



PLANNING BOARD MINUTES December 20, 2022

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

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

Also Present: Adriana Beltrani (Town Planner, NPV)

The draft minutes of the November 15, 2022 Planning Board meetings were reviewed. A motion was made by Tiano, seconded by Furman to approve as written. Board vote: Tiano-Aye, Furman-Aye, Hlavaty-Aye, Brady-Aye, Post-Aye, Bouren-Aye, Riozzi-Aye. Motion carried.

PUBLIC HEARINGS

1. Minor 2-Lot Subdivision, 1026 Kings Highway LLC/Shelley Green, 1026 Kings Highway. Presented by Dan McCarthy, Praetorius & Conrad, P.C. The applicant is looking to subdivide one existing lot into two. One parcel to contain the existing structures and one is vacant.

Post opened the public hearing at 7:35pm. No one was present or had any questions/concerns. A motion was made by Furman, seconded by Brady, to close the public hearing. Board vote: Tiano-Aye, Furman-Aye, Hlavaty-Aye, Brady-Aye, Post-Aye, Bouren-Aye, Riozzi-Aye. Motion carried. The public hearing was closed at 7:36pm.

Beltrani-the zoning change was made in the table as requested and all comments have been addressed. A motion was made by Brady, seconded by Riozzi, to approve the minor subdivision. Board vote: Tiano-Aye, Furman-Aye, Hlavaty-Aye, Brady-Aye, Post-Aye, Bouren-Aye, Riozzi-Aye. Motion carried.

2. Minor 2-Lot Subdivision/Lot Line Revision, Sharon Cohen/Alexandra Gambino, 59 & 73 Windbourne Lane. Presented by Don Brewer, Surveyor. The applicant is looking to subdivide a 40.62 acre parcel into two lots. Lot 1 is currently 9.8 acres with a house and the applicant is looking to add 6.9 acres from Lot 2. Lot 2-owned by Gambino-the section to be conveyed to Lot 1 is odd shaped because of the wetlands. Access via Windbourne Lane off Band Camp Road. Gambino maintains the road. Will meet with the Highway Department and Fire Department for specs of the roadway. No planning to build. Will be required to get Health Department approvals prior to building, when and if that ever happens. Chris DiChiaro is the engineer that looked at the sewer feasibility. He can send a letter of approval for septic design.

Post opened the public hearing at 7:42 pm. No one was present or had any questions/concerns. Beltrani-there is a concern with the road not being mapped on any filed subdivision map and increasing the number of lots being accessed by that road. If the existing road needs to be brought up to private rural road standards as required by the Town there are wetlands that may need to be disturbed in order to do so. Private Rural Road Standards include the wearing surface, width, etc. Section 280a of NYS Law states that a private road needs to be mapped on a filed map in order to be considered as such. Sections of the private road are to be dedicated to certain parcels. Would suggest that the applicant set up a workshop or an offline meeting to work out the details of what

is still outstanding and how the roadway can be rectified. The public hearing will need to be kept open. Tiano-the Fire Chief of Centerville has stated that the Fire Department will not go on Powers Lane. A motion was made by Tiano, seconded by Hlavaty, to keep the public hearing open until the applicant is ready to proceed with the aforementioned requirements. Board vote: Tiano-Aye, Furman-Aye, Hlavaty-Aye, Brady-Aye, Post-Aye, Bouren-Aye, Riozzi-Aye. Motion carried.

OLD BUSINESS

Site Plan, The Villas Residences, 49 Spaulding Lane. Presented by Matt Wexler (National Development Council), Rachel Erlich (Dattner Architects), Emily Gardener (Landscaping Architect) and Aaron Warner (AKRF Environmental Planner). The applicant, Dominican Sisters, is looking to develop a Senior Housing Complex. Gardener-updated limits of disturbance to show actual acreage with grading, vegetation and construction were submitted with this month's submission. Proposing to add screening along the northern property line. Mix of deciduous & evergreen trees along the north and western property lines. The elevation drops significantly from the main entrance to the location of the north building. Even with the planting of trees it will take several years for those trees to reach maturity and provide more extensive screening. The parking and 1st level of the building will primarily be screened. Werner-EAF submitted with advanced simulations. The Southern corner is not visible from any of the studied locations. Photos were taken at a height of 6' with a 35mm lens, no zoom was used. The trees shown at installation, in simulations. Will be replacing the two stone columns at the existing entrance. Showing roof line, placed at contour of elevation. The northern building will be 18' lower than where the photographer was taking pictures. Proposing 10' deciduous and 7' evergreens at installation. The existing cemetery is not located on this parcel and will not be touched. There is existing leaf cover in that area. The view from Tivoli, across the river, was shown. The applicant is proposing to replace the existing 3-story building with a new 3-story building situated further to the north of the parcel. The visual impact from Tivoli is reduced with the shift of the northern building. Scenic Hudson requested the view from Falling Waters Preserve and Tivoli be shown at night. Hlavaty-request that the simulations be updated with proposed entrance features. Dattner-will have to widen the entrance from 10' to 24' for 2-way access, the pillars will be designed around that. There is an area set aside for further trail parking, Scenic Hudson. Will discuss the views with Scenic Hudson. Tiano-elevation with stories of buildings, access road width? Dattner-had a conference with the NYS Fire Code Enforcement. Furman-the buildings have a monolithic look, is there a way to break that up with finish on the exterior? Dattner-the visuals are not architectural drawings, just technical views. Feedback from the Planning Board to bring to the next level of design. Tiano-the traffic study should include a mid day timeframe study. Noontime there are bus drop offs and pickups for pre-school. Post-we can ask our traffic consultant.

Beltrani-there is a zoning change petition connected to this project. There is a public information session at the January 18, 2023 Town Board meeting for that aspect of the project. There are a couple levels of review. Not advancing until the zoning is adopted by the Town Board. The Planning Board is conducting the SEQR review on the overall project. Wexler-the big picture is how SEQR issues will affect if the design of the project is shifted. Beltrani-tree clearing has already been done, the Board may want to consider the large trees on site and if they need to be marked. Proposed trees to be removed noted, tree planting or replacement plan. Views from Tivoli can be viewed at night. Request comment from specific agencies. NYS DOT's left turn comment, conversation with the Highway Department needs to be done. Werner-the left turn will be done by NYSDOT not the applicant. Beltrani-recommendations on care of Spaulding Lane. The area does show box turtle habitat. Werner-noted in EAF narrative. Beltrani-there has been no box turtle study done. Endangered species studies are much more specific. Phase 1a, Phase 1b and future investigations may be needed. Phase 1b conducted while before the Planning Board. Allows review of the elements. If Phase III is required it can be a condition of approval, under advisement of SHPO. Hlavaty-Phase 1b done during review. Post-agree. Werner-the box turtle was not seen on-site. Post-the initial visuals seem minor from across the river. Without the final architectural drawing it is hard to comprehend that impact. Wexler-the visualizations are 2-D images. Not seeing the complete visualizations with accurate design along the property line. Post-visualization along the red trail from

Falling Waters should be done. The Board all agreed. Werner-will speak to Scenic Hudson. Post-if you can attend the January meeting for additional discussion.

2. Site Plan/SUP, Terramor Catskills/KOA, Route 212 & Cottontail Lane. Presented by Charles Gottlieb (Environmental & Land Use Attorney, Whiteman Osterman & Hanna), Mark Tabor (LA Group), Kevin Franke (LA Group), Carla Haskell (DGC Architects), Jak Gordon (CT Male), Michael Wieszchowski (GPI), Michael Fishman (Edgewood Environmental), Scott Manchester (Alliance), Jenny McCollough & Kimberly White (KOA Terramor). The applicant is looking to operate a 70-unit glamping facility with accessory uses and structures. They are proposing lot consolidation of the parcels located off Route 212 and Cottontail Lane. The proposed use is fully compliant with zoning. The applicant is proposing quiet hours between 10pm-7am. They are proposing 70 non permanent tent structures, a lodge, pool and welcome center. There will be a maximum daily occupance of 240. All reports based on the 240 max number. The applicant is working to respond to comment memo form the Town Planner and comments from the public. Preparing the SEQR expanded EAF, potential impacts and proposed mitigation. Evaluation of SEQR at this point. Concerns are not taken lightly by the applicant, mitigation to show that. The applicant plans to respond to each and every reasonable comment. Terramor to be completely transparent. The purpose is to provide a tranquil camping experience for their guests. This is a Type I Action under SEQR. This proposed use has been properly classified. Demonstrate no significant environmental impacts. Type I Action can be supported by a negative declaration. Positive declarations are for projects where mitigation can not be done. Demonstrated that mitigation is feasible with all concerns regarding this proposed use. This is a camp/campground and is permitted by zoning. On June 2, 2022 the Building Inspector made a determination that this proposed use is a camp. That is clearly applicable to this project. Anyone has the ability to file an application for Interpretation with the Zoning Board of Appeals up to 60-days after the determination. On July 21, 2022 this was published on the opposition's website. The Town of Woodstock is considered an interested agency but legally can not be a SEQR involved agency. There are three kinds of wetlands: Federal, State and Local. Federal wetlands have been located on-site and there is limited disturbance to them. The applicant will go through the required permitting process with the Army Corps of Engineers. The Town of Woodstock can not regulate the wetlands on the Town of Saugerties land. Tabor-the wetlands shown were taken in account and designed around. Primary access is proposed from Route 212 with an emergency access off Cottontail Lane. The layout was discussed with the Fire Department and the changes that have been made were based off of their requests. The access road will lead to the Welcome Center and satellite parking areas. Guests will explore on-site by foot. There are access pathways proposed. The lodge does not provide any accommodations. There is a swimming pool and cabana area for guests to enjoy. An open air area for events. However, in order to rent out the facility to host an event for a wedding or retreat the entire facility must be rented by the group, no outside guests that are not staying on-site will be permitted in the event. Employee housing, dining area and parking area are proposed. Employees will use golf carts to move throughout the site in some areas. There are tent loops and grill stations scattered throughout. Grills are not permitted at each site. The access off Route 212 is affected by the wetlands. The applicant situated the road to minimize the impact on those wetlands. The road turns to avoid the wetlands as much as possible, which explains the shape of the proposed access road. 0.39 acres of the wetland will be impacted with the current proposed design. The shallow bedrock was avoided as much as possible to minimize the extent of clearing/excavating to create a 20' wide access road. There are two types of clearing. The applicant is proposing to selectively clear the tent sites and pathways. The purpose of this is to save as many trees as possible along with saving vegetation. The tents are built on wooden platforms (decks) with only post hole digging. Leave the existing grade and build around that. Do not have a need to clear extensive trees. Stormwater management is in accordance with New York State DEC regulations. Keep the road widths as narrow as possible with porous materials. Work with the Town Engineer to ensure that the project does not increase stormwater where the property leaves the project site. All lighting proposed will be cut off fixtures, to be included in the parking and around the building areas. A small ballard light is proposed at each campsite. There will also be a steplight to illuminate the campsite number. Photometrics show 0 footcandles at all property boundaries, except for the entrance. If the Board would like that pushed back it can be. 15% lot coverage is allowed in this zoning district

and the applicant is proposing 1.8% lot coverage with this current design. The design is compliant with all setback requirements, the 50' buffer has been increased on the western side of the project to 100'. The closest tent is about 120' from that property line. The maintenance area has been moved as far from the property lines as possible. Tiano-interior pathways? Paved or stone? Bathroom/showers? Handicap Accessible? Tabor-interior pathways will be 10' wide with a porous surface. There is specified parking and several handicap accessible tents. Bathrooms in each tent. Bouren-will there be showers in each tent as well? That is a significant amount of wastewater, how will that be handled? Tabor-yes, showers in each tent. A wastewater treatment facility is proposed on-site. Bouren-fire pits at each site, who is furnishing the wood? How large is each platform for the tents? Fencing around the perimeter of the project site? Gottlieb-untreated wood will only be used that is locally sourced and will be provided at no charge to the guest. Each platform is 400-600 square feet. The fencing can be discussed. Wayfinding signs will be installed to guide guests to the site limits. Brady-the applicant proposes to use 3 of the 6 existing wells. Will the 3 provide enough water for the usage needed? Something to be addressed.

Franke-a Visual Impact Assessment was completed, change of view. The study was done with a 5 mile radius. A 2-mile radius study was done as well. 32 locations of visual impact were assessed. 26 within the 2 mile radius. This assessment was done the first week of October at the proposed lodge location and 1 at the proposed pavilion location. Beltrani-was the Town aware of the balloon test? Franke-no they were not aware of the balloon flight. We have simulated a tent along the property line as well and set it at the max height of the proposed tents. We assessed three points of view from the property lines. Scale the signage from Route 212, only part of the project is viewable. The applicant is responsive to local concerns.

Haskel-the applicant is proposing an outside experience with decks for gathering. The roof will be a dark brown metal, the siding will be dark brown stained pine and a cable rail system is proposed. The Welcome Center is proposed to be 800 square feet. There is a pavilion and Wellness Tent along with cabanas at the pool proposed. There will be two types of tents that guests can rent. A 2-person tent that is 250 square feet with a deck and a 5-person tent that is 483 square feet with deck. Bouren-has a grass roof been considered? Haskel-there is a green wall proposed on the front of the lodge. Kiniry-how far are the tents from each other? Haskel-50' between each tent.

Brady-will there be a lot of disturbance for wastewater containment? Gordon-reduction of design for demand of use. The max water use is 15-36 gallon/day/camper. This will cover all amenities for the entire site. The wells that were installed for a previous project, which was never completed, have been tested. They run at 4 gallons/min, 7 gallons/min and 8 gallon/min. The project requires 11 gallons/min. The Full EAF Part 5 analysis provides the process to get to drinking water standards. The wastewater will be treated on site. It will be collected, treated and discharged. It will be discharged to an intermittent stream on the interior of the site. Bouren-will there be wastewater collection tanks at each site? Gordon-no, a low pressure sewer network is proposed, which will be interconnected. The lodge grease trap will be processed as required. Solids will be taken off site to be processed by a professional company. Bouren-how big are the tanks? Will the treatment facility operate seasonally? Tabor-the applicant is proposing a grinding process, the wastewater will be gravity fed to the treatment plant. Duplex stations will be used, and can get the information for the Board regarding how the system will get back up and running after closing for the season. Bouren-will the treatment plant create noise? Gordon-the grinder sits below grade so there will be no noise. The blower information will be provided. Tiano-will on-site testing of the water be done prior to the release? Gordon-the applicant is required to specific monthly reports to the NYSDEC, will provide additional information regarding the testing process. Bouren-will there be a sewer plant operator on-site? Gordon-the applicant will do whatever is required with the license requirements, still working on the details. Gottlieb-can provide the Board with employee breakdown. Hlavaty-why was one year at the Bar Harbour location shown to use 36 gallons/day/site? Adjusted by the size of the site? Gottlieb-that was based on the 2.5 years of operation. Gordon-we used the most conservative approach providing peak hour flows and demands.

Brady-camp fire compared to other campsites? Gottlieb-not sure what other sites look like in the area but can look into it for a comparison. Hlavaty-what is the reduction source, 55%-88%. Gottlieb-will get the information from the engineer. Vegetation results in a reduction of wind speed. Beltrani-the Board would like a better understanding of this location. Hlavaty-air quality dispersion model. Gottlieb-will ask for more information.

Fishman-Indiana bats studied, they were found to the north end of the site, no other locations were picked up. reviewed. Gottlieb-a larger habitat study is in the works. Fishman-reviewed 2,100 calls-confirmed 5 calls. Extensive habitat survey. No chemical pesticides will be used onsite. 4.72-acres of clearing proposed which is under the 10-acre threshold. Pre application conference was requested by the NYSDEC and they responded by stating they did not think a DEC permit was needed because conservation measures were being proposed and most disturbance is outside of the bat habitat. Tiano-what is the date of the study? Fishman-do not have exact date but it was done at the end of July/beginning of August which is the best time for the species.

Manchester-noise assessment effects on the surrounding community was completed. The baseline is the existing ambient. Completed in August at a proposed site in direction of neighboring properties. Bar Harbor used to measure sources directly to model out to compare to the 70 decibel limits. Sound levels measure the nearest property line. Gas powered chainsaws within 200' will be louder than 70 decibels. Mitigation will be needed then. The study showed that the proposed use will be 0-3 decibels lower than criteria. No significant impacts were found on the surrounding community. Gottlieb-there will be no amplified music on site. No DJs are permitted. Bouren-why is Bar Harbour used? Manchester-just for measurement purposes.

Wieszchowski-the proposed use shows no change in level of service at the intersection. The site distance at the entrance meets all requirements. Another count in August was done in the morning and it showed the same as the original study. 480 vehicles were counted and the analysis was done with 599 vehicles. The analysis was conservative. The NYSDOT conclusion concurs with traffic studies. No large impact. Concur with the existing condition of crash impact at the intersection which they are trying to regulate. Work with NYSDOT for permitting. This facility does not operate the same as a resort or hotel, in relation to traffic. Tiano-this traffic does not include schools/buses. Wieszchowski-the analysis was inflated by 25%.

Gottlieb-a public information session for SEQR purposes is needed. Post-agree. A motion was made by Post, seconded by Bouren, to have a public informational session at the next Planning Board meeting. Board vote: Tiano-Aye, Furman-Aye, Hlavaty-Aye, Brady-Aye, Post-Aye, Bouren-Aye, Riozzi-Aye. Motion carried. Post-will require that anyone that would like to speak will have to sign up prior to the meeting and there will be a strict 5 minute time slot for each speaker. The Board also requests that comments not be repeated.

3. Lot Line Revision, Tara Schatzel/Matthew Gardiner, 49 & 45 Fortune Valley Lane. Presented by Tom Conrad, *Praetorius & Conrad, P.C.* This lot line was approved back in 2021 but the final maps were never submitted. The applicant wishes to proceed at this time and the maps have been updated to include the conditions of the initial approval.

Post-just need to do a re-approval. A motion was made by Furman, seconded by Hlavaty, to waive sketch plan approval for the updated map, waive a public hearing and re-approve the lot line revision. Board vote: Tiano-Aye, Furman-Aye, Hlavaty-Aye, Brady-Aye, Post-Aye, Bouren-Aye, Riozzi-Aye. Motion carried by supermajority.

PRE-HEARING CONFERENCE

1. Lot Line Revision, Peter & Cathy Lang, 866 West Saugerties Woodstock Road. Presented by Patricia Brooks, *Control Point Associates.* The applicant is looking to reduce Lot 1 to 2.5 acres to ensure that the garage

is on Lot 2 with the existing home. Lot 2 will be 2.77-acres. All requirements are met. Beltrani-this is a Type II Action.

A motion was made by Brady, seconded by Tiano, to waive sketch plan requirements, waive the public hearing and approve the lot line revision. Board vote: Tiano-Aye, Furman-Aye, Hlavaty-Aye, Brady-Aye, Post-Aye, Bouren-Aye, Riozzi-Aye. Motion carried by supermajority.

2. Lot Line Revision, Michael & Heidi Ferraro/Christina Sanford & Angelo Ramos, 31 & 33 Wilderkill Road. Presented by Tom Conrad, *Praetorius & Conrad, P.C.* The applicant, Ferraro, would like to give a 10' strip to an adjoining neighbor, Ramos & Sanford. These lots were approved in August 2020 as a minor subdivision. When the survey was updated it showed that the well for Ramos & Sanford was off property and the movement of the lot line proposed will rectify that and create a 5' buffer from the new property line. Privat Rural Road was addressed on the subdivision map in 2020.

A motion was made by Brady, seconded by Furman, to waive sketch plan requirements, waive a public hearing and approve the lot line revision. Board vote: Tiano-Aye, Furman-Aye, Hlavaty-Aye, Brady-Aye, Post-Aye, Bouren-Aye, Riozzi-Aye. Motion carried by supermajority.

3. Site Plan Amendment, Glasco Apartments, 260 Glasco Turnpike/2976 Route 9W. Presented by Chris LaPorta, *Passero Associates.* The applicant is looking to update the location of the pool, which will require an area variance for the main building. A side yard variance is required for the pool. The applicant is looking to add a maintenance building to the site as well, the location will require a side and back yard variance from the Zoning Board of Appeals as well. The applicant would like to update the site plan to provide an easement to one of the neighbors' access to Mary's Avenue, while moving the emergency access gate up 10' to stay out of that easement. Beltrani-will there be a change in the amount of disturbance? LaPorta-none.

Beltrani-this is a Type II Action. No coordination of SEQR is required. What will the maintenance building look like/used for? LaPorta-landscaping on the backside of the fence. There will be 2 garage bay doors, have a small office for the maintenance personnel and contain equipment and supplies for the site.

A motion was made by Post, seconded by Tiano, to refer the applicant to the Zoning Board of Appeals for the required area variances. Board vote: Tiano-Aye, Furman-Aye, Hlavaty-Aye, Brady-Aye, Post-Aye, Bouren-Aye, Riozzi-Aye. Motion carried.

ADDITIONAL ITEMS

1. Major Subdivision, Greenspace Realty, Harrison Court, Extension Request. The applicant is requesting a 1-year extension for final map submission. A motion was made by Tiano, seconded by Bouren, to approve the 1-year extension as requested. Board vote: Tiano-Aye, Furman-Aye, Hlavaty-Aye, Brady-Aye, Post-Aye, Bouren-Aye, Riozzi-Aye. Motion carried.

ADJOURNMENT

Since there was no further business to discuss, a motion was made by Tiano, seconded by Brady, to adjourn the meeting. Board vote: Board vote: Tiano-Aye, Furman-Aye, Hlavaty-Aye, Brady-Aye, Post-Aye, Bouren-Aye, Riozzi-Aye. Motion carried. The meeting was closed at 11:07 pm.

Respectfully Submitted by,

Becky Bertorelli
Planning Board Secretary