



## PLANNING BOARD MINUTES July 16, 2019

Howard Post, Chairman, opened the meeting at 7:32 p.m.  
Pledge of Allegiance.

Present: Howard Post, William Creen, Carole Furman, Len Bouren, Daniel Ellsworth, Mike Tiano and Robert Hlavaty (alternate)  
Also Present: Dan Shuster (Town Planner)  
Absent: Kenneth Goldberg

Post requested that Robert Hlavaty join the Planning Board in Goldberg's absence.

Review of June 18, 2019 draft minutes. A motion was made by Furman, seconded by Tiano, to accept the minutes as written. All in favor, none opposed, carried.

### **PUBLIC HEARING(S):**

**3. 2-Lot Minor Subdivision, Salvatore Cataldi, 100 Stoll Road.** The public hearing was opened at 7:35 pm. Presented by Tom Conrad, Praetorius and Conrad, P.C. The applicant proposes to subdivide the parcel into two lots. In 2002 the lots being proposed had been combined and the applicant would like to reverse that action. Post-Anyone present for the public hearing or have any questions? None. A motion was made by Furman, seconded by Tiano, to close the public hearing. All in favor, none opposed, carried. Public hearing closed at 7:37 pm.

Shuster-there was discussion at the previous meeting regarding access to the parcel north, have there been any new findings? Conrad-The 60-acre parcel to the north has access from Band Camp Road. Further addressed the requirement of a ROW with an attorney and he felt that it was not required or the applicant's responsibility. Post-when this is necessary in the future it will be referred to the Town Attorney for review on a case by case basis. Furman-is there currently any access being used from this parcel off the woods road? Conrad-no and both parcels to be created have access from Stoll Road.

A motion was made Furman, seconded by Bouren, to approve the 2-Lot Minor Subdivision as submitted with the normal requirements of signed map submittal and payment of outstanding fees. All in favor, none opposed, carried.

### **OLD BUSINESS:**

**1. Lot Line Revision, Lisa Kirk/Tana Agostini, 1076 & 1066 Glasco Tpke.** Presented by Tom Conrad, Praetorius & Conrad, P.C. An updated map was submitted removing the original request, from March 2019, for a subdivision and only moving forward with the lot line deletion. Shuster-the proposed lot line revision will make a non-conforming parcel conforming for the zoning district. This is a Type II action; no further action is required under SEQR.

A motion was made by Furman, seconded by Ellsworth, to approve the lot line deletion. All in favor, none opposed, carried.

**PRE-HEARING CONFERENCE:**

**1. Minor Subdivision, Michael Carpenter, 371 Malden Turnpike.** Presented by Mike Vetere III, land surveyor. The applicant would like to subdivide a 51.26+/- acre parcel into to lots, dividing off 10.26+/- acres (Lot 1) which currently contain a residence. The remaining 40.99+/- acre parcel (Lot 2) will be vacant. There is access via a proposed common drive easement off Malden Tpke., which was the old construction access to the Thruway. A 20' ROW for Lot 1 through Lot 2 to access the rear of Lot 1, for maintenance to the septic. Post-ready for a public hearing next month? Vetere III-yes. Shuster-westerly end of the concrete driveway goes beyond the easement. Vetere III-Leaving 50' extra for clear access through without having to go on to the State parcel. This will remain until the boundaries are cleared up. Shuster-the other entrance from Malden Tpke through Pesce property? Vetere III-there is no access through that drive, it belongs to Pesce. There was extensive research done on this property. There is a small possible overlap of about 2.15+/- acres with the adjacent neighbors, Newburgh Garden Corp., the applicant is aware of this. It does not affect the subdivision that is before the Board in any way. Ellsworth-The 20' ROW indicated along the stream is not wide enough for future development. Vetere-This an easement in gross and will not transfer with the property. Access is available to both lots without the ROW. Shuster-there are wetlands on site but not effected by the subdivision, a negative declaration is appropriate. A motion was made by Post, seconded by Furman, to declare as an Unlisted Action under SEQR. All in favor, none opposed, carried. A motion was made by Furman, seconded by Tiano, to approve a negative declaration. All in favor, none opposed, carried. A motion was made by Furman, seconded by Hlavaty, to set the public hearing for the August meeting. All in favor, none opposed, carried.

**2. Site Plan, Canos Recycling LLC, 1083 Old Kings Highway.** Presented by Charles Wesley, representative of Canos Recycling LLC. A handout was distributed and read with the description of the proposed use and development. The applicant proposes to utilize approximately 1.5 acres of the parcel for a metal re-cycling facility, dry metals only. Currently operating this business at different location, on the same road. The processing of the materials will be done inside the building and there will be four (4) 8' x 40' containers on the outside of the building for storage of the processed metals. No materials will be stored on site for longer than 120 days. Trucks no great than 16' in length will be accepted into the facility. Approximately three (3) tractor trailer loads per month of sorted metals will be shipped from the site. Hours of operation will be 7:00 am-5:00 pm M-F and Saturday 7:00 am-2:00 pm. Three employees are anticipated. Utilizing the existing 2,310 square foot building, served by municipal water/sewer. There is existing landscaping serving as screening from Old Kings Highway, which will remain. Stone access driveway will remain, eight (8) new parking spaces created and a truck turnaround. A security gate will be installed, and a key will be provided to the local fire department for emergency access afterhours. No other improvements/changes are proposed. Ellsworth-this building served as an internet hub in the past. Wesley-currently empty. Tiano-stone and chip, tar and chip or blacktop may be required, especially in the entrance first 100 feet, to eliminate the gravel coming out onto Old Kings Highway. Ellsworth-giving the vehicles enough room to enter the site. Wesley-the applicant would be willing to do stone and chip on that driving surface. The applicant currently operates this same operation up the road from this site and they are just looking to move to the larger site. Post-thoughts on a public hearing and referral to the county? Shuster-Type II action regarding SEQR, less than 4,000 square feet. The County requirements for referral are not met because this is the re-use of the space in accord with what is permitted, and no additional lighting is being added. Referral to the County is therefore not required. Post- a public hearing is not required, the Planning Board approved the site plan for the existing business that is currently being operated down the road, which is moving to this location.

A motion was made by Ellsworth, seconded by Tiano, to approve the site plan with the addition of stone & chip at the entrance long enough to get a tractor trailer off Old Kings Highway and into the site. All in favor, none opposed, carried.

**3. Site Plan/SUP, Jessica Benjamin/What the Fluff, 503 Route 212.** Jessica Benjamin, owner, presented. The applicant would like to offer dog grooming services out of her detached garage. She would like to use one half of the garage and remove the garage door on that side and install a person door. Water will be installed; electric is already hooked up. There will be no more than 2 dogs being groomed at a time and it will be by appointment only. The applicant would also like to offer boarding, with no more than two dogs at a time. The dogs will stay in the residence and no kennels will be installed on the exterior of the home/garage. Will be adding one paved parking spot that can be used as a turnaround for safely exiting the driveway on to Route 212. Ellsworth-there is already a fenced in yard. Concerns regarding drainage from the grooming business. Shuster-need a site plan that is to scale with the number of parking spaces and landscaping to provide screening. It will be a condition on the resolution with the limit to the number of dogs on site at one time. This is a Type II action and therefore does not require further action under SEQR but will need referral to the Ulster County Planning Board.

A motion was made by Ellsworth, seconded by Furman, to refer to the Ulster County Planning Board. All in favor, none opposed, carried. A motion was made by Ellsworth, seconded by Tiano, to schedule the public hearing for the August meeting. All in favor, none opposed, carried.

**4. Lot Line Revision, AutoZone/Marjorie Ruby, Off Route 212/5 Railroad Avenue.**

**5. Lot Line Revision, AutoZone/William & Amy Swart, Off Route 212/15 Railroad Avenue.**

Presented together by John Joseph, representing AutoZone. The applicant is currently in front of the Village of Saugerties Planning Board for Site Plan approval, since most of the property involved lies within the boundaries of the Village. However, the lot line revisions are primarily within the Town of Saugerties boundaries. The applicant is looking to provide lot line adjustments to the neighbors on both side of the property AutoZone will occupy that serves as an exit only onto Railroad Avenue, currently owned by Ostrander. The owner would like to deed over .07 acres to Marjorie Ruby's estate which will increase the setback of an existing garage on the Ruby property. The applicant would like to deed over .08 acres to William & Amy Swart which currently contains the Swart's existing shed and gravel drive, this will correct this encroachment. Shuster-on the final maps to be submitted the lot lines to be removed and the ones to be added should be made clearer.

A motion was made by Ellsworth, seconded by Furman, to approve both lot line adjustments as submitted for Ruby and Swart. All in favor, none opposed, carried.

**6. Site Plan, Brapas Land Development LLC, Route 9W.** No one present. Tiano-the applicant has been clearing the land. Post-speak to the Building Department to let them know that this is going on and no disturbance should be occurring while the applicant has an open application before the Planning Board.

**7. Lot Line Revision, Anthony Montano, Sherwood Place/Camelot Court.** Tom Conrad, P&C, presented. The applicant would like to adjust the lot line to encompass an existing shed and garden to their existing lot on Camelot Court. The adjustment will ensure that the required 6' setbacks are met. Post-This is a Type II action therefore no further action is required under SEQR.

A motion was made by Furman, seconded by Hlavaty, to approve the lot line revision as submitted. All in favor, none opposed, carried.

**ADDITIONAL ITEMS FOR DISCUSSION:**

Recreation Fee Collection Process was discussed. It has been the practice of the Planning Board to collect the Recreation fees on **only** Major Subdivisions. In a Minor Subdivision when only 2 lots are created and the main parcel contains a dwelling, that first lot does not get charged a recreation fee and neither does the second as a matter of practice. Since the Major consists of anything larger than 2 lots the Planning Board has been collecting on the 3<sup>rd</sup> and any more thereafter at \$1,200/each lot or dwelling unit. When the land to be subdivided is vacant **ALL** lots or dwelling units will be charged \$1,200/each. A draft letter explaining this process will be drawn up by Becky to be approved by the Planning Board and sent to the Town Board for approval to ensure that this is the practice that is followed moving forward and eliminate any questions regarding the collection of such fees.

**ADJOURNMENT:**

Since there was no further business to discuss, a motion by Bouren, seconded by Tiano, to adjourn the meeting at 8:44 pm. All in favor, none opposed, carried.

Respectfully Submitted by,  
Becky Bertorelli  
Planning Board Secretary