



PLANNING BOARD MINUTES February 21, 2023

C. Howard Post, Chair, opened the meeting at 7:34 p.m. Pledge.

Present: C. Howard Post (Chair), Carole Furman (Vice-Chair), Mike Tiano, Robert Hlavaty, Al Riozzi and Gina Kiniry (alternate).

Absent: Len Bouren and Kevin Brady

Also Present: Max Stach (Town Planner, NPV)

Gina Kiniry joined the Board for the evening's agenda.

The draft minutes of the January 17, 2023 Planning Board meetings were reviewed. A motion was made by Furman, seconded by Tiano to approve as written. Board vote: Tiano-Aye, Furman-Aye, Hlavaty-Aye, Post-Aye, Kiniry-Aye. Riozzi-abstained. Motion carried.

PUBLIC HEARINGS

1. Minor 2-Lot Subdivision/Lot Line Revision, Sharon Cohen/Alexandra Gambino, 59 & 73 Windbourne Lane. No one was present for the applicant or from the public. The public hearing will remain open until further notice.

2. Minor Subdivision, Frank/Kathy/Ferene & Magda Torok, Hommelville Road. Presented by Dan McCarthy, Praetorius & Conrad, P.C. The applicant is looking to create a second parcel for his daughter. Reviewed the Town Planner's comment memo. Proposed drive is off Hommelville Road. The Beaverkill Creek does not affect where the proposed house is to be built, septic or well.

Post opened the public hearing at 7:37pm. No one was present for the public hearing. A motion was made by Furman, seconded by Tiano, to close the public hearing. Board vote: Furman-Aye, Tiano-Aye, Hlavaty-Aye, Riozzi-Aye, Kiniry-Aye, Post-Aye. Motion carried. Post-any Board questions/concerns. None. A motion was made by Tiano, seconded by Riozzi, to approve the minor subdivision. Board vote: Furman-Aye, Tiano-Aye, Hlavaty-Aye, Riozzi-Aye, Kiniry-Aye, Post-Aye. Motion carried.

OLD BUSINESS

1. Site Plan Amendment, The Middle Way School, 268 West Saugerties Road. Presented by Jeff Hogan, Praetorius & Conrad, P.C, and David Boylan, The Middle Way School (Buildings and Grounds). The applicant received approval on July 19, 2022 for the additional building and geodesic dome. Hogan-the applicant is looking to move the approved geodesic dome location approximately 35' northwest to provide more space between structures. This will shift the dome approximately 7.5' into the 25' yard setback, which is not greater than the encroachment of the Tara Building. Since it is not greater than an existing encroachment a variance is not required, according to the Building Department. The vestibule area of the dome has been increased to 700 sf from 100 sf. The increase in the foyer area of the dome is to ensure that the central part of the dome is facing easterly, to conform with Buddahist practices. After a meeting with the Fire Chief, the applicant has decided to extend the fire lane between the two front buildings to ensure the Fire Department can reach the new location

and it is within 150'. The wood framed pavilion was built over a previously approved concrete slab. The shed and multi purpose building approved in July 2022 do not change. There is a small playground set and ropes course, which will be removed. Stach-the new proposed location resulting in a 7.5' encroachment into the setback should be addressed. Understand the religious requirements but there may be a way to shift the proposed kitchenette and bathroom area of the vestibule to meet the setback requirements. If the encroachment is unavoidable additional screening may be required. Post-poll the Board to see if the applicant should look for a different layout to eliminate the encroachment. Kiniry-modify if possible, Riozzi-modify, Hlavaty-modify, Tiano-what is the reason for the movement? Boylan-trying to give more of an open area for the children to gather/play. Hogan-it is already wooded along the property line where the dome is proposed. We can look into other options and layouts. Stach-this would be considered a Type II Action. Will the applicant be hosting large events? Hogan-strictly for student population use and functions. Boylan-no plan to have any big events, will continue with our normal events that are hosted now. Will follow all occupancy requirements.

Stach-UCPB referral is required. Hogan-have the comments from the original amendment application back in July 2022. The water requirements do not exceed what the present system can facilitate. Not increasing the population with proposed changes. Update the lighting plan, all wall mounted fixtures w/cut sheets. Using existing lighting. Wall mounts at the exterior doors only, that are downward facing. Lighting is not used often after dark. Will be in compliance with the NYS Energy Code, which is part of the building permit process. Sustainability is being addressed with the construction elements. Furman-is security lighting proposed? Boylan-there will be one light on the outside of each building. We do not use the buildings often after dark. Post-the last public hearing brought concerns with parking, which have been addressed by the applicant. Hogan-overflow parking was created. No public hearing is required.

A motion was made by Hlavaty, seconded by Tiano, to refer to the Ulster County Planning Board. Board vote: Furman-Aye, Tiano-Aye, Hlavaty-Aye, Riozzi-Aye, Kiniry-Aye, Post-Aye. Motion carried.

2. Site Plan, The Villas Residences, 49 Spaulding Lane. Presented by Rachel Ehrlich (Dattner Architects) and Jeff Hogan (Engineer, Praetorius & Conrad, P.C.). Ehrlich-will be showing an updated presentation of the project details, focusing on tree plantings and the exterior of the building. Outreach has been done to the involved and interested agencies. A traffic review was done and reviewed by the Town's Traffic consultant. NYS DOT has provided comments, and will continue to keep them in the loop. Received comments from the Historic Preservation Commission and a response from the applicant's team (AKRF) was sent to them on February 2, 2023. Letters were sent to the Saugerties Police Department, Diaz Ambulance Service and Glasco Fire Department for comment. Responses were received from all three. The sewer design was sent to the Town Engineer for review. Ellen Gardiner (landscape architect)-tree planting plan was updated with the tree removal. Proposed is 97 on the northern side and 6 on the southern side. Will favor native species for plantings like oak or pine. This will provide a filtered view from Spaulding Lane, coming into the site. Will fill in between the existing trees and landscaping. There will be less exposure on the south side. Trees proposed to screen. Will keep the large trees away from the fire access roadway. 191 tree plantings are proposed. Will provide screening to trails. Tiano-what will the tree height be? Gardiner-look to target the height in the simulation-15'. Requests regarding plantings will be considered. Ehrlich-other plantings will be provided. An architectural update was provided to show more detail of the facade. Earthtones are proposed for the exterior of the buildings, something like french gray or neutral brown. Visuals of the buildings were provided. Balconies and/or porches will be provided for each unit. Screening will be provided between balconies.

The northern building will have a partial walkout basement that faces southeast. The basement will house the utilities and workshop for the Superintendent. It will be partially visible above grade. The ground floor will contain apartments and the building entrance with a lobby. Each of the floors will have a seating area for tenants to socialize and the apartment units. The building is built to adapt to the terrain, the height of the building will

not exceed three stories at any point. The highest point of the roof will be 37'9" and the lowest point will be 28'8".

The south building will have a small walkout basement below grade. The first floor will contain the entrance, lobby and apartments. There will be a terrace overlooking the wooded area. The second and third floor will have apartments and a seating area for residents to socialize. Each apartment will have a balcony. Handicapped accessible apartments are available. No section of the building will be over 3 stories. The highest point of the roof will be 37'9" and the lowest point will be 22'6".

Both buildings will have horizontal siding. Hlavaty-detail for the green roofs that are proposed. Ehrlich-some of the plantings will be more about stormwater management. The plan is to keep it meadowlike, with wild flowers.

Stach-how will planting be provided and how will they provide visual screening on the engineered slope to the east of the emergency loop road on the north building? Ehrlich-the northern building is marginally visible from Tivoli and not from the surrounding neighbors. More trees will be provided to the east of that berm, that area is lower than the footprint of the building. Stach-tree survey limits and limits of disturbance do not match or include those tree removals. Hogan-when we did the survey there are areas that do not show tree locations, they are located in a ravine and the area was hard to get to, the coverage was thicker. Tiano-is there a wooden barrier before the slope on the north building, going down towards the river? Does the slope of the access loop exceed 4 degrees? A ladder truck can only self level to 4 degrees. Hogan-there is a bioretention area with a guide rail proposed. Will have to check to make sure the grade percentage works with the 4 degrees.

Will have to see if the Village Planning Board received any traffic study information for the townhouse project that is going on by the red bridge as you enter the village on Route 9W. The applicant is currently before the Town Board for the zoning change request. No further action can be taken by the Board at this time.

PRE-HEARING CONFERENCE

1. Site Plan, Saugerties Self Storage/Derek Winnie, 1026 Kings Highway. Presented by Derek Winnie, owner of Saugerties Self Storage. The application is proposing to install 3 30' x 100' self storage buildings. The Industrial Zoning regulations have recently been amended to include self storage in the Industrial District with site plan approval. Stach-there is an easement shown. How far apart are the buildings from each other? Will there be enough room for emergency vehicle movement around the structures? Landscaping? Winnie-will be leaving the easement as is. The buildings are 25' to 27' apart. Will ensure there is enough room around the buildings for fire apparatus movement in case of an emergency. Will provide landscaping at the entrance of the site. Will leave existing foliage between the site and the railroad tracks. Post-signage will be a building department matter. Just ensure that it is set back from the line of sight for those entering and exiting the site. Winnie-plan to use a free standing sign like I have at my location on Route 9W. Tiano-just a comment, Guardian Self Storage was not required to make the areas around the building fire apparatus accessible, according to the building department. Winnie-I want to make sure that access is there. Stach-are these pre-engineered buildings? Winnie-yes. Each will have a 12' ceiling. Stach-this is an Unlisted Action under SEQRA. A public hearing is not required.

A motion was made by Tiano, seconded by Hlavaty, to declare this an Unlisted Action under SEQRA. Board vote: Furman-Aye, Tiano-Aye, Hlavaty-Aye, Riozzi-Aye, Kiniry-Aye, Post-Aye. Motion carried. A motion was made by Tiano, seconded by Riozzi, to approve the site plan with the following conditions: Installation of landscaping at the entrance of the site and a 24' gravel drive created to the south of the buildings for emergency vehicle access. Board vote: Furman-Aye, Tiano-Aye, Hlavaty-Aye, Riozzi-Aye, Kiniry-Aye, Post-Aye. Motion carried.

2. Lot Line Revision, Chestnut Hill Holding Group, LLC, 107 Division Street/Route 212. As per the Town Planner's comments, this application is not required to come before the Planning Board as it is a lot line deletion. This can be done through the assessor's office. A motion was made by Tiano, seconded by Furman, to request a refund of the fees paid to the Town for the Planning Board's review, as it was not required. Board vote: Furman-Aye, Tiano-Aye, Hlavaty-Aye, Riozzi-Aye, Kiniry-Aye, Post-Aye. Motion carried.

3. Site Plan, Gabriella Gazal/185 Esopus Creek LLC, 185 Esopus Creek Road. Presented by Eliana Gazal as agent for Gabriella Gazal. Gazal-the applicant is looking to build a deck on the east and north side of an existing screen porch, which is attached to the residence. Stach-the mean high water line (MHWL) seems to be past your lot line. It would have to be measured to ensure that you are proposing the structure in a location that meets the 50' setback requirement from the MHWL. Post-the Board can conditionally approve the application pending movement of the proposed deck to meet the 50' setback or acquiring an area variance from the Zoning Board of Appeals to allow the application to build the deck within that 50' setback of the MHWL. A motion was made by Riozzi, seconded by Tiano, to approve with the condition as stated by Post. Board vote: Furman-Aye, Tiano-Aye, Hlavaty-Aye, Riozzi-Aye, Kiniry-Aye, Post-Aye. Motion carried.

4. Site Plan, Alliance Tactical Firearms, 1026 Kings Highway. Presented by Willis Williamson, applicant (owner, Alliance Tactical Firearms) and Arthur Green (owner, 1026 Kings Highway). The applicant is proposing a change of use to a machine shop for non-lethal firearms and parts that will be sold to the film industry. Proper permits have been acquired by the applicant. No changes to the building structure are proposed, only painting. There are existing shrubs (3) in the front of the building that will be maintained. There are currently no issues with water on this site. Stach-this is just a change of use and is a Type II Action under SEQRA. Only requires site plan approval. Furman-retail possible? Green-no.

A motion was made by Hlavaty, seconded by Tiano, to declare this a Type II Action under SEQRA. Board vote: Furman-Aye, Tiano-Aye, Hlavaty-Aye, Riozzi-Aye, Kiniry-Aye, Post-Aye. Motion carried. A motion was made by Furman, seconded by Hlavaty, to approve the site plan. Board vote: Furman-Aye, Tiano-Aye, Hlavaty-Aye, Riozzi-Aye, Kiniry-Aye, Post-Aye. Motion carried.

5. Major (11-Lot) Subdivision, UC Habitat for Humanity, Inc., Jeffrey Court. Presented by Khattar Elmassalemah, Praetorius & Conrad, P.C. The applicant is proposing an 11 lot subdivision. 10 of the 11 lots will be buildable lots and the 11th will not be developed but possibly acquired by Scenic Hudson. A cul de sac, similar to Village Drive, is proposed. All setback and bulk requirements have been met. Village Drive drainage comes onto this site. A drainage easement was created on Lot 11. 0.15 acres of wetlands may be affected by the grading required. All necessary permits will be obtained if this is the case. A 24' wide road with a 50' radius cul de sac is proposed. The stormwater will be collected in each catch basin on site and driven downstream. Propose to extend the water line on site with installation of a fire hydrant.

Stach-this is a Type I Action under SEQRA. A "Notice of Intent" (NOI) will be distributed to all involved/interested agencies. A long form EAF is required. The Comprehensive Plan needs to be adhered to. Ulster County Planning Board (UCPB) referral is required. A general SWPPP will be required and will need to be reviewed by the Town Engineer. Drainage Easement should go to John Greco for review. The Army Corps of Engineers application required for wetlands disturbance. Elmassalemah-the preliminary conversation has been had with the Town Engineer. Communicating with Scenic Hudson to see if they are interested in acquiring Lot 11.

A motion was made by Hlavaty, seconded by Riozzi, for tentative sketch approval. Board vote: Furman-Aye, Tiano-Aye, Hlavaty-Aye, Riozzi-Aye, Kiniry-Aye, Post-Aye. Motion carried.

6. Lot Line Revision, Suntree Wiley, 10 & 12 Harry Wells Road. Presented by Khattar Elmassalemah, Praetorius & Conrad, P.C. Both lots are owned by the applicant, Wiley. The applicant is looking to convey 2 acres of land from Parcel B to Parcel A. Parcel B will decrease from 6.422 acres to 4.422 acres and Parcel A will increase from 0.440 acres to 2.440 acres. The applicant is looking to sell the northern lot. Stach-all conditions are met to waive sketch plan approval. This is a Type II Action under SEQRA and UCPB referral is not required. Tiano-additional building? Elmassalemah-no. A motion was made by Tiano, seconded by Hlavaty, to waive sketch plan approval, waive a public hearing and approve the lot line revision. Board vote: Furman-Aye, Tiano-Aye, Hlavaty-Aye, Riozzi-Aye, Kiniry-Aye, Post-Aye. Motion carried by a supermajority vote.

7. Site Plan, Marisa Phillips/Little Rico LLC, 1633 Glasco Turnpike. Presented by Marisa Phillips (property owner) and Angelica Hernandez (owner-Little Rico LLC). Hernandez is looking to change the use of the 1st floor to a cafe, known as Little Rico. The exterior site plan will not change. There is existing adequate parking for the number of proposed patrons. Previously this building was Blue Mountain Bistro but has been other things in between, requiring a change of use and site plan approval from the Planning Board. Hernandez will rent the space from the owner, Phillips. The proposed use is 50% retail/groceries and 50% restaurant/cafe. There will be 6-10 tables, one being a large family style table. There are currently 20 parking spots that are indicated on the site plan. Stach-according to the calculations used to determine parking required, you would need 19 spaces for the use proposed. The parking area is gravel and must be maintained. No parking can be where the trash area is. There is an existing curb cut from the County. Mark the handicapped spaces. This is a Type II Action under SEQRA. It is a re-use of an existing area. UCPB referral is not required.

A motion was made by Furman, seconded by Kiniry, to declare this a Type II Action and approve the site plan application. Board vote: Furman-Aye, Tiano-Aye, Hlavaty-Aye, Riozzi-Aye, Kiniry-Aye, Post-Aye. Motion carried.

ADDITIONAL ITEMS

NONE

ADJOURNMENT

Since there was no further business to discuss, a motion was made by Tiano, seconded by Riozzi, to adjourn the meeting. Board vote: Board vote: Furman-Aye, Tiano-Aye, Hlavaty-Aye, Riozzi-Aye, Kiniry-Aye, Post-Aye. Motion carried. The meeting was closed at 9:31 pm.

Respectfully Submitted by,

Becky Bertorelli
Planning Board Secretary