



PLANNING BOARD MINUTES February 18, 2025

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

Present: C. Howard Post (Chair), Carole Furman (Vice Chair), Mike Tiano, Bob Hlavaty, Gina Kiniry and Brandon Schiller (alternate).

Also Present: Adriana Beltrani (Town Planner, NPV).

Absent: Kevin Brady and Al Riozzi

The Board welcomed Brandon Schiller on as the newly appointed alternate for the remainder of 2025.

The draft minutes of the January 21, 2025 Planning Board meeting were reviewed. A motion was made by Tiano, seconded by Hlavaty, to approve as written. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Kiniry-Aye. Motion carried.

PUBLIC HEARINGS

1. Site Plan, Stone Creek Commons, 3190 Route 9W. Presented by Patrick Mitchell, Passero Associates. Also present were Jess Sudol (President, Passero Associates), Christine Nealon (Rehabilitation Support Services) and Paul Freeman, Esq. The attorney, Paul Freeman, Esq., gave a brief overview and updated the Board that the public hearing was re-noticed to include the return receipts. The applicant hosted an informational meeting prior to the opening of the Planning Board meeting this evening. Many individuals from the public were present. Stations were set up to address particular areas of the project. Additional information was written down and the applicant's team offered one on one conversations with those individuals from the community that were interested. The applicant requests that any public comments during this public hearing be addressed to the Board.

Mitchell-the applicant is proposing a 47-unit apartment complex (1 bedroom and studio mix) on the 3.87 acre parcel located at 3190 Route 9W. The proposed structure will be two stories with 45 proposed parking spaces. Will hook up to existing public water and sewer. The stormwater management will be taken care of on-site. The applicant's team would like some time to respond to the Planner's memo.

Post opened the public hearing at 7:39 pm. Public comments: none. Tiano-the bridge description that was given does not indicate the length, width or integrity of the structure. Understand that the applicant will have a UTV on-site, the fire department will not use that UTV in the event of an emergency for liability reasons. Suggest reaching out to the Glasco Fire Department to discuss alternatives. Has the applicant received comment back from Diaz? In reference to the walking paths, concerns regarding smoking on those paths in the forested area. There is talk of a Town Road to be added across from the entrance to this site, how will this affect traffic. Talk to Highway Superintendent, Raymond Mayone.

Post-are there any additional public comments? None. A motion was made by Hlavaty, seconded by Furman, to close the public hearing. Board vote: Post-Aye, Furman-Aye, Tiano-Nay, Hlavay-Aye, Kiniry-Aye. Motion carried. The public hearing was closed at 7:46 pm.

Beltrani-there are SEQR comments to be addressed. The applicant has submitted a request for Jurisdictional Determination to the NYSDEC, pursuant to NYS amendments to Article 24. The NYSDEC has until April 15, 2025 to respond. To move the process along the Planning Board could request to have an in-house (NPV) wetland biologist review the wetland delineation report provided by the applicant in the meantime to help the Board move forward with the SEQR process. Mitchell-the applicant will have to address any requirements of the NYSDEC regardless. Beltrani-NYSDEC applies a 100' buffer of wetlands with only 1/10 acre of disturbance. If the peer review determines that a permit is required from NYSDEC it can be noted in the Negative Declaration. Part III of the LEAF needs to be completed by the applicant and submitted to the Planning Board. The parking waiver needs to be addressed by the Board. Freeman-there is a provision in the code for nonlisted uses, this use is unique and it is up to the Board discretion. Beltrani-there are two proposed uses and both are listed, this is considered a dual use. 83 parking spaces are required and only 45 spaces are proposed. The applicant is requesting a waiver for 38 parking spaces. Tiano-concern with parking because the applicant had suggested that regional meetings will be held on-site. Where will everyone park? Sudol-individuals attending the meetings can ride share. Regional meetings would only consist of about 10 staff members. Stormwater mitigation constrains the parking possibilities. Post-poll the Board regarding parking waiver: Kiniry-in favor, Hlavaty-in favor, Tiano-oppose, Furman-concerns as the proposed parking does not even provide one space per unit with the office space. Not comfortable with the waiver, squeezing too much in a small space. Will overflow park on Route 9W? Post-tenants will be aware of the parking constraints when renting. The lower number of parking spaces does reduce the traffic in and out of the project. In favor. Tiano-the parking issue needs to be addressed before the project moves forward. Mitchell-a parking study and traffic study were provided for the project. Post-the Board has the right to waive the parking, at this point we are just in discussions. The Board has referred traffic studies to Philip Grealy in the past to review. We will do that again if everyone is in favor. All approved. Freeman-the draft Part III will be prepared as soon as possible.

2. Site Plan, Pond View Apartments, 14 Stevens Court. Presented by Bruce Utter, Praetorius & Conrad, P.C. The applicant is proposing a 24-unit apartment complex. This was a project that was approved back in 2006 but was not completed due to the economy. The parcel is located in the General Business zoning district. There are 3 buildings proposed with 8 units each on the 3-acre parcel. There will be a total of 36 bedrooms with a mix of 1 & 2 bedroom units. Primary access, in and out, will be via Steven's Court. There will be an entrance only via the gas station. A new waterline will be installed to help with pressure. An additional manhole will be installed between the buildings and the stormwater pond.

Post opened the public hearing at 8:07pm. Public comments:

- Raymond Mayday, 4 Stevens Court - 3rd generation resident. There has been a lot of new proposed development in this area. This project was approved in 2006 but with one big difference, Stevens Court was to be used for emergency access only. There should be no problem accessing the development from Route 9W. In 2006 NYSDOT approved that as the primary access. Opposed to the 24-units, which could potentially create 48 vehicles, in and out of Stevens Court. The existing development is not designed for this amount of traffic. People park on the street in front of their homes. Parking in the area is not adequate, driveways are small. There is a safety factor for children living on that street. Greatly opposed to this proposed development.
- Craig Bellanca, 8 Stevens Court - how will transportation for school be addressed? There is just a stop sign at the intersection of Village Drive and Stevens Court. Utter-traffic study was completed and it demonstrated that there would be an additional 10-12 cars per hour during peak hours. Crighton Manning determined that the level of service would not change. NYSDOT does not want the primary in and out traffic to be via Route 9W. They would like the project to use the light that is existing at the intersection of Village Drive and Route 9W. No traffic back out onto Route 9W via the gas station plaza. Have been in contact with the school and they will use the existing bus stop, the proposed project is within walking distance.

- Karen Deruyter, 2 Stevens Court - prefer and welcome a subdivision with 3 or 4 houses over the proposed. Traffic past driveways is not great. Most apartments will have two cars. No longer will it be a quiet little neighborhood. This has been a cul de sac that allows kids a place to meet and play. The huge pond is a danger. Are there additional fire hydrants proposed? The one by my house does not even work. Utter-there will be one in the development, one at the end of Stevens Court at the entrance to the proposed project.
- Bob Deruyter, 2 Sevens Court - the existing road is 20' wide, how will this accommodate? Will the sidewalk proposed in the development be continued down Stevens Court. Utter-the roadway is 26' wide within development for fire access and movement. No, the sidewalks will end at the entrance to the project.
- Colleen Mayday, 4 Stevens Court - the timing of the light is very fast, individuals may have to wait numerous rounds of the light to get out of Village Drive. Long wait time for a commute in the morning. There are multiple new developments in the area that will add to the wait. Utter-the traffic study included The Villa Residences, Habitat for Humanity Subdivision and Stone Creek Commons.
- Tom Francello, 2179 Route 32 - traffic studies do not demonstrate realistic situations. Sit at the end of PVI hill to get on to Route 9W during peak traffic hours. The traffic impact is significant. This just seems like the second phase of the same project. Utter-never suggested this would not create more traffic. NYSDOT provides traffic studies that are used for these purposes, included in the traffic study done for this project. Time counted at peak hours in the morning was 48 cars and 68 cars in the evening.
- Ashley Campbell, 5 Stevens Court - main concern is two way traffic on a street that is already narrow. Everyone parks on the street in front of their homes and this makes a narrow street more narrow, especially for two way traffic.

Post asked if there were any more public comments. None. A motion was made by Furman, seconded by Kiniry, to close the public hearing. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Kiniry-Aye. Motion carried. The public hearing was closed at 8:30pm.

Beltrani-there are a number of comments to be addressed. The UCPB comments need to be addressed as well, but most reflect our comments. Zoning comments can be addressed with a supermajority. Utter-there are 6 more spaces than required. Beltrani-the provision reads that the percentage is historically what is over the required number of parking spaces by 20% will be required to be constructed of impervious materials. This does not apply to the 6 but a larger number. Utter-the SWPPP from the 2006 approval is still active, will update and get approvals from Engineers. Hlavaty-when looking at traffic it is important to look at the service levels as well to ensure that the added traffic is in the appropriate place.

No further action can be taken by the Planning Board at this time. The applicant will work on addressing the comments in the Planner's memo for next month.

3. Minor Subdivision (2-Lot), Timothy Unich/440 Fishcreek LLC, 440 Fishcreek Road. Presented by the owner, Tim Unich. The applicant submitted updated plans to reflect comments made in the Planner's review memo. This is a proposed 2-lot subdivision of the 31.8 acre parcel.

Post opened the public hearing at 8:35pm. There were no public comments. A motion was made by Tiano, seconded by Furman, to approve a negative declaration. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Kiniry-Aye. Motion carried. A motion was made by Hlavaty, seconded by Furman, to close the public hearing since there were no public comments to be heard. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Kiniry-Aye. Motion carried. The public hearing was closed at 8:37pm.

Beltrani-the outstanding comments were addressed with the updated plat that was submitted. A motion was

made by Furman, seconded by Hlavaty, to approve the minor subdivision. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Kiniry-Aye. Motion carried.

4. Minor Subdivision (2-Lot), Timothy Unich/30HW Realty LLC, 30 Highwoods Road. Presented by the owner, Tim Unich. The applicant is looking to subdivide the parcel into two lots, one at 2.86 acres that contains an existing house and the other at 5 acres that is currently vacant.

Post opened the public hearing at 8:38pm. There were no public comments. Beltrani-a reviewed plot plan has been submitted with the wetland delineation, to include the jurisdictional determination boundary. The applicant has adjusted any proposed development to keep out of those areas so that there is no need for a NYSDEC permit. A negative declaration is warranted.

A motion was made by Hlavaty, seconded by Kiniry, to approve a negative declaration under SEQR. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Kiniry-Aye. Motion carried. A motion was made by Tiano, seconded by Kiniry, to close the public hearing. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Kiniry-Aye. Motion carried. The public hearing was closed at 8:40pm.

A motion was made by Furman, seconded by Kiniry, to approve the minor subdivision with the updated plat that includes the wetland delineation and 100' buffer. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Kiniry-Aye. Motion carried.

OLD BUSINESS

1. Site Plan, Derek Winnie/Saugerties Self Storage, 3058 Route 9W & 2037 Route 32. Presented by Derek Winnie. Beltrani-many of the outstanding comments have been addressed. The lighting range is slightly higher than what is allowed. The applicant should update to no more than 3,000K, and a lighting plan can be waived if the Board feels it is warranted. UCPB comments state that the project does not conform and would require variances. The Planning Board has been advised via a letter from the Town Attorney, John Greco, Esq, that the applicant will be required to follow the General Business zoning requirements, which have been met. This has been confirmed by the Town Board and the Town Attorney. The Board is able to override the County comments with a supermajority vote. Winnie-will agree to update the solar lighting (which is all that is proposed) to a fixture that is 3,000K or less.

A motion was made by Tiano, seconded by Furman, to override the UCPB comments/recommendations. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Kiniry-Aye. Motion carried by supermajority. A motion was made by Tiano, seconded by Kiniry, to approve a negative declaration under SEQR. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Kiniry-Aye. Motion carried.

A motion was made by Tiano, seconded by Kiniry, to conditionally approve with the requirement that a lighting plan be submitted and the fixtures updated to be less than 3,000K. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Kiniry-Aye. Motion carried.

2. Minor Subdivision (2-Lot), Cindy Lam, 1601 Glasco Turnpike. Presented by the owner Cindy Lam. The applicant is proposing a 2-Lot subdivision on the 17.39 acre parcel. Beltrani-Lot B proposed to be developed, and spoke with the applicant's agent to include the driveway and home site within the limits of disturbance. Not proposing to develop Lot A at this time. Discussed with Post and applicant's agent that they will need to come back to the Planning Board when development is proposed. Reviewed the area of wetland. This parcel is located outside of an urban area according to the NYS census, therefore it is not NYSDEC wetlands. Primarily regulated through the Army Corps of Engineers. Any permits required will need to be provided to the Building Department prior to construction of the driveway. The Board can waive the topography requirements if they feel

it is warranted. The zoning chart, area of disturbance and signature blocks need to be added to the plat. Parcel A not approved for development will need to be noted on plat as well.

A public hearing is required. A motion was made by Hlavaty, seconded by Furman, to set the public hearing for the March 18, 2025 monthly meeting. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Kiniry-Aye. Motion carried.

3. Site Plan Amendment, Total Tennis, 1811 Old Kings Highway. Presented by the owner, Edward Fondiller and Tom Conrad from Praetorius & Conrad, P.C. The applicant is currently in the process of acquiring an area variance as required from the Zoning Board of Appeals (ZBA). The Board will hopefully be making their decision at their March 3, 2025 monthly meeting. The applicant has completed the public hearing process with the ZBA and referral to the Ulster County Planning Board (UCPB) was completed. Awaiting the UCPB comments. The applicant has submitted a response to some of the comments in the Planner's February memo. Beltrani-yes, they have updated the site plan. Conrad-does the Planning Board require an entire survey of the parcel, this is a small section with the existing court that is being covered with the proposed building. There is a 1996 survey that can be provided but to add the amendment to the larger survey will make it very difficult to read. The site plan provided is a small section of the 100-acre parcel to enlarge what is being proposed and showing the area that will be affected. Beltrani-overall survey to be submitted as a context map. There are operation questions that were answered. Conrad-within the amendment area the landscaping is existing and no additional landscaping is proposed. In receipt of the UCPB comments for the ZBA and they recommend natural vegetation growth, which is what is existing. No new cart paths are proposed. Gravel areas for drainage and walking. The applicant is ready for referral to the UCPB regarding the site plan amendment. There will be a light on the front of the building over the entrance door. Can provide details.

A motion was made by Tiano, seconded by Hlavaty, to refer to UCPB. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Kiniry-Aye. Motion carried.

4. Major Subdivision (3-Lot), Mark & Samantha Tiano, Old Stage Road. Presented by Mike Vetere (Vetere Land Surveying, PLLC) and Mark Tiano (owner). The applicant has updated the plat with technical changes as requested at the last meeting. A 100' conservation easement is proposed on the west side of the property that runs along Route 9W. There may be visibility to any development on the south side from Route 9W but none on the north side. Still working on access easements. Beltrani-we will defer to the Town Engineer and Planning Board attorney. Letter of no effect received from SHPO. Tiano-the Town Engineer has preliminarily reviewed the plans, at the applicant's request. The conservation easement will help to protect the Gateway Overlay. Limiting tree clearing and protection of the creek from erosion. There are steep slopes in that area.

The Town Engineer to review 100' conservation easement and the project as a whole. A motion was made by Hlavaty, seconded by Fruman, to refer to the Town Engineer for review. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Kiniry-Aye. Motion carried. A motion was made to set the public hearing for the March 18, 2025 monthly meeting. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Kiniry-Aye. Motion carried.

5. Major Subdivision (3-Lot), Western Sullivan Properties/Jan Marazita, 236 Dutchtown Road. Presented by Chis Manello, owner. Updated the SEAF to reflect the disturbance area. Looking to subdivide the 11+/- parcel into two lots, a little over 5 acres each. The limit of disturbance will be approximately 0.25 acres of Lot 1 and 0.3 acres of Lot 2. Will wait until the weather is better to get the engineer comments on soil characteristics. There are no rock out croppings identified within the building envelope. Not sure how to mark the trees. Post-the Board can do a site visit and help with this. One will be set up prior to the next meeting, weather permitting.

Beltrani-the applicant can move forward to a public hearing. A motion was made by Furman, seconded by Tiano, to set the public hearing for the March 18, 2025 monthly meeting. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Kiniry-Aye. Motion carried.

PRE-HEARING CONFERENCE

1. Minor Subdivision (2-Lot), Seppo Ritvanen, 60 Lauren Tice Road. Presented by Tom Conrad, Praetorius & Conrad, P.C. The applicant is proposing a two lot subdivision, one lot being 2.8 acres and the remaining lands being 30.9 acres. The engineering was provided by Chris DiChiaro. Understanding the Private Rural Road requirements will be necessary for this applicant to see if he would like to move forward. Beltrani-the parcel is located within an agricultural district and Sensitive Area Overlay requirements will apply. Conrad-the topography of the property is relatively flat. Beltrani-Town Engineer will need to review the PRR and the applicant will have to indicate if it will be built or bonded. Land disturbance to be demonstrated and reviewed by the Town Engineer. Maintenance agreements will be required. The FEMA floodplain indicates that the driveway may cross, and will require additional information. Post-tree marking is not necessary on this parcel.

No further action can be taken by the Planning Board at this time until the agent speaks to the applicant.

ADDITIONAL ITEMS

NONE

ADJOURNMENT

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

The meeting was closed at 9:40 pm.

Respectfully Submitted by,

Becky Bertorelli
Planning Board Secretary