



PLANNING BOARD MINUTES
VIRTUAL -WebEX
April 21, 2020

C. Howard Post, Chairman, opened the meeting at 7:41 p.m.

Present: C. Howard Post, William Creen, Ken Goldberg, Carole Furman, Len Bouren, Mike Tiano (joined later in the meeting), Daniel Ellsworth, Robert Hlavaty (alternate) and Dan Shuster (Town Planner).

Also Present: Adriana Beltrani (New Town Planning Firm-Nelson, Pope & Voorhis, LLC).

There were no minutes for review.

PUBLIC HEARING

1. Site Plan Amendment, Kiniry West, LLC/Kim Kiniry, 1740 Route 212. This meeting has been left open from the February 18, 2020 Planning Board meeting. Public Hearing was opened at 7:45 p.m. Dan Shuster's comment regarding the updated SWPPP submittal and correspondence with the Town Engineer, Brinnier & Larios, P.C. was read by Post;

"No additional information has been submitted. However, the changes in stormwater protection design will require revisions to the original site plan. The revised plans result in substantially increased site disturbance between the new building and Route 212. Therefore a new landscaping plan must be prepared which complies with the standards of the Gateway Overlay District. Also, material stockpile areas are now proposed which must be described, particularly limitations as to height and means to limit visibility."

A letter was received from Chris DiChiaro, P.E. regarding the stream, which states:

"In my email correspondence with Brian Drumm of NYSDEC he indicated that there will be no enforcement action taken regarding impacts to a protected stream for the referenced lands. He also indicated that Article 15 jurisdiction (stream protection) starts immediately downstream from the 15" culvert under the former/abandoned access road. This area has not been disturbed by Mr. Kiniry to date and there is no intent to impact this channel or areas directly adjacent to this channel during the work that remains."

Shuster-the area where future material storage has been changed to where a retention area was, with a height of 10', this may cause some issues with compliance with Gateway Overlay standards. Synder-the top of the berm that is along Route 212 is 15' in height, which should be sufficient for visibility purposes from Route 212. This berm runs along each side of the driveway. Shuster-elevation of the 1st floor of building? Synder-449.6. Shuster-addition of concrete block separation between the two Kiniry lots is a concern for disturbance area as where they are indicated on the SWPPP is not on the property of this

application. DiChiaro-not much of a disturbance as it will just be setting concrete blocks on gravel. The purpose if to prevent the stormwater from flowing into the other site adjacent, also owned by Kiniry. There are thresholds for purposes of making the SWPPP work, this would lie within that 1,000 square foot thresehold. Shuster-necessary to re-visit the previously approved Negative Declaration for SEQR, as the area of disturbance has increased significantly from the orginal site plan that was approved in 2017. Mike Moriello, attorney present for the applicant. Moriello-request, after a conversation which took place with the neighbor's attorney (Emily Svenson), that the public hearing remain open for another month to address the outstanding issues and give the Board time to re-visit SEQR. The client has agreed that it is best to separate the two adjacent lots and voluntarily agree that anything that is to be done on that adjacent lot will be considered a complete separate review and any decision made on the lot in this application will not have any significance on the adjacent lot. Svenson-the neighbor's would like some time to review the materials that were submitted for the SWPPP and the letter from Chris DiChiaro regarding the stream, it is a lot of information to review. There will be significant visual and noise impacts from a quick review of the updated SWPPP. Post-do you concur with Mike Moriello regarding SEQR? Svenson-SEQR does need to be re-visited and the negative declaration updated. The correspondence received from the DEC (Chris DiChiaro's letter and attachments) does not seem sufficient. Would like additional review done. Post-will need clarification of the letter from DEC. We will be holding the public hearing open in order to get the Town's Engineer's comments regarding the updated SWPPP and the requested additional information from DEC. Mark Kanter, 24 Adams Road-the significant tree removal has had a significant visual impact on our backyard view and the noise we can now hear from Route 212. We have submitted a video to demonstrate these issues. As requested from Carole Furman, the date of that video is November 7, 2019. Svenson-the storage areas, landscaping and material processing are still significant concerns for the neighbors. Post-we will review. DiChiaro-there will be no processing at this site, the materials that will be stored are those from on-going jobs not materials being processed on-site. Looking at plan we may be able to do some sort of Earth berm instead of the concrete blocks between the two lots to help with aesthetics. Creating a berm will prevent the material in the stockpiles from entering the stormwater area, a silt fence will be used if necessary as well. Synder-a vegatative filter strip will be used and trying to spread the water flow so that it is not invasive. Post-we will look into posting this meeting via social media, if possible. Draft minutes will be posted on the Town Website in case anyone was not able to attend virtually. Questions can also be submitted in writing or via email to Becky Bertorelli prior to the next meeting for discussion and review. The public hearing ended at 8:11 p.m.

OLD BUSINESS:

None

PRE-HEARING CONFERENCE

1. Lot Line Revision, Turning Point LTD(Smith)/Michael & Katrina Birkin, 131/115 Emmerick Road. Post presented and the map was presented virtually. The applicant would like to transfer 2 acres to the adjacent lot owned by Michael & Katrina Birkin. Shuster-simple lot line revision and satisfies subdivision regulations.

A motion was made by Goldberg, seconded by Furman, to declare a Type II Action under SEQR. Vote was taken: Post-Aye, Creen-Aye, Goldberg-Aye, Furman-Aye, Bouren-

Aye, Ellsworth-Aye. None opposed, carried. A motion was made by Goldberg, seconded by Furman, to waive the public hearing. Vote was taken: Post-Aye, Creen-Aye, Goldberg-Aye, Furman-Aye, Bouren -Aye, Ellsworth-Aye. None opposed, carried. A motion was made by Goldberg, seconded by Furman, to approve the lot line revision pending signatures on maps and payment of outstanding fees due. Vote was taken: Post-Aye, Creen-Aye, Goldberg-Aye, Furman-Aye, Bouren -Aye, Ellsworth-Aye. None opposed, carried.

2. Minor Subdivision, James Bruno, 55 Joseph's Drive/Camelot Court. Post presented and the map was presented virtually. The applicant would like to subdivide an existing lot in a developed neighborhood with town water/sewer access. The lot will have frontage on Camelot Court. There are wetlands located on the proposed lot but they will not be impacted and will have to be taken into account when building.

A motion was made by Goldberg, seconded by Furman, to declare this an Unlisted Action under SEQR. Vote was taken: Post-Aye, Creen-Aye, Goldberg-Aye, Furman-Aye, Bouren -Aye, Ellsworth-Aye. None opposed, carried. A motion was made by Furman, seconded by Ellsworth, to approve a Negative Declaration. Vote was taken: Post-Aye, Creen-Aye, Goldberg-Aye, Furman-Aye, Bouren -Aye, Ellsworth-Aye. None opposed, carried. A motion was made by Furman, seconded by Ellsworth, to set the public hearing for the May 19, 2020 meeting. Vote was taken: Post-Aye, Creen-Aye, Goldberg-Aye, Furman-Aye, Bouren -Aye, Ellsworth-Aye. None opposed, carried.

3. Site Plan Amendment, Middle Way School, 268 West Saugerties Road. Post reviewed the application and the site plan we presented virtually. The Middle Way School has a previously approved site plan but would like to add an addition to the building, an additional building and pavilion to the site. There will be an additional sidewalk and planters added. There will be no other site disturbance. Access will be from the existing entrance/exit on West Saugerties Road. There will be a total of 0.25-acre disturbance, therefore a SWPPP will not be required. UCPB referral is required. Jeff Hogan, Praetorius & Conrad, P.C., was present as the engineer for the applicant. They have significantly downsized the site plan amendment due to the current pandemic. The previously submitted plan for a 2-story building will now be a single level building with the same footprint as on the submitted site plan for the detached building. Noa Jones from Middle Way School was present. Jones-plan on building a 2,800 square foot 1-story detached building with no extension from the main building. Hogan-the occupancy will remain within the approved plan from 2017. Shuster-we will need the exterior details of the building, not the full architectural drawings of the interior. We are interested in the height, color, lighting, etc. Furman-what will be the use of the space. Will there be an auditorium? Jones-three additional classrooms, no auditorium. We have had to scale down our original plan due to the effects of the COVID-19 pandemic. Hogan-will get the updated site plan ready for submission to the Ulster County Planning Board along with the architects plans for the exterior.

A motion was made by Goldberg, seconded by Ellsworth, to declare this an Unlisted Action under SEQR. Vote was taken: Post-Aye, Creen-Aye, Goldberg-Aye, Furman-Aye, Bouren -Aye, Ellsworth-Aye, Tiano-Aye. None opposed, carried. A motion was made by Goldberg, seconded by Furman, to approve a Negative Declaration. Vote was taken: Post-Aye, Creen-Aye, Goldberg-Aye, Furman-Aye, Bouren -Aye, Ellsworth-Aye, Tiano-Aye. None opposed, carried. A motion was made by Ellsworth, seconded by Furman, to refer to the Ulster County Planning Board. Vote was taken: Post-Aye,

Creen-Aye, Goldberg-Aye, Furman-Aye, Bouren -Aye, Ellsworth-Aye, Tiano-Aye. None opposed, carried. A motion was made by Furman, seconded by Goldberg, to schedule the Public Hearing for the May 19th meeting. Vote was taken: Post-Aye, Creen-Aye, Goldberg-Aye, Furman-Aye, Bouren -Aye, Ellsworth-Aye, Tiano-Aye. None opposed, carried.

4. Site Plan, Cynthia & Paul Matthies, 169 Esopus Creek Road. Post presented and the site plan was presented virtually. The applicant proposes to install a fence along the southern property line from the Esopus Creek to Esopus Creek Road for privacy. Matthies-the fence will be 6' in height and will either be stockade or vinyl. It will be about 80' long. Shuster-the applicant is only before the Planning Board because the property is located in the Waterfront Overlay district. Post-ensure that the fence will not go into the floodway. Matthies-yes.

A motion was made by Creen, seconded by Furman, to waive the public hearing. Vote was taken: Post-Aye, Creen-Aye, Goldberg-Aye, Furman-Aye, Bouren -Aye, Ellsworth-Aye, Tiano-Aye. None opposed, carried. A motion was made by Goldberg, seconded by Creen, to declare this a Type II Action under SEQR. Vote was taken: Post-Aye, Creen-Aye, Goldberg-Aye, Furman-Aye, Bouren -Aye, Ellsworth-Aye, Tiano-Aye. None opposed, carried. A motion was made by Creen, seconded by Furman, to approve the site plan for the privacy fence. Vote was taken: Post-Aye, Creen-Aye, Goldberg-Aye, Furman-Aye, Bouren -Aye, Ellsworth-Aye, Tiano-Aye. None opposed, carried.

ADDITIONAL BUSINESS:

A "Request to Serve as Lead Agency" was received from the Ulster County Planning Board to declare themselves Lead Agency for a 50'-180' "radio tower" installation on County owned land located in the Moderate Density Residential zoning district in the Town of Saugerties. Adriana Beltrani-would like to have more information regarding this application as there is not a lot of information in the paperwork that we have received. According to the zoning law provisions for MDR this is not an allowed use. We have a couple of options to address this request, which we have until May 14, 2020 with any comments/concerns. We can coordinate with the Planning Board attorney to get his comments. This is an inter-governmental approval process. We can offer the UCPB a conditional response/decision base on further information. We can also dispute the Lead Agency interest. Post-would like to hold a special meeting ASAP to get more information. Beltrani-will reach out to the County. There is not a lot of land disturbance but it is not a permitted use in the Town of Saugerties Zoning Law for the MDR district. Post-if contact can be made and we can get further information we can make a better decision. Beltrani will reach out to the County to follow-up.

ADJOURNMENT:

Since there was no further business to discuss, a motion was made by Ellsworth, seconded by Furman, to adjourn the meeting at 9:03 p.m. Vote was taken: Post-Aye, Creen-Aye, Goldberg-Aye, Furman-Aye, Bouren -Aye, Ellsworth-Aye, Tiano-Aye. None opposed, carried.

Respectfully Submitted by,

Becky Bertorelli
Planning Board Secretary