



PLANNING BOARD MINUTES July 18, 2023

C. Howard Post, Chair, opened the meeting at 7:33 p.m. Pledge.

Present: C. Howard Post (Chair), Carole Furman (Vice-Chair), Bob Hlavaty, Kevin Brady, Al Riozzi and Gina Kiniry.

Absent: Mike Tiano

Also Present: Max Stach (Town Planner, NPV)

The draft minutes of the June 20, 2023 Planning Board meeting were reviewed. One change was required, Hlavaty was not at the June meeting and therefore could not approve the May 16, 2023 meeting minutes. A motion was made by Kiniry, seconded by Furman to approve with the one minor change. Board vote: Furman-Aye, Riozzi-Aye, Post-Aye, Kiniry-Aye, Brady-Aye, Hlavaty-abstain. Motion carried.

PUBLIC HEARINGS

1. Minor Subdivision, Frank & Cheryl Ferrendino, 363 & 369 Band Camp Road. Presented by Khattar Elmassalemah, Praetorius & Conrad, P.C. The applicant is proposing to take the 6.3 acre parcel and subdivide into two lots. One proposed parcel will be a 1-acre lot with existing house, well and septic, the remaining 5.3 acres will remain with existing conditions. Both proposed parcels have access from Band Camp Road. A description of the subdivision was provided with color coding. The right-of-way (ROW) will serve the other lands of Ferrendino in the rear.

The public hearing was opened by Post at 7:36pm. Public Comments:

- Patricia Lamagna, 355 Band Camp Road-there is a stream that runs through the parcel, how will that be affected? Elmassalemah-there is no development proposed, it would just be the invisible lot line that would go through the wetlands, not anything new being built.

A motion was made by Riozzi, seconded by Brady, to approve a negative declaration under SEQR. Board vote: Furman-Aye, Riozzi-Aye, Post-Aye, Kiniry-Aye, Brady-Aye, Hlavaty-Aye. Motion carried. A motion was made by Hlavaty, seconded by Kiniry, to close the public hearing. Board vote: Furman-Aye, Riozzi-Aye, Post-Aye, Kiniry-Aye, Brady-Aye, Hlavaty-Aye. Motion carried. The public hearing was closed at 7:41pm.

There were no additional comments/questions from the Board. A motion was made by Riozzi, seconded by Furman, to approve the minor subdivision pending submission of the final plat with owner's signatures and payment of outstanding fees. Board vote: Furman-Aye, Riozzi-Aye, Post-Aye, Kiniry-Aye, Brady-Aye, Hlavaty-Aye. Motion carried.

OLD BUSINESS

1. Site Plan, Archtop Fiber, LLC, 165 Old Route 32. Presented by Jake Lehman, Airosmith, Inc (contractor). Also present - Tom Weckesser, Archtop Fiber, LLC. The applicant is looking to install a fiber optic hub on the parcel. An updated site plan was provided to the Board. The Board received a response via email from Robert

Liebowitz, UCPB referral officer, stating that the application was reviewed and the Ulster County Planning Board found there was “No County Impact”. The formal response letter is forthcoming. Stach-the screening and landscaping needs to be shown. Provided suggestions within the comment memo for native shrubs that flourish in shady conditions based on the advice of a qualified landscape architect or landscaper professional. At a minimum, staggered rows on the North and East sides of the proposed site. This is a Type II Action under SEQR. A note on the final site plan stating that the diesel storage tank will incorporate double wall containment and leak detection.

A motion was made by Brady, seconded by Kiniry, to approve the site plan with the addition of a landscaping plan submitted to the Chairman for approval and the note regarding the diesel generator added to the final site plan. Board vote: Furman-Aye, Riozzi-Aye, Post-Aye, Kiniry-Aye, Brady-Aye, Hlavaty-Aye. Motion carried.

2. Site Plan, Ryley’s Auto Repair, 55 High Falls Road. Presented by Rich Rothe, Engineer. The Stormwater Pollution Prevention Plan (SWPPP) was approved by the Town Engineer. The commercial entrance was approved by the Town of Saugerties Highway Department Superintendent. The applicant is proposing a metal commercial style building. The screening details for the dumpster are shown on the 1st page of the updated site plan that was submitted. The dumpster will be located in the rear of the site and a stockade fence is proposed. It is located 250’ from the rear lot line and 60’ from the side yard lot line. No free standing signage is proposed at this time. Lighting will all be downward facing, dark sky compliant. Not sure if the applicant will be installing motion or timers on the light fixture locations. Stach-for safety and security purposes a motion light would be reasonable after 10pm, 3,000k or less in color temperature recommended. Rothe-the landscaping to the north along neighbors lot line will consist of 8 Norway Spruces as shown on the updated landscape plan. There is a 10’ buffer between the neighbor’s lot line and the proposed septic. It is an in ground septic system. There are existing trees and brush in that area that will not be touched. The 10’ buffer is enough to install trees. Kiniry-leaving the existing brush and trees will be helpful to cut down on visual impact for those neighbors to the North. Rothe-several comments from the Planner’s memo regarding the SWPPP were addressed with the SWPPP submission to the Town Engineer. That has since received approval from Dennis Larios, Town Engineer. The septic design was approved with the initial subdivision that was done by Gambino. The Ulster County Health Department did not issue an approval on the permit at that time because they wanted verification that the subdivision was approved. The septic is located where it was initially shown. The Health Department is not requiring a resubmission of the plans to issue permits. Parking space count is based on the square footage and the number of employees. The off-street parking is not used for sales, it is for storage of cars for repair. There is an added area behind the building for storage of those vehicles. Parking is adequate for the proposed use. Stach-the proposed building is a large building for 6 bays. The response to parking is adequate. Rothe-we believe that we have addressed all the outstanding comments/concerns mentioned by the Town Planner in his review memo.

Stach-the board will have make a SEQR determination. If the Board feels that the proposed use does not bring a negative impact to the community character they can move on to a negative declaration. Furman-the plantings along High Falls Road are needed. A sign is needed so that patrons know where the entrance to the site is. Additional screening in that area in necessary. Rothe-we can install additional low shrubs along High Falls Road. Furman-a monument sign or a building sign should be considered. Post-low plantings along High Falls Road and a monument sign at the road is requested. Stach-a suggestion would be Norway Spruce along High Falls road with low shrubs in the front, by the entrance. Evergreens at the edge and something low along the street. Rothe-can the landscaping be a condition of approval? Stach-if the Board feels that is adequate it definitely can. Post-if a sign will be added it will require review by the Building Department.

A motion was made by Riozzi, seconded by Brady, to adopt a negative declaration. Board vote: Furman-Aye, Riozzi-Aye, Post-Aye, Kiniry-Aye, Brady-Aye, Hlavaty-Aye. Motion carried. A motion was made by Brady, seconded by Riozzi, to approve the site plan with submission of the revised landscaping plan, all onsite lighting

will be downward facing and dark sky compliant with color temperatures of 3000K or less and any unregistered vehicles will not be onsite for more than 30-days.

PRE-HEARING CONFERENCE

1. Major 3-Lot Subdivision, Ferdinand Flick, 269 George Sickles Road. *(this review was done earlier in the meeting with the public hearing section of the meeting)* Presented by Khattar Elmassalemah, Praetorius & Conrad, P.C. The applicant is looking to subdivide a 55.4 acre parcel into three lots. Lot #1 will contain an existing house and be a 2-acre parcel. Lot #2 will will contain an existing house, well and septic. Lot #3 will be the remaining 46 acres and shows an area for a septic and house if development is desired in the future. All three proposed lots will have direct access to George Sickles Road, which is a Town Road with existing ROW. Title search has not been completed yet. Stach-this parcel is located within 500' of the County Agricultural District and a Ag Data Statement is required. According to the Town zoning, if a parcel is bisected by the public ROW (George Sickles Road) it is already considered two separate lots. Therefore this would be a two lot minor subdivision, since the parcel on the NE side of George Sickles is already considered a separate parcel. Why would you want the lot line to go to the centerline of the road, it creates responsibility for the owner of that section of the road. Something to consider, giving that section of the road to the Town.

A motion was made by Hlavaty, seconded by Riozzi, to declare the Town of Saugerties Lead Agency, declare this an Unlisted Action under SEQR, refer to the UCPB and set the public hearing for the August 15, 2023 meeting. Board vote: Furman-Aye, Riozzi-Aye, Post-Aye, Kiniry-Aye, Brady-Aye, Hlavaty-Aye. Motion carried. ****Update: as per the UCPB, this application does not require referral****

2. Minor Subdivision, Clifford & Bonnie Tienken, Mike Krout Road. Presented by the owner, Clifford Tienken. The applicant is looking to create a 2-acre parcel from the existing 11.9 acre parcel and give it to his son. Stach-this parcel is located in a flood zone and to approve a new lot you will have to demonstrate buildability, which is currently not demonstrated. Tienken-the parcel has access to public water and sewer. Stach-you will have to bring fill in where the elevation is below 129', most of the proposed parcel is 126'/128' which will require between 1'-3' of fill in those areas. This will displace the flood waters to areas that do not currently flood, how will this be mitigated? A lot of wetland vegetation and model soils are along the stream that is located on the parcel. Suggesting that the application provide a wetland delineation. The parcel is located in the FEMA 100-year flood zone. This is an Unlisted Action under SEQR. Will require referral to the Ulster County Planning Board (UCPB) because of the presence of the 100-year flood zone.

A motion was made by Hlavaty, seconded by Kiniry, to refer to the UCPB and to set the public hearing for the August 15, 2023 Planning Board meeting. Board vote: Furman-Aye, Riozzi-Aye, Post-Aye, Kiniry-Aye, Brady-Aye, Hlavaty-Aye. Motion carried.

ADJOURNMENT

Since there was no further business to discuss, a motion was made by Kiniry, seconded by Post, to adjourn the meeting. Board vote: Furman-Aye, Riozzi-Aye, Post-Aye, Kiniry-Aye, Brady-Aye, Hlavaty-Aye. Motion carried. The meeting was closed at 8:48 pm.

Respectfully Submitted by,

Becky Bertorelli
Planning Board Secretary