump located centrally for all 4 units to access. There is a designated driveway with access via Pond Lane. The property is forested, there will be low key path lighting and parking. Beltrani-the Ulster County Health Department does not issue permits for bucket toilets. Need more detail as to how the waste will be emptied and maintained. De Gagne-each individual renter will take care of their own waste. Bags for the bucket toilet will be provided but they will be responsible for removing all trash upon end of stay. Beltrani-require a site plan showing the layout to scale and as many details as possible (lighting, parking, waste removal, etc.). The comments from the Town Planner state that a Road Maintenance Agreement may be needed? Reference to ownership of land noted in site plan. DePalma-Pond Lane is an existing road. Beltrani-the deed may describe the access. A

/

surveyor/engineer would be a great resource to help figure all of the details of the site plan up to specs. De Gagne-what are the next steps? Ellsworth-would like to go back to the bucket toilet. Bags are provided but when they are being disposed of are they going into the dumpster? Beltrani-spoke with UCHD and they do not require a permit from them. Disposal should be discussed with the carting services to see if there is a specific way to dispose of human waste. Ellsworth-agree that the applicant should ensure that disposal through the waste provider is acceptable. DePalma-also looking into a composting toilet. Ellsworth-for only 4 units you may be able to create a public toilet system into your personal septic. Could use an injector pump. The Board may need to go to the Town Board to address these questions as we have had several applications before the Planning Board that include these types of concerns. Furman-will these be seasonal rentals? De Gagne-all four seasons, there will be electric heat and insulation in each unit. Beltrani-engage an engineer or surveyor to help get the details down. Post-no further action can be taken by the Board at this time, and will wait for further submission.

2. Site Plan/SUP, SherLilly, LLC, 51 Industrial Drive. Presented by the owner/applicant, Andi Turco-Levin, Dan LaFever and Dan Gosselin. The applicant proposes to build a dog training facility on vacant land. Would like to build a facility that can offer classes for local dogs as well as host AKC and other organizations alike events. There is adequate parking space proposed for such a venue. There will be a parking area for larger vehicles, such as recreational vehicles, as many presenters travel that way with their dogs. The lot is currently an open space. Gosselin-parking was determined to be 66 parking spaces required for the type of venue we plan to offer. Beltrani-issue with western portion of the site plan, how to denote parking with a gravel parking lot? Gosselin-they will not be marked with any type of painting because of the gravel. Will have to look into options. Beltrani-RV parking area, a note should be made on the site plan that this area is not to be used for overnight parking, day use only. Is grass pathways the best material? Turco-Levin-would like the Board to reconsider the overnight parking for the RV area as that is a big element to this project to make it work. Most of the competitors travel from far away and having a place to stay with multiple dogs is limited. There will be no charge and they will be self-contained units. Lefevre-there will be security lighting provided for the overnight area. Beltrani- what are the actual services to be provided in the vet location? Is it just services for the dog competitors on-site? Turco-Levin-it is a 15'x15' rental space for health services. The plan is to have a massage therapist and holistic vet located in that space. The operational hours will be less than the main business. There is also a rental space proposed for a dog training area outside. Right now we have Dock Dogs interested in that area to train their dogs. They would have a fenced pool area, secured. Beltrani-will the events be all day? Will there be food service? Turco-Levin-Clubs will provide food only for the workers not providing food for competitors. All competitors will be asked to stay on-site for dog walking. Beltrani-what type of material will be between the parking lot and RV area? Will there be curbs? Gosselin-it will be paving and gravel, compacted material. Topsoil and seed with natural drainage. No curbs are proposed. Beltrani-there are several other items that need to be addressed with additional submittals. Those include waste disposal, if there will be a request for any waivers, proposed lighting, landscaping and a SWPPP will need to be provided and reviewed by the Town Engineer. At this point the Board can determine SEQR and refer to the County if they would like. Brown-just make one suggestion that the area being called RV parking should be changed to overnight parking with oversized spaces. A motion was made by Ellsworth, seconded by Tiano, to refer to the Ulster County Planning Board as required. Board vote: Creen-Aye, Goldberg-Aye, Post-Aye, Tiano-Aye, Furman-Aye, Hlavaty-Aye. Motion carried. A motion was made by

/

Goldberg, seconded by Ellsworth, to declare this an Unlisted Action under SEQR. Board vote: Furman-Aye, Tiano-Aye, Post-Aye, Hlavaty-Aye.

3. Lot Line Revision, Stewart Fox, 4 & 42 Chimney Road. Presented by Khattar Elmassalemah, Praetorius & Conrad, P.C. The applicant would like to exchange 0.7-acres from one lot to the adjacent lot, both owned by Stewart Fox. Water/sewer lines and a zoning block will be added to the final lot line revision map. The main purpose of the exchange is so that the parcels follow topography and provide better access. A motion was made by Goldberg, seconded by Hlavaty, to declare this a Type II Action under SEQR, waive sketch plan requirement and waive a public hearing. Board vote: Creen-Aye, Furman-Aye, Tiano-Aye, Ellsworth-Aye, Hlavaty-Aye. Motion carried. A motion was made by Ellsworth, seconded by Creen to approve the lot line. Board vote: Creen-Aye, Goldberg-Aye, Tiano-Aye, Post-Aye, Hlavaty-Aye, Furman-Aye. Motion carried with a supermajority vote.

4. Site Plan Amendment, Fehr Brothers, 895 Kings Highway. Presented by Khattar Elmassalemah, Praetorius & Conrad, P.C. The applicant would like to add a 12,000 square foot prefabricated steel building overflow storage unit to the existing business site plan. We have provided a copy of the map that has been filed with the Ulster County Clerk's office showing the current property lines. The area where the storage building is proposed is flat land. The applicant will be adding some trees to provide some screening from Kings Highway. Elevations will be shown on the site plan. Beltrani-this is not required to have a public hearing. UCPB referral is required. A motion was made by Post, seconded by Tiano, to refer to the Ulster County Planning Board. Board vote: Creen-Aye, Goldberg-Aye, Furman-Aye, Ellsworth-Aye, Hlavaty-Aye. Motion carried. A motion was made by Goldberg, seconded by Creen, to declare this an Unlisted Action under SEQR. Board vote: Furman-Aye, Tiano-Aye, Post-Aye, Ellsworth-Aye, Hlavaty-Aye. Motion carried.

5. Minor Subdivision, 71GOATHILL3, LLC, 71 Goat Hill Road. Presented by Charles Holtz, Holtz Surveying. The applicant would like to subdivide the 40 acre lot into a 10-acre lot in the front with a ROW to the 30-acre behind. Beltrani-this will again be an issue regarding private rural road requirements. Holtz-the proposed front lot has frontage on Goat Hill Rd. and is accessed via a driveway with an existing house. The applicant would like to extend that driveway to provide access to the larger 30-acre lot in the back, leaving the existing house on the front parcel. Just wanted to get this in front of the Board to see if it was feasible.

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

6. Minor Subdivision, Kevin Drescher, Old Kings Highway. Presented by Charles Holtz, Holtz Surveying. The applicant would like to subdivide a vacant 12.32-acre lot into two lots, one being 3-acres and the other 9.32-acres. Beltrani-sensitive area features are depicted on the subdivision map. Will need to show access, septic and setback on each parcel. A motion was made by Goldberg, seconded by Ellsworth, to declare this an Unlisted Action under SEQR. Board vote: Creen-Aye, Furman-Aye, Tiano-Aye, Post-Aye, Hlavaty-Aye. Motion carried. A motion was made by Goldberg, seconded by Furman, to approve a Negative Declaration under SEQR. Board vote: Creen-Aye, Tiano-Aye, Post-Aye, Ellsworth-Aye, Hlavaty-Aye. A motion was made by Ellsworth, seconded by Furman, to set the Public Hearing for September 15, 2020. Board vote: Creen-Aye, Goldberg-Aye, Tiano-Aye, Post-Aye, Hlavaty-Aye. Motion carried.

/

7. Minor Subdivision, Edward Martino III, 2332 Route 32. Presented by Jeff Hogan, Praetorius & Conrad, P.C. The applicant would like to subdivide a 1.1-acre parcel located on the corner of Route 32 and Riozzi Court. There are three existing structures located on the parcel and the owner would like to separate the existing house located with frontage on Route 32 from the duplex and business garage located with frontage on Riozzi Court. The existing house has public water/sewer and access via Route 32. The duplex and garage will stay on the back lot and have existing water/sewer and access via Riozzi Court. Minimum lot requirements for the zoning district that has public water/sewer is 10,000 square feet. There are pre-existing encroachments, from pre-existing buildings. Post-no issues with pre-existing encroachments. Hogan-will have information regarding water-sewer hook-ups from the Town of Saugerties water/sewer department by next meeting. Beltrani-have spoken with Kevin Brown and he does not feel it requires a bulk variance as it is a pre-existing business.

A motion was made by Goldberg, seconded by Ellsworth, to declare this an Unlisted Action under SEQR. Board vote: Creen-Aye, Furman-Aye, Tiano-Aye, Post-Aye, Hlavaty-Aye. Motion carried. A motion was made by Goldberg, seconded by Creen, to approve a Negative Declaration under SEQR. Board vote: Furman-Aye, Tiano-Aye, Post-Aye, Ellsworth-Aye, Hlavaty-Aye. Motion carried. A motion was made by Furman, seconded by Tiano, to set the Public Hearing for September 15, 2020. Board vote: Creen-Aye, Goldberg-aye, Post-Aye, Hlavaty-Aye, Ellsworth-Aye.

8. Lot Line Revision, Bradley Cronk & Michelle Mullineaux, 71 Quarry Ridge Road/Route 212. Presented by Jeff Hogan, Praetorius & Conrad, P.C. The applicants own both parcels. They owned a 2.6-acre parcel and purchased the adjacent parcel from Rolf Olsen. They would like to add 1.1-acres to the house lot, increasing that lot size from 2.6-acres to 3.8-acres, from the vacant 9.5-acre lot purchased from Mr. Olsen, decreasing that to 8.3-acres. A motion was made by Goldberg, seconded by Ellsworth, to declare this a Type II Action under SEQR. Board vote: Creen-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Post-Aye. Motion carried. A motion was made by Goldberg, seconded by Furman, to waive sketch requirement and waive a public hearing. Board vote: Creen-Aye, Tiano-Aye, Ellsworth-Aye, Hlavaty-Aye, Post-Aye. Motion carried. A motion was made by Ellsworth, seconded by Furman, to approve the lot line revision. Board vote: Creen-Aye, Goldberg-Aye, Ellsworth-Aye, Hlavaty-Aye, Tiano-Aye. Motion carried.

9. Site Plan Amendment, Lance Nu-Che (Nyugen), 66 Chimney Road. Presented by Lance and Roman Nu-Che. The applicant would like to move a previously approved retaining wall further to the east, toward the Hudson River, to allow more area between the house and the in-ground pool. The issue is that there is a 40' water/sewer easement that runs through the property and the location that the applicant would like to move the retaining wall will be 10' inside that easement. The applicant stated that they met with Mark Resso of the Town of Saugerties Water/Sewer Department and he sent them to the Planning Board for approval. The applicant also stated that Mr. Resso stated the actual water/sewer lines run 20' into the easement. Beltrani-the Planning Board does not have the ability to give an approval to move the retaining wall into the easement without the approval of the owner of the easement to do so. Post-the Board would have no problem with the moving of the retaining wall as long as permission is granted by the owner. Goldberg-how far can you move the retaining wall without going into the easement? Nu-Che-1'-1 ½' which does not do anything.

/

Ellsworth-the Board will need approval in writing from the water/sewer department, then the Planning Board can approve the amended site plan. Beltrani-will suggest a proper survey with the easement. Approval will need to be acquired from the water/sewer dept. before the site plan can be approved. It may be helpful to get George Redder's (town attorney) opinion.

Post polled the Board to see if this application should be sent to George Redder for his legal opinion on moving the retaining wall into the easement 10'. Creen-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Ellsworth-Aye. The Board decided that a conditional approval may be made with the condition that approval of the movement of the retaining wall 10' into the water/sewer easement is acquired from the Town water/sewer department. A motion was made by Post, seconded by Ellsworth, to conditionally approve the amended site plan for the movement of the retaining wall, with the condition that approval is acquired as requested from the owner. Board vote: Creen-Aye, Goldberg-Aye, Furman-Aye, Tiano-Aye. Motion carried. A motion was made by Post, seconded by Hlavaty, to refer the aforementioned legal question regarding the movement of the retaining wall into the easement to George Redder. Board vote: Creen-Aye, Goldberg-Aye, Furman-Aye, Tiano-Aye, Ellsworth-Aye. Motion carried. Nu-Che there was a second part of the amendment regarding increasing the size of the guesthouse to 400 square feet from the 240 square feet it was previously approved for. The footprint of the guesthouse will be enlarged but the height will not change. A motion was made by Ellsworth, seconded by Furman, to approve the increase in the size of the guesthouse to 400 square feet. Board vote: Creen-Aye, Goldberg-Aye, Post-Aye, Hlavaty-Aye, Tiano-Aye. Motion carried.

10. Site Plan, Leo Gray, Deak Lane. Presented by Rich Rothe, Rothe Engineering, P.C. The applicant would like to build a home on a 9.4-acre lot which currently contains a garage. The parcel is cleared and sloped down towards the river, that area being wooded. A plan of the house with elevations was submitted, the height will be 34'. There will be no removal of trees and access will be via an existing driveway, there will be little disturbance. The location of the house will be high above the river. There are no issues meeting the requirements of the Waterfront Overlay district. Beltrani-no comments were made because it seems pretty straightforward, just in front of the Planning Board because the parcel is located in the Waterfront Overlay district. Post-are there any surrounding neighbors that would be able to see the house? Roth-no.

A motion was made by Goldberg, seconded by Ellsworth, to declare this as a Type II Action under SEQR. Board vote: Creen-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Post-Aye. Motion carried. A motion was made by Goldberg, seconded by Tiano, to approve the site plan for the single family residence. Board vote: Creen-Aye, Furman-Aye, Hlavaty-Aye, Post-Aye. Motion carried.

11. Lot Line Revision, Catskill Farms, LLC, 26 & 30 Pine Lane/Route 212. Presented by Rich Rothe, Rothe Engineering, P.C. The subdivision was approved a few years back for 2 1-acre lots. However, when the houses were built they did not meet the side yard setback requirements. The septic are located on the corresponding parcel. The applicant would like to revise the lot lines to meet the proper setbacks. Lot 2 will maintain frontage on Pine Lane. All other aspects remain the same. A motion was made by Goldberg, seconded by Post, to declare a Type II Action under SEQR. Board vote: Creen-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Ellsworth-Aye. Motion carried. A motion was made by Ellsworth, seconded by Tiano, to waive sketch plan requirement, waive the public hearing and approve the lot line revision. Board vote: Creen-Aye, Furman-Aye, Goldberg-Aye, Hlavaty-Aye, Post-Aye. Motion approved.

/

ADDITIONAL COMMENTS

Kevin Brown wanted to take a moment and note that there have been several inquiries regarding creating campground type sites with tiny homes, like the one that was before the Board tonight, Stillwater. There needs to be a discussion regarding how to handle the new type of site. Beltrani-zoning and building are two different entities but a discussion can be had to try to get on the same page when reviewing such applications.

ADJOURNMENT

Since there was no further business to discuss, a motion was made by Creen, seconded by Furman, to adjourn the meeting. Board vote: Goldberg, Aye, Tiano-Aye, Hlavaty-Aye, Ellsworth-Aye, Post-Aye. Motion carried. The meeting was closed at 12:18 a.m.

Respectfully Submitted by,

Becky Bertorelli
Planning Board Secretary