



PLANNING BOARD MINUTES May 21, 2024

C. Howard Post, Chair, opened the meeting at 7:29 p.m. Pledge

Present: C. Howard Post (Chair), Mike Tiano, Bob Hlavaty, Kevin Brady and Gina Kiniry

Also Present: Max Stach (Town Planner, NPV)

Absent: Carole Furman and Al Riozzi

The draft minutes of the April 16, 2024 Planning Board meeting were reviewed. A motion was made by Tiano, seconded by Kiniry, to approve as written. Board vote: Post-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Kiniry-Aye. Motion carried.

Post-prior to the opening of the public hearing section of the meeting an “Additional Item” will be discussed. There are representatives from Greene County here to discuss the installation of a 911 Communications Tower on the Story Farms LLC property located on Route 32.

Greene County 911 Communications Tower - Presented by Shaun Groden, Greene County Administrator and Dan King, Deputy Director of Emergency Services for Greene County. A handout was distributed to the Board regarding maps and technical information. The proposed tower is a cookie cutter 140’ 3-legged lattice tower. Proposed as a “911 Communication Tower”. If the opportunity arises to add commercial entities to the tower to help fill service gaps it will be considered in the future. The installation of this particular tower will help with the microwaves that hop from satellite dish to satellite dish. There are mountains on one side of the proposed location and valleys on the other. There is a narrow section that would be considered useful to achieve the proper communications needed for emergency services. The proposed location on the Story Farms parcel works to ensure proper interconnection. The height of the tower does not require a red light at the top, below FAA regulations. There will be generators on site. The exterior of the communication tower will include 2 microwave dishes to twilight to the Route 66 tower and possibly the Overlook tower. A 60’x 60’ footprint is proposed. The desired outcome is to cover the areas of Greene, Columbia, Ulster and Dutchess Counties while working together for in-house operations. Municipal use would also be allowed, for fire departments, police, etc.

Hlavaty-what was the process of picking this parcel and location of the tower? Groden-it was the owner's preference. There are wetlands to consider while also avoiding the floodplain. This location is not far off of Route 32 which helps with development, such as the road to the tower. There will be periodic maintenance so accessibility is important. Tiano-Saxton FD and the police can hook-up to this tower? Groden-yes, intermunicipal agreement can be established. Tiano-why can't the new 911 tower installed by Ulster County be used? It is too far away from the access points required. Stach-the Planning Board will have to use the Monroe Test to determine if this project is immune from Planning Board review. Will this tower be continuously owned by the County? Groden-yes. Stach-if cellular facilities are allowed on the tower it then becomes a cellular facility, each entity can add 20’ to put their equipment on. There are currently three carriers in the area, once one installs their equipment it is easy to assume that the rest will follow. There can be a stipulation that if at a future time a cellular entity will be added to the tower that the applicant would be required to come to the Planning Board for approvals as required for commercial use. This would have to go through the Town and/or the

Planning Board attorney for guidance. Will there be a whip installed on this tower? King-no whip is needed at this time, and will just be installing three dishes.

Stach-the resolution can be created to instruct the attorney (Town/PB) to enter into negotiations with Greene County to agree with the construction of the 911 Emergency Tower on parcel SBL#2.4-1-18 without Planning Board approval as long as there are no commercial users on that tower. A motion was made by Tiano, seconded by Hlavaty, to approve the aforementioned resolution conditions for the installation of the Greene County 911 Emergency Communications tower. Board vote: Post-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Kiniry-Aye. Motion carried.

PUBLIC HEARINGS

1. Site Plan Amendment (Additional Storage Building), Aden Marion, LLC, 534 Glasco Turnpike.

Comments have been received from the Ulster County Planning Board indicating that there is “No County Impact”. The Town Engineer has responded to the Planning Board’s request to review the proposed site plan amendment regarding impacts on the Aquifer. The Town Engineer has responded that the proposed installation of the salt storage shed will be a benefit to the site and the Aquifer as proposed as it will offer more protection from run off. Stach-this is a Type II Action and no further SEQR review is required.

A motion was made by Brady, seconded by Tiano, to approve the site plan amendment. Board vote: Post-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Kiniry-Aye. Motion carried.

OLD BUSINESS

1. Site Plan (Senior Housing & Townhomes), The Villa Residences, 49 Spaulding Lane. Presented by Matt Wexler, Grow America, presented for the applicant’s team. The site plan has been revised in response to community comments and needs. The original site plan proposed 121 units of senior affordable rental housing within two clusters of buildings. The northern cluster will remain the same, two buildings with a shared lobby. The southern cluster has site limitations like federal wetlands and topography. The applicant is proposing the same “footprint” as originally proposed but replacing the 63 proposed units with 21 units of home ownership/townhouses. They will each be 2-3 bedrooms and some will be ADA compliant. Overall reducing the proposed units from 121 to 80. The applicant would like to pursue the mission of affordability and not limit the housing to seniors only but open it up to families as well. Families will have to qualify, based on income. Affordability provisions will last for approximately 25 years, long term affordability. Close to the same outline because it is the best buildable area. Each will be a 2-story townhouse. The updated site plan will require a smaller amount of impervious surface. The parking will be limited to the front of the townhouses only. Providing 2 spots per unit.

Aaron Werner, AKRF, presented information regarding additional SEQR review. The updated site plan provides a 40% reduction of density. Impact of Historical issues have been responded to. Archeology findings of the Phase 1A study were submitted. The applicant’s team has been speaking with SHPO throughout this entire process, beginning in 2021. They have looked at the structures on site and have determined that there is no significance. The Phase 1B archeological study will be completed as the process moves on. SHPO will be overseeing this part of the process. The Phase 1A study is a desktop exercise done by examining documents on record to see what is on-site. The possibility of enslaved persons being buried on site was indicated. The Phase 1B study requires test pits throughout the site and ground penetration to locate any such burials. The applicant has agreed, even though it was not required, to expand the test area further than the 50’ requirement of the burial ground and include any flat areas as well. Architectural survey of the Van Leuven Residence interior was prepared and submitted to SHPO. They concurred with the findings that no adverse impacts will occur with the proposed development as the house is not of significance. There are some elements within the house that may still be intact by the inside and outside have been altered significantly over the years. SHPO has agreed that the Van Leuven Residence is not a historical resource. Stach-the Town of Saugerties Historic Preservation

Committee could have designated this structure as a historic structure but they did that. It is not found on the state or historic registry or by the local HPC as being worthy of protection.

Werner-in regards to school children, we used the Rutgers 2018 multiplier to determine the additional children that will impact the local school district, which was approximately 9. This is not significant. There has been an ongoing decline in enrollment in the last 10 years, enrollment is down 11% from ten years ago. Financing will be determined based on household income and other requirements. Affordable Homeowner Policy (AHOP) not a factor. Wexler-the determination of who can own the townhomes will base on the size of the unit more than the size of the family. The 2-bedroom units will be for up to 3 people and the 3-bedroom units for up to 4 people. The units can be sold to families that are smaller than those numbers. Tiano-Farmhouse Commons stated that the anticipated increase in the number of students that would be added to the school district would be 6 kids and they have 13 kids. Why was a NJ based study used and not a NY study? 9 kids seems like a low number. Wexler-we used the nationally recognized resource to determine the anticipated number. Stach-Glasco Apartments used the same study as the applicant. NY and NJ are very similar in regards to this type of calculation. There is a 2006 study that can be utilized as well. The multipliers are not unreasonable. The Board can contact the school district to see how many kids are up at the Glasco Apartments to see how accurate their calculation was. General trends can be requested as well. Rental agreements with finance assistance depending on the programs the applicant utilizes to sell the units. This is located in the Riccardi School District.

Werner-traffic is projected to decrease 39% from the original traffic study based on the initial 120 units. Traffic is determined at a different rate with families. There was one added trip in the am peak hours and 4 less in the pm peak hours. The study has added 2% growth per year to build, which is 2027. Stach-the Board can send the updated traffic study to Collier's for review, as was done with the original traffic study. The Part I EAF was updated and will need to be recirculated to all involved agencies, as the NOI was. The updated site plan for the southern building is further away from the Falling Waters trail. Tiano-the traffic study is dated August 2022, school was not in session. Werner-the actual data collection date was during the previous school year to ensure that all traffic was accounted for. Tiano-it indicates there will be hammering, that was not in the original documentation. Werner-with further review it was added and discussed with the last negative declaration review. Stach-the collection date was September 2021. SEQR states that, similarly to when the Board was made aware of Lasher House, a project change will require the Board to revisit the negative declaration to make sure their conclusions are not changing. The Board will want to review to see if the Riccardi School can accommodate the increase, await the review from the Traffic Engineer (Collier's), receipt of letter from SHPO that the applicant does not need to change the original conclusion with additional consideration and look at visual impacts. Scenic Hudson reviewed the project in late December 2023 and should be made aware of the changes. The applicant should update the visuals for the Board. Not completely visible except for where the existing villa is. The Board would like the applicant to request a follow up letter from Scenic Hudson once they receive the updated site plan. The "Notice of Project Change" will need to be circulated and leave a comment time before the Board can make a decision regarding SEQR.

A motion was made Hlavaty, seconded by Kiniry, to forward the updated traffic study to the traffic engineer, Collier's. Board vote: Post-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Kiniry-Aye. Motion carried. A motion was made by Hlavaty, seconded by Kiniry, to circulate the "Notice of Project Change" to all involved agencies. Board vote: Post-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Kiniry-Aye. Motion carried.

PRE-HEARING CONFERENCE

1. Site Plan Amendment, Route 32 Supply LLC/John Hommel, 3736 Route 32. Presented by the owner, John Hommel. The applicant is looking to install a 24' x 40' dry storage building within the setbacks. They are before the Board because they are located in the Gateway Overlay District. Stach-the Board needs to know if this is a pre-existing use. There seems to be multiple uses on one parcel. Are any of the uses existing non-conforming uses? This will need to be addressed with the Building Department. A Special Use Permit may

be required and if that is the case a public hearing will be necessary. The Board will have to wait for a determination from the Building Inspector regarding the use(s) and their status. Landscaping around the proposed building will be required. Hommel-there is existing landscaping between where the shed is proposed and the road. As proposed this is a Type II Action under SEQR. Referral to the UCPB is required.

2. Minor Subdivision (2-Lot), Mark & Lori Mendelis, 85 Band Camp Road. Presented by Bruce Utter, Praetorius and Conrad, P.C. The applicant is looking to subdivide a 14-acre parcel into two parcels, one 5-acres and one 9-acres. Test holes have been done for septic locations. The proposed 9-acre parcel is undeveloped wooded land and the 5-acre parcel contains an existing rental unit. The proposed area of possible development shown and if the area of disturbance exceeds 1-acre the owner will be required to submit a SWPPP, they are aware of this. The new access driveway to the 9-acre parcel is directly from Band Camp Road; the existing bank at the entrance will be cut back as requested by the Town of Saugerties Highway Department to improve sight distance. A Road Maintenance Agreement will be required for the proposed 4-acre parcel as the access is shared with the adjacent parcel, also owned by Mendelis. The applicant is requesting that an RMA is not required until that 4-acre parcel is sold, if it is sold. Stach-the issue with that is who will be responsible for ensuring that RMA gets done? The Planning Board has the ability to see the drafted RMA and have the PB attorney review it now to ensure that it meets the Town's requirements. Utter-will talk to the applicant and ensure that it is drafted. Have made submission to SHPO for possible presence of archeological resources and received notification that it has been received. Stach-the Planning Board will need a response from SHPO before a SEQR negative declaration can be determined. The Board can schedule a public hearing and declare this Unlisted Action at this time.

A motion was made by Hlavaty, seconded by Kiniry, to set the public hearing for the June 18, 2024 monthly meeting. Board vote: Post-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Kiniry-Aye. Motion carried. A motion was made by Hlavaty, seconded by Tiano, to declare this an Unlisted Action under SEQR and assume lead agency. Board vote: Post-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Kiniry-Aye. Motion carried.

3. Site Plan, Glasco General Store, 1633 Glasco Turnpike. Presented by Kristina Dousharm, *Kristina Dousharm Architecture, PLLC*. The applicant is proposing to convert an existing commercial building into a general store and cafe on the first floor with a shared workspace and rental apartment on the second floor. Proposing to keep the existing landscaping and create an outdoor seating area. Also, moving the main entrance to the building. Have read the Planner's comments and agree with all necessary changes and notations that are required for the final site plan. Will be installing additional landscaping, avoiding invasives. Committed to maintaining what landscaping is existing. No removal of trees is proposed. No modification to the existing curb cut is proposed. The majority of the modifications will be internal to the site. Will install ADA parking, as required. Share the water source with the Red Onion, adjacent parcel. Do not propose any changes to the egress or ingress between the properties to ensure this utility access is maintained. Stach-this parcel is located in the Gateway Overlay and those requirements need to be met. Will require an easement that you are not allowed to cut access off to the adjacent property, which shares the water source. This is a Type II Action under SEQR. Even though the parcel fronts on a State and county road no referral is required because there is no increase in parking.

A motion was made by Hlavaty, seconded by Brady, to approve the site plan pending submission of access easement for adjacent property owners to the shared water source/business and technical changes to site plan as noted in the Town Planner's review memo dated May 17, 2024. Board vote: Post-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Kiniry-Aye. Motion carried.

4. Lot Line Revision, Keith & Jill Michaels/William Hayes, 16 & 24 Roming Lane. Presented by Bruce Utter, Praetorius & Conrad, P.C. The applicant, Hayes, is looking to transfer .25 acres to Michaels, creating a right-of-way/private road with a hammerhead for emergency access.

Stach-straight forward lot line revision, will require supermajority because 72' is being transferred. The new private road will require submission of a road maintenance agreement for the Planning Board attorney to review prior to signature of the final maps. Utter-there is an RMA on file and will be referenced in the new deed. Stach-no referral to the UCPB is required. A motion was made by Tiano, seconded by Kiniry, to waive sketch plan approval, waive public hearing and approve the application. Board vote: Post-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Kiniry-Aye. Motion carried with supermajority

ADDITIONAL ITEMS

1. Major Subdivision, Gelb/Hill, 269 Wilhelm Road. The applicant has requested a 1-year extension of the submission of the final subdivision maps for signatures. A motion was made by Tiano, seconded by Hlavaty, to approve the 1-+year extension as requested. Board vote: Post-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye, Kiniry-Aye. Motion carried.

2. Updated Zoning Amendment, Local Law “Lodging and Event Regulations Law”. Stach-certain items that have been added/changed in the proposed amendment may be hard for the Planning Board to determine and therefore act upon. Items like quiet hours, does the Board want a definition of what “quiet hours” mean? This may be inappropriate for larger hotels.

A discussion followed regarding several changes that the Planning Board would like to present to the Town Board. The town planner, Max Stach, will draft a comment memo/letter to the Town Board addressing the concerns/changes.

3. Goat Hill Tower. Centerline has submitted additional information regarding the Planning Board’s response of incomplete application. Stach-they have not fully addressed the items required for a complete submission. Their proposed work exceeds the thresholds for an eligible facilities request, it exceeds the 10% increase in height. The height of the additional antenna array with separation from the existing antenna exceeds twenty feet. Therefore a Site Plan and Special Use Permit will be required. They can either meet those requirements or come to the Planning Board for the required approvals. All Planning Board members agree with this. Stach will draft a letter to Centerline indicating the aforementioned.

ADJOURNMENT

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

The meeting was closed at 9:48 pm.

Respectfully Submitted by,

Becky Bertorelli
Planning Board Secretary