



PLANNING BOARD MINUTES
HYBRID
August 17, 2021

C. Howard Post, Chairperson, opened the meeting at 7:33 p.m.
Pledge of Allegiance.

Present: C. Howard Post (Chair), Carole Furman (Vice-Chair), Mike Tiano, Robert Hlavaty, Kevin Brady and Adriana Beltrani (Town Planner, NPV).
Attending via WebEx: Ken Goldberg and William Creen (Alternate).
Absent: Len Bouren

The draft minutes of the July 20, 2021 Planning Board meetings were reviewed. Tiano-an error on page 5, where it states that the Fire Chief stated Glasco FD would not go into the Guardian site should be changed to reflect that the Chief stated it would be hard to enter the site with the current fire trucks. A motion was made by Furman, seconded by Tiano, to approve with the change to page 5. Board vote: Furman-Aye, Post-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye. Motion carried.

PUBLIC HEARINGS

1. Minor Subdivision, Ronald Frank, Houtman Road. Presented by Charles Holtz (in-person), Holtz Surveying, for the owner. This is a public hearing that has been left open from the last meeting for a proposed 2-lot subdivision of land located on Houtman Road. The applicant does not intend to develop the land any further than it currently is. Beltrani-still awaiting septic feasibility letter from engineer and limits of disturbance. Post-anyone present for the public hearing or any questions? None. A motion was made by Tiano, seconded by Hlavaty, to approve a negative declaration under SEQR. Board vote: Furman-Aye, Post-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye. Motion carried. A motion was made by Furman, seconded by Tiano, to close the public hearing since no one was present and there were no questions. Board vote: Furman-Aye, Post-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye. Motion carried.

Board comments: Beltrani-limits of disturbance still have not been shown on the map. Holtz-not planning on developing at this point, when and if they do they will have to receive approval from the Building Department to ensure all setbacks are met. Post-no plans for building, limits of disturbance can not be shown at this time. Wesley-working on letter from engineer regarding septic feasibility. Requesting that the Board vote on a conditional approval pending that letter. A motion was made by Brady, seconded by Tiano, to a conditional approval of the minor subdivision pending the submission of the letter from the engineer stating septic feasibility, along with submission of owner signed maps and payment of outstanding fees. Board vote: Furman-Aye, Post-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye. Motion carried.

2. Major Subdivision, Catskill Terraces/HV Contemporary Homes, LLC, Ralph Vedder & Manorville Road. Presented by Jeffrey Hogan. Also present was owner Marica McKeel for HV Contemporary Homes, LLC. This application is for a 10-Lot Major subdivision encompassing three parcels of land. There will be three private roads created to access the lots, two off of Ralph Vedder and one off of Manorville. Have been asked by neighbors to look at moving the private road off Ralph Vedder that accesses lots 3-6 from the edge of the parcel, next to an adjoining neighbor to a different location that will not affect the neighbor's parcel. Looking to move

the private road to enter an exit of Ralph Vedder Road in between lot 3 and lot 4. This will eliminate any noise or lights from entering the adjacent neighbors property. The applicant is looking at moving the road off of Manorville 25' north to help address concerns brought up by neighbors. The areas on the map that are shaded on each proposed parcel are conservation areas that will have deed restrictions set in place to minimize clearing. The conservation areas add up to 51 acres of the 89 acres that the subdivision is being placed on.

Post opened the public hearing at 7:51 pm. Public comments:

- Jim Cronin, 235 Ralph Vedder Road-the road placement is a concern, views to pull out/sight distance to right. Hogan-we are looking to shift that entrance up in between lot 3 and lot 4 which will shift the proposed house location slightly towards the neighbor's property but move the road farther away. This will actually help with sight distance and shorten the road. What is the proposed size of the houses? Marica-it will vary depending on what the person that purchases the property wants. Thinking of 1,500 - 2,000 square foot homes with pools if they would like.
- Paul Maceyak, 248 Ralph Vedder Road-who will maintain the private roads? Hogan-there will be a Road Maintenance Agreement for each and that will be the responsibilities of the homeowners on each private road.
- Nick Montano-will there be any changes to Ridge View Drive? Hogan-no changes, there is a greenbelt proposed in between the development and that road. Just so the owner and those purchasing the lots, if approved, are aware there is a permitted machine gun range at the end of Ridge View Drive.
- David Gilman & Patricia Zelda Gergel, 556 Manorville Road-how will the development affect the Aquifer? Hogan-there will be a max 440 gallons/day per bedroom, the applicant is proposing 3-4 bedroom residential homes, not commercial use. There are guidelines and requirements from the Health Department that need to be followed before a certificate of occupancy can be issued. There have been larger subdivisions within the town with no impact on surrounding property wells. Gergel-how will this affect the view of those living on Manorville Road? What will the work hours be for the construction? Hogan-the area is wooded from the meadow to down below the cliff where the three houses are proposed. The house for lot 7 will be located off Manorville not where you see the proposed septic/well. Typically work hours are 8am-4pm or 8am-5pm, usually with no work on the weekends, but the applicant does not want to be tied to those hours, when the parcel is sold it will be up to the owner. Post-there is no noise ordinance in the Town of Saugerties. If you have an issue you may file a complaint with the Building Department or contact the Town Board to express your concerns. Gilman-why are there larger lots rather than smaller? Hogan-the more lots the more of an impact on wells and the area. The applicant could have done up to 16 parcels, according to zoning requirements, but chose to only create 10 to decrease the impacts. Gergel-would like to know the work hour limits? Marica-the projects that HV Contemporary works on usually work between the hours of 7am-5pm or 8am-4pm during weekdays, if HV is performing the work they will respect that no work be done on the weekends.
- Steve & Donna Schmidt, 550 Manorville Road-the house for Lot 7 will not be right in our backyard? Hogan-no what is shown on the map is the raised septic system and conservation area, if you look down lot 7 towards Manorville Road you will see the proposed location of the house. Schmidt-how will the creation of the lots, mainly blasting, affect existing wells? Hogan-the application does not want to blast, they prefer to use a hammer as their first course of action. Moriello (attorney for applicant)-blasting requires strict liability by the blasting company, the blaster and developer will be responsible for any issues that may occur as a direct result of any blasting that is done.
- Bob Luke, 541 Manorville Road-moving the proposed private road 25' north off Manorville Road.
- Steve & Cherie Jemsek, 21 Wild Wind Court-how will this affect the marsh, will it be damned up? Wildlife? How will the septic affect the area? Hogan-have a wildlife consultant working with the team. Will only be filling in a small section of the wetlands and working with the involved agency (Army Corps of Engineers), there will be a culvert at grade for the passage of water. The applicant has set over

half of the property as conservation areas to ensure protection of wetlands and wildlife. Jemsek-will the houses be built on the parcels and then sold as a whole? Marica-it will vary on what the purchaser would like to do. Would like the buyer to purchase a house through them so that they can have some idea of style and design. Beltrani-the house will not be built prior to sale of property, correct? Marica-correct. The size of the house will be limited by the land and the conservation areas located on each of them. Post-it is not a concern of the Planning Board, the owner can build what they want on their property as long as it meets the setback requirements. Jemsek-why are there less lots off Manorville than Ralph Vedder? Hogan-they are pretty close but it ultimately has to do with topography. Jemsek-timetable? Hogan-roads and utilities will be installed on each lot prior to sale. The Health Department will have to issue an approval for septic. May wish to install driveways prior to sale as well. Marica-ideally would like to start this project within the next few months once the Indiana Bat season ends in October.

- Patricia Cronin, 235 Ralph Vedder Road-how was this listed as an Unlisted Action unde SEQR? There are tributaries into the reservoirs, shouldn't it be a Type I? Beltrani-does not rise to a Type I or Type II action. The applicant underwent a conservation analysis to minimize impacts. The Part I EAF was completed and the Town Engineer is being utilized to ensure stormwater management is adequate. The Part II EAF was completed and the applicant's engineer submitted a multi page report to mitigate potential impacts. It was up to the Planning Board to review as Lead Agency. An Unlisted Action does not mean there are no impacts. Hogan-did meet with the Village of Saugerties Water Department regarding the reservoir. The area has a Sensitive Area Overlay because of this and zoning requires double lot size for the watershed, usually it is a 2 acre lot requirement and within this overlay 4 acres are required. The parcels being proposed are an average of 9 acres per lot. There are mechanisms put in zoning to protect these areas, the applicant has stayed away from those areas. An Army Corps of Engineers permit will be required to fill in the small section of wetlands proposed. Cronin-there are salamanders that cross the area along with other wildlife, how will they be affected/protected? Hogan-the only threatened species that was identified was the Indiana Bat. The wetlands have been delineated and the installation of the green belt areas is to protect them. The small section that will be required to be filled will require a permit from the Army Corps of Engineers prior to completing that work. Cronin-what kind of road changes will occur during construction, markings for utilities, etc.? Marica-construction will hopefully start in the Fall, if all approvals are received. The utilities that will be run into the subdivision will be underground so hopefully there will not be a lot of markings made, but the utility company will have to do what they have to do.

Post-comments have been made by the public that were offensive towards the Planning Board and it will be noted that the Planning Board is a volunteer board and each member has given hours upon hours of their personal time to ensure that the Town of Saugerties continues to be the beautiful Town that it is and the remarks are not necessary and uncalled for.

Beltrani-just to be clear under a conservation subdivision the applicant would have been allowed to propose up to 16 lots, the applicant worked with the Board to get that number down to 10, creating less of an impact.

At this point in time there were no further comments by the public. A motion was made by Tiano, seconded by Furman, to approve a negative declaration under SEQR. Board vote: Furman-Aye, Post-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye. Motion carried. A motion was made by Tiano, seconded by Furman, to close the public hearing at this time. Board vote: Furman-Aye, Post-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye. Motion carried. The public hearing was closed at 9:12pm.

Furman-the group met to walk the project location for trees, there were no necessary trees to mark. Many were large but they were already dead. Hogan-need to finalize the SWPPP. No maintenance easements will be needed for this project. Beltrani-according to the Town Engineer the engineering work is feasible, further comment has not been provided at this time. A lot of planning work is needed regarding the stormwater maintenance and road

maintenance. Deed restrictions will be privately held by the landowner and enforced by the landowner. What are the guidelines that will be set? Can a shed be built in that conservation area? Will any clearing be allowed? Marica-the buildable areas shown will be the only area that building will be allowed. There will be no building in the conservation areas, tree removal only if necessary for a dead tree or a tree that may be a threat to the property owner's home. Moriello-whom will be preparing the negative declaration? Beltrani-I will be doing that.

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

3. Major Subdivision, Robert Gelb & Norma Hill, 269 Wilhelm Road. Presented by Chris DiChiaro, Engineer. This is for a 4-lot subdivision of a 54-acre parcel located on Wilhelm Road. There will be three new lots created and the residual land, 37-acres, will remain with the existing house. Improvements are proposed to the existing well. The Town Engineer and Fire Chief are in agreement that the proposed improvements to the road are sufficient for the emergency vehicles. Awaiting Health Department approvals for the 3 new septic proposed. Post opened the public hearing at 9:20pm.

- Tim Morgan, 349 Wilhelm Road-Wilhelm Road can not be shut down while the road improvements are being made, it is a primary access for many on that road. Increase the size of the ROW? If the road is being improved to Private Rural Road standards why can it not be brought up to the Town Road standards and taken over by the Town? DiChiaro-we are proposing to widen the ROW fully to the 50' requirement, with a 16' drive surface. There are only three new homes proposed. Post-the average Town road is 18' and this one will be just 2' less than that. A Road Maintenance Agreement (RMA) will be a requirement of approval. The Planning Board Attorney did give comment that the RMA of the existing property owners will be unaffected by the new improvements, they will be the responsibility of the owners of the new proposed parcels. Morgan-the Town Engineer will have to approve the road concept? Post-approval of the subdivision can be given with the Engineer's approval of the road improvements.
- Fred DiVito, 350 Wilhelm Road-the maintenance has been the responsibility of all of us that live on the road, once the Town section ends, why can't the new owners be part of that same responsibility? Consideration should be given to the existing residents when it comes to the RMA. DiChiaro-the new lots will run in the new agreement, if all the residents want to join the same RMA that will be up to them to do. The biggest problem for this subdivision is the road being updated. The applicant is not opposed to one agreement, if all parties agree to participate. DiVito-why cant the Highway Department take over the road maintenance? Beltrani-the road would need to be dedicated to the Town Board and then it would be up to them if they would have the Town Highway Department take over maintenance. Post-best approach would be to have a discussion with the engineer and the applicant. DiVito-what are Ulster County's regulations on transient use? Beltrani-this is something that the Town Board has been working on, specific to Saugerties. DiVito-the existing house is used for transient use, what is the proposed turn over for the farm parcel? We have filed complaints with the police department regarding the renters going on private property and nothing seems to be done. DiChiaro-can not speak to the use, that is not part of this discussion. The applicant is trying to sell off some land to cut the tax burden, that is the purpose of the subdivision. Post-the police are the best contact for complaints.
- Letter from John Joy, 433 Wilhelm Road, was read by Post. There is a maintenance demand for public use of a private road that the residents have been responsible for. There are many Airbnb's in the area and the usage of the road has increased due to the short term rental of homes. The RMA was not intended for the increase in traffic that is generated by this. The construction is a concern along with the traffic regarding the width of the road and the capacity to handle the increase. DiChiaro-there is 16' of driving surface proposed, the Fire Department and Town Engineer feel that this is reasonable.
- Johanna Bershell-are the owners of the property present? No, they are not and we are. We live there and we have concerns. How will run-off be addressed? Where will all the equipment be stored during the

updates to the road? Beltrani-the Stormwater Management Plan will be reviewed by the Town Engineer and will need to be approved prior to any work being done. DiChiaro-the staging area for the equipment will be at the farm. The run-off will be routed towards the southeast, away from the neighboring property, which will run to the creek on the farm. Not changing the existing drainage patterns, they will remain as they are now. There are steep properties. Only proposing to clear for house and septic installation, not a ton of area to be cleared.

- Victor Churchill, 197 Wilhelm Road-there are 3 additional lots with access from the private road, 1 existing and 2 from the new proposed private road. What will happen to the field below the farm? Is any development proposed? 37-acres are to remain with the existing house, correct? DiChiaro-no further development of that parcel is proposed at this time.

Beltrani-there are some open issues, the SWPPP needs to be submitted to the Town Engineer for review metes & bounds survey needs to be submitted, would suggest keeping the public hearing open. Post-will do so. The public hearing will remain open until the September 21, 2021 Planning Board meeting.

4. Site Plan, Embassy Holding LLC, 334 Route 212. Presented by Khattar Elmassalemah, Praetorius & Conrad, P.C. We have added the note to the site plan regarding shared access and shared parking as requested at the last meeting. The attorney for the applicant will be creating the agreement and a copy will be submitted to the Board. Was able to work with the company and they can include a back shield on the lights by the entrance to the plaza reducing the candle lights down to 0.1. The comments were received from the Ulster County Planning Board and we have updated the site plan to include the sidewalk connection. Beltrani-the other recommendation made by the UCPB was regarding trees being added to the landscaping.

Post opened the public hearing at 9:41pm. No one was present for the public hearing, no comments were made by the public. A motion was made by Hlavaty, seconded by Brady, to close the public hearing. Board vote: Furman-Aye, Post-Aye, Tiano-Aye, -Hlavaty-aye, Brady-Aye. Motion carried. The public hearing was closed at 9:43pm.

Beltrani-still need the documentation on the note, as discussed previously. The UCPB recommended street trees planted along the site's frontage and along the access driveway to the plaza. Elmassalemah-we could remove the one fountain grass in the front corner of the property, closest to the Verizon building, and replace it with a Type A or Type B tree as recommended by the UCPB. The sidewalk recommendation has been taken care of.

A motion was made by Hlavaty, seconded by Tiano, to conditionally approve the site plan pending receipt of the legal agreement pertaining to shared parking and shared access, along with the replacement of one of the holly bushes with a Type A or Type B tree as indicated in the front corner of the property closest to the Verizon Building. Board vote: Furman-Aye, Post-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye. Motion carried.

OLD BUSINESS

1. Major Subdivision, Joseph Gambino, 3524 Route 32. Presented by Richard Rothe, Rothe Engineering, and Bill Stade, Praetorius & Conrad, P.C. Beltrani-the remaining comments that need to be addressed are regarding engineering and will be up to the Town Engineer to provide comment. The Planning Board could consider conditional approval subject to Town Engineer's approval of drainage, SWPPP and bond estimate. Engineer to meet with Rothe to discuss. Rothe-bond has generally not been required. Beltrani-will the applicant be building the road themselves? Gambino-yes. Beltrani-the Board can follow the Town Engineer's recommendation.

A motion was made by Hlavaty, seconded by Brady, to conditionally approve the major subdivision pending approval from the Town Engineer regarding drainage, road and SWPPP.

2. Site Plan/Lot Line Revision, Glasco Apartments, 260 Glasco Tpke., 2964 & 2966 Route 9W, Rt. 9W, 30 Belknap Ln./off Glasco Tpke. Presented by Chris LaPorta, Passero Associates. The memo was received from the Town Planner and the applicant will be addressing the comments and providing an updated design and site plan to address those comments. The proposed pool has been moved so that a variance is not required. The unit mix comment will be addressed. The two existing houses on the southern part of the property will remain on site and a subdivision will not be required anymore. There is an exciting non-conformity with the existing structure, in the front setback, no plans to move or do anything further with that structure. Can shift the road slightly to alleviate any encroachment, if the structure is to be subdivided later. Beltrani-confirm with zoning and building inspector. Part II of the EAF was completed, Part III needs to be completed by the applicant in response to any questions that have been identified as needing further analysis. LaPorta-a public hearing is optional for a site plan, would request that be waived. Will be reaching out to the school, completing a traffic study and beginning the DOT process. Beltrani-population analysis and seek input from schools, fire and police. Address how this proposal will affect community character. Elevations and design of the buildings are required. Comment #22 of the memo is in reference to the Draft Part II that was completed. It is noted that there is increased erosion, the SWPPP needs to be reviewed, there is a reference to filling in the manmade pond which will be the Army Corps of Engineers jurisdiction. Herbicides have been indicated, the extent of use, necessity and control need to be addressed. The impact on agricultural resources needs to be addressed. The traffic increase and how it will be controlled are noted. Traffic study is to be completed. Energy saving techniques addressed. Sound levels indicated. Construction hours/noise. Waste removal. Input from school, police and fire. Architectural elements addressed. This is the loss of an area that has been used as an open space.

Board comments: Furman-will these be rentals or owned, what is the bedroom count, will EV charging station requirements. LaPorta-these are rentals, each with their own garage in which they can install an EV plug. The club house will have EV charging stations available. Everyone has their own driveway. We have changed the layout to include 16 buildings, no 15 as originally submitted, so we are working on the bedroom count according to zoning regulations. Beltrani-each individual will have the ability to charge in their own garage. Tiano-removal of the retention pond, manmade pond, and adding another building how will that affect overflow? LaPorta-all that information will be provided with the SWPPP to the Town Engineer. Drainage from the west, there will be a new system which will collect runoff and put it into the dry pond shown, including the drainage that enters the site from other areas.

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

PRE-HEARING CONFERENCE

1. Major Subdivision, Joseph M. Mayone, 96 Hudson Street. Presented by Mike Vetere III, Vetere Land Surveying, PLLC and Mark Tiano, Engineer. The applicant is looking to subdivide a 3.8 acre parcel of land into 3 lots, located off Hudson Street in the Hamlet of Glasco. As per the Town Planner's memo the zoning table has been revised. Mark Tiano-have submitted larger scale plans to demonstrate the proposed roadway. Vetere-this lot was acquired by Mr. Mayone via a quick claim deed 10 years ago. The roadway will be a 17' wide asphalt driving surface as an extension of Hudson Street, which will be known as Hudson Street Extension. Lot A, B and C as proposed and the left over land will be turned over to the Town. Mark Tiano-the proposed roadway is 22' wide, the standard is 26', Hudson Street averages 17'-19' wide. The extension proposed is only for access to the three lots, not as a thorough drive. Beltrani-it would be up to the Town Board to take over the proposed extension of Hudson Street as a town road. #10 on the comment memo is in reference to the ROW width. There are some discrepancies in the lot area that need to be addressed. Vetere-there is a lot line that was deleted years ago that does not show up on the tax maps. A title search will be given to the Planning Board for the lot lines to show that. #10 in the Planner comments addresses the ROW width. There is a 50' ROW width with a 40' radius at the cul de sac, for snow removal. The area of disturbance is .928 acres. A soil erosion control plan will be completed. Will install a stone line swail to slow the run off to the existing drainage system. Tree locations will be done. Will be in touch with the DEC to ensure that the Bald Eagle is not present on site. Have created a

NYSHPO token for archeological determination. Mark Tiano-have discussed the road grade with the Town Engineer. We were able to get the grade down to 12% from the 14% we previously had, following topography. In order to get down to the 10% requirement a significant increase in fill and the installation of retaining walls would be required. The grades on adjacent roads in the area are similar, steep. Beltrani-requested the Fire Department provide comment on the grade. Mike Tiano-a 53' turning radius is needed for the Fire Department. The Town requirements are for a 10% grade. Vetere-made it a point to speak with the Town Engineer prior to submission to ensure that this road design was feasible. Will secure a bond/security for construction of the road as required. Next month looking to come back with additional information and the DEC response. May need to go back to the drawing board with the applicant if the 10% grade is a requirement that can not be adjusted to 12% along with the turning radius at the cul de sac.

2. Lot Line Revision, Brian & Annette Murphy, 1059 & 1083 Blue Mountain Road. Presented by Annette Murphy, owner. The applicant has updated their prior lot line revision map to show that they propose to reallocate a total of 1 acre from the southwestern parcel located at 1059 Blue Mountain Road, containing an existing house and garage, to the northerneastern parcel located at 1083 Blue Mountain Road, containing an existing house, barn and out building. The parcel located at 1059 Blue Mountain Road would remain at 4-acres, as required in this zoning district with a Sensitive Area Overlay. All requirements are met regarding setbacks and bulk. A motion was made by Tiano, seconded by Brady, to waive sketch plan approval, waive a public hearing and conditionally approve the lot line revision pending the submission of the updated lot line revision map. Board vote: Furman-Aye, Post-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye. Motion carried.

3. Site Plan, Honorland LLC, River Road. Presented by Diego Celaya, John Reidy and Joshua Pulver. These two parcels are located in the Waterfront Overlay and require site plan approval prior to any development. The applicant is proposing to build one single family residence on each of the two parcels. The required 50' setback from the river edge has been demonstrated on the site plan. Proposing to conform with the existing neighborhood and trying to preserve the neighbor's views as best as possible while adhering to the setback requirements. All lighting will be downward facing and low reflective glass will be used on the riverside. Beltrani-no comment. Post-any Board questions? None. A motion was made by Furman, seconded by Tiano to approve the site plan. Board vote: Furman-Aye, Post-Aye, Tiano-Aye, Hlavaty-Aye, Brady-Aye. Motion carried.

ADJOURNMENT

Since there was no further business to discuss, a motion was made by Tiano, seconded by Hlavaty, to adjourn the meeting. Board vote: Furman-Aye, Post-aye, Tiano-Aye, Brady-Aye, Hlavaty-aye. Motion carried. The meeting was closed at 10:54 pm.

Respectfully Submitted by,

Becky Bertorelli
Planning Board Secretary