



PLANNING BOARD MINUTES

November 20, 2018

The Pledge of Allegiance.

One public hearing was scheduled for this meeting and the public was invited to come forward to review the plans and ask questions. Howard Post, Chairman, opened the meeting at 7:32 p.m.

Present: Howard Post, William Creen, Kenneth Goldberg, Len Bouren, Michael Tiano and Daniel Ellsworth.

Also Present: Dan Shuster (Town Planner) and Mike Maclsaac (Liaison)

Absent: Carol Furman and Robert Hlavaty (alternate)

Review of October 16, 2018 draft minutes. Tiano requested review of some wording. A motion by Tiano, seconded by Creen to accept the October 2018 minutes with review of wording and amendment if required, all in favor, motion carried. Ellsworth abstained. Tiano also presented a copy of Page III.1 of the River Edge Estates Environmental Impact Statement. This was what the Traffic Study of 1988 was based on, and that Traffic Study has been referenced on numerous occasions regarding the entrance to this parcel. The entrance that was reviewed was "directly from Route 32, with secondary access from Liberty Street" not the way that it was described by Utter as primary access from Liberty Street with secondary from Route 32. Tiano just wanted the Board to have the correct information for reference.

PUBLIC HEARING(S):

1. Minor 2-Lot Subdivision, Peter Antico, 36 River Road. Public Hearing opened at 7:36 pm. Presented by Tom Conrad of Praetorious & Conrad, P.C. Mr. Antico was not present. The applicant is looking to create two lots from a parcel of land that will allow a non-buildable lot to become buildable. Lot #1 will be created with River Road on the west and bounded by the Hudson River on the east. Lot #2 has an existing residence and is located on the west side of River Road. Part of the public water and sewer district. There was no one present from the public.

Creen made a motion, seconded by Goldberg to close the public hearing. All in favor, none opposed, carried. Public hearing closed at 7:37 p.m.

A motion was made by Goldberg, seconded by Tiano to approve the 2-Lot Minor Subdivision pending signatures and fees paid. All in favor, none opposed, carried.

OLD BUSINESS:

1. Site Plan/SUP, Agawam Hospitality Group LLC, Route 32S. Presented by Bruce Utter, P&C. Tiano recused himself at this time. As per the Planning Board's request, the independent Traffic Consultant, Philip Grealy from Maser Consulting P.A., presented their findings. The Planning Board had requested that the Town hire an independent Traffic Consultant to review the Creighton Manning Traffic Studies from February 2018 and March 2018 that were submitted on the applicant's behalf. The DOT correspondence was also reviewed. Grealy-Went through finding letter that was submitted to the Planning Board, dated November 8, 2018. The Traffic Impact study that was done by Creighton Manning was completed in accordance with the standard procedures and methodology required by NYSDOT and the Institute of Transportation Engineers. The counts that were used in December 2017 included additions of traffic of planned projects and future projects with the help of NYSDOT information. The revised study included traffic beyond the normal growth. Also considered was the "No-Build"

condition, which reviews the traffic without the addition of this applicant's project and then compares it to traffic if the project is approved. At the time of the studies, Creighton Manning used the latest DOT methods as outlined in the 10th edition of the "Trip Generation Handbook" published in 2017. Accident data was also considered. The Intersection evaluations were analyzed appropriately. The right-turn in and the right turn out has conceptually accepted by the NYSDOT and they will likely require stipulations to completed to control that. Appears that the NYSDOT will determine the necessity of a signal at the intersection of Glasco Tpke. and Route 32. The intersection does not meet the criteria set forth by the NYSDOT to require a 3-light traffic light. A flashing beacon can be requested by the applicant or by the Board in the resolution. Ultimately it will be up to the NYSDOT what can and can not be done at that intersection. Additional mitigation measures are recommended. Which include but are not limited to: striping/signage at the site access connection to the Liberty Street Ext. and on the Liberty Street Ext. approach, additional stop sign (possibly with lights), stop bars or "Stop Ahead" signs. The review based on the 250-maximum attendance to events, given by the applicant, that will be hosted on-site. Any event that will have more than 250 guests should require an additional traffic management plan. Something the Board may want to consider as a condition of approval. A sensitivity study was recommended but not sure that the outcome will be any different than what has already been done. Just received Creighton Manning's response letter at the meeting and will review.

Shuster-Is it safe to say that the analysis provided by Maser Consulting P.A. concludes that the Creighton Manning traffic studies were valid subject to refinements in review? Grealy-Correct. Reports were done in accordance with standards and were reviewed that way. Shuster-What is the down side of a flashing light that would cause DOT to not allow it. Grealy-Maintenance cost, there are no sight impediments at that site or alignment issues, there is no sight distance restrictions or a significant accident history and speed. Could be requested by the DOT by the Board, could be included as a condition. Flashers can be put on signs that approach the intersection and could be asked as a condition of approval as well. Bouren-Volume? Grealy-They look at volume as part of the review of the intersection as well. Creen-4-way stop? Grealy-Balance of the volumes are considered, the volume on Route 32 is considerably higher than Glasco Turnpike so that does not meet the threshold. DOT will ultimately have the final determination of the installation of traffic lights or flashing beacon. Utter-Flashing lights on stop signs? Grealy-DOT will have to approve that as well, should inquiry. Ellsworth-At that intersection in the daylight it is hard to see in either direction, at night is easier because of the headlights of oncoming traffic. Speed limits are not adhered to. Grealy-Advanced signage on Route 32 with a flashing speed limit signs, again needs approval from DOT and can be included in conditions of approval. Utter-Will ask NYSDOT to look at the intersection in terms of installation of flashing lights on stop signs. Goldberg-Should also inquire about a flashing speed sign, which illuminates the current speed a vehicle is going. Utter-Will do. Grealy-The flashing speed sign will have to be State-approved and generally the maintenance will be up to the municipality. Utter-In terms of the attendance threshold, 250 has been confirmed and will be part of the conditions. The events will be 1 wedding a weekend during the wedding season. Shuster-The applicant will need to submit something in writing stating definitive number of events and how many attendees they wish to have. Grealy-An outline regarding parking/traffic should be requested as well. Utter-There will be valet parking. The noise levels have been added to the site plan as outlined at the previous meeting. Shuster-Board should consider a lower level than 70dBa. Utter-Site plan includes grading and landscaping. Tamaris Landscaping Design presented as a palette but will request a more specific number and type of plantings on site plan. Stormwater report will be submitted to the Town Engineer, Joe Mihm, tomorrow. Ellsworth-There is a 20' wide loop road with the grass road in front of the pond. Is the whole road H20 gravel? Add that to the site plan for reference. Utter-It is and will be added. Post-Hydrants. Utter-Shown on plan. One on Liberty St. entrance, then one in front of Artist accommodations, Route 32 entrance, Stables and Main Bldg. are all fire rated hydrants. Hydrants on loop system are flushing hydrants by the cabins. Post-what if there is a fire by the cabins. Utter-Sprinkler in the cabins, if required. Set up for a sprinkler system. Ellsworth-Hydrant by the Artist accommodations is 20' away from the road, how does the fire company access in the snow, with snow banks? Utter-Maintenance issue that they will have to take care of. It is 20' off the road because of the swail that runs through there. Ellsworth-

Something that we have to think about for when there is a fire, it becomes the fire department's issue. Fix the problem now before it becomes an issue during an incident. Post-Reason there is not a regular fire hydrant down by the cabins. Utter-With the hydraulic analysis that was submitted to the town for review, and was accepted, the 4' piping runs down there. Ellsworth-Depth of the lake? Utter-10' deep. Plans will be submitted to the Health Department for review. Ellsworth-Speak to fire department to about installing a dry hydrant in the lake. Utter-Already told them they would install stand pipes in the lakes to pull water out. Will ask NYSDEC if that is permitted in stormwater pond. All buildings are with in 150' of access road for the fire department to reach each one. There will be trees right along property line and they need to be specified on the site plan. There will be lights in between two rows of trees. Awaiting comments from the Town Engineer. Tiano-read letter from the Glasco Fire Commissioner regarding the November 12, 2018 Fire Commissioners Meeting. Main issues are the distance of the cabins from the usable hydrants to effectively fight fires. Glasco does not have a water truck or 2,000' of hose. Utter-Mt. Marion? Tiano-Do not have the manpower. Utter-See what the Town Engineer wants to do. No further action is to be taken by the Planning Board at this time.

2. Lot Line Revision, Gary Bischoff, 213 Charles Hommel Road. Presented by Dan McCarthy, P&C. This applicant previously submitted and was approved for a lot line revision on this property in September 2017, but the maps were never filed with the Ulster County Clerks Office. The lot line has recently changed slightly and is before the board for approval. The applicant would like to create a 4-acre lot, known as Parcel A from Parcel 2. Also, remove lot lines from Parcel 1 which would combine it with Parcel 2, creating an approximate 9.3-acre lot. The applicant began with two lots and two lots will remain. A motion was made by Goldberg, seconded by Creen, to declare this a Type II action under SEQR. All in favor, none opposed, carried. A motion was made by Goldberg, seconded by Creen, to approve the lot line revisions as presented. All in favor, none opposed, carried.

3. 2-Lot Minor Subdivision, Andrew Omotoso, 266 Malden Turnpike. Presented by Tom Conrad, P&C. The applicant was before the Board in August 2018 and was asked to return when access to the back lot that is to be created is received. Conrad-A letter regarding the right of way was received from the neighbor that shares the access road to the back lot granting permission to use that road/driveway as access. Shuster-The letter should be reviewed by the Town Attorney to ensure that it fulfills the requirements of right of way. Ellsworth-A deeded right of way may be necessary. There is marked as a driveway on the map. Conrad-The requested use is a driveway. Post-At this point it is a driveway and there are issues with the condition it is kept, which need to be addressed by the Building Department. Conrad-Request the public hearing to be set for the December meeting. Shuster-How many properties use that road for access? Conrad-There are three parcels that use that access road/driveway. Limit access by not further subdividing the parcel to be created any further, marked on maps. Post-If anyone has issues/concerns they will come to the public hearing. A motion was made by Ellsworth, seconded by Tiano, to set public hearing for December 18, 2018 meeting. All in favor, none opposed, carried. A motion was made by Tiano, seconded by Creen, to send the letter from Mr. Pino to the Town Attorney, George Redder, for review. All in favor, none opposed, carried.

PRE-HEARING CONFERENCE:

1. Site Plan, Lance (Long) Nguyen, 66 Chimney Road. Lance and Roman Chernous presented. The applicant and his partner are requesting approval for a site plan to do renovations/alterations, install in I/G pool and dock on their waterfront overlay parcel. The following projects are included in their site plan:

- Installation of an I/G pool, 4' deep and approximately 18' x 40'.
- Retaining wall b/c of slope of property, to create flat are for pool installation.
- New deck platform for storage of kayaks and water recreational items.
- Dock, 7' x 30'
- Addition to shed to add bathroom.
- Garage addition to enclose the overhang and turn into a bedroom with a bathroom.
- 4' high wood and link fence.

- Waste disposal container.
- Gate light post.
- Gate entrance, double gate with wood split rails.
- Secondary gate.
- River access gate.
- Existing deck – painting.
- Steps to river extension from 5' to 7' wide for safety.
- Stone path from main gate to house – bluestone.
- Patio made from bluestone or concrete.
- Patio by pool.
- 3-steps up to house, 18" deep by 6" high, which expand the width of the house.
- Gravel around the rear footprint of the house with drainage system, due to the topography.
- Stairs by pool to yard 20' w/railings, poured concrete.
- Post light on fence, no lighting facing into the river

Shuster-Will there be any grading/clearing? Nguyen-There will be some but there will be a 50' buffer of untouched land from the river. Ellsworth-All entrances within the fenced in area of the yard and pool will require self-locking or alarmed doors. Building Department will require this as well. The dock is larger than the allotted 150' and will require a Zoning Board approval for an area variance. If it is adjusted to fit into that 150' threshold that will not be necessary. Nguyen/Chernous-will adjust to 30' x 5'. The windows will only be changed. Cedar shingles for roofing of all accessory structures and the main home. Tiano-Windows must be non-reflective. Shuster-A proposed topography map is needed and a revised site plan with the change to the dock is needed to proceed. Public Hearing is not required.

Applicant will return next month with the requested information.

2. Site Plan, Glen Jaeger & Gina Chiusano, 163 Patterson Road. Glen and Gina presented. The applicant would like to install a 2-tier deck by the river on their property. Each tier will measure 12'x16'. The bottom will be for storage of water sport items and the top for seating. There will be not disturbance to the land or fill brought in. The deck will be installed on piers. The materials used will match the house and no lighting will be installed.

A motion was made by Goldberg, seconded by Tiano to declare as an Unlisted action under SEQR. All in favor, none opposed, carried.

A motion was made by Goldberg, seconded by Tiano, to approve neg dec. All in favor, none opposed, carried.

A motion was made by Tiano, seconded by Bouren to approve the site plan as presented. All in favor, none opposed, carried.

3. Site Plan, Konrad Kaletsch, 211 Tissal Road. Scott Budik, contractor, presented on behalf of the applicant. The applicant proposed to add a 2nd floor addition to an existing garage on their property. They are located along the Esopus Creek in the Waterfront Overlay district, so they are required to get Planning Board approval. The addition will serve as a second living space with a kitchen, bathroom and bedroom. The owner will reside in the proposed living space while renovating the main house in the future. The building will use a similar siding color as on it currently. The parcel is located on a plateau and is not visible from any neighboring property. A picture was presented to the Board taken from the creek to show the visibility, which is minimum. The footprint of the garage will not change, just an addition of storage space below the stairs that will be used as access to the addition. There will be no disturbance or impact.

A motion was made by Goldberg, seconded by Tiano to declare as an Unlisted action under SEQR. All in favor, none opposed, carried.

A motion was made by Goldberg, seconded by Tiano, to approve neg dec. All in favor, none opposed, carried.

A motion was made by Tiano, seconded by Bouren to approve the site plan as presented. All in favor, none opposed, carried.

4. Lot Line Revision, Vincent Berzal, 32 Route 32A. Presented by Gary Holtz, Holtz Surveying, for the owner. New maps were distributed at the meeting. The applicant is proposing several lot line revisions. The applicant will start with 6 lots and end with 5 lots; Parcel B will be enlarged to 14.51+/- acres, moving a small section of Parcel A to Parcel C, a 50' right-of-way will run through Parcel B and various other changes. The maps that were distributed were confusing, the Board requested that the applicant return with simplified maps showing the specific changes more clearly. A public hearing will be required.

A motion was made by Ellsworth, seconded by Creen, to set the public hearing for the December 18, 2018 Planning Board Meeting. All in favor, none opposed, carried.

A motion was made by Goldberg, seconded by Tiano, to declare this an Unlisted action under SEQR. All in favor, none opposed, carried.

A motion was made by Goldberg, seconded by Tiano, to approve the neg dec. All in favor, none opposed, carried.

5. Lot Line Revision, John Blundell, 58 Finger Hill Road. Presented by Dan McCarthy, P&C, for the owner. The applicant proposes to purchase a small section of the parcel owned by Ferrono to preserve the right-of-way into his property. The town road ends before access to the applicant's property line. The Ferrono parcel is presently non-conforming, under acreage allotted for the zoning area and with the proposed lot line revision will be come more non-conforming. Shuster-Applicant must go before the Zoning Board of Appeals for an area variance and receive approval before the Planning Board can proceed.

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

MISCELLANEOUS:

The Board received a "SEQRA Notice of Intent to Serve as Lead Agency" letter from the village of Saugerties regarding an Autozone application for the property located at 285 Ulster Avenue. The Board has no objection with their request. A motion was made by Goldberg, seconded by Tiano, to support the Village's request to serve as lead agency. All in favor, none opposed, carried.

Adjournment:

Since there was no further business to discuss, a motion by Creen seconded by Tiano, to adjourn the meeting at 9:59 pm. All in favor, none opposed, carried.

Respectfully Submitted by,

Becky Bertorelli
Planning Board Secretary