



PLANNING BOARD MINUTES July 15, 2025

C. Howard Post, Chair, opened the meeting at 7:28 p.m. Pledge

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

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

Absent: Kevin Brady, Al Riozzi and Brandon Schiller (alternate).

The draft minutes of the June 17, 2025 Planning Board meeting were reviewed. A motion was made by Tiano, seconded by Kiniry, to approve. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Kiniry-Aye. Motion carried.

PUBLIC HEARINGS

1. Minor Subdivision, Amanda Esposito & Sean Hammond, 43 York Street. Presented by the applicant, Amanda Esposito. The applicant has received approval for a 1,371 square foot area variance from the Zoning Board of Appeals. The variance was required to meet the minimum lot requirement of 10,000 square feet in the High Density Residential district with municipal water/sewer.

Post opened the public hearing at 7:31 pm. No one was present from the public with comments/concerns. A motion was made by Tiano, seconded by Hlavaty to adopt a negative declaration under SEQR. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Kiniry-Aye. Motion carried. A motion was made by Furman, seconded by Hlavaty, to close the public hearing since there were no additional comments/concerns. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Kiniry-Aye. Motion carried.

Beltrani-the only condition that should be considered is a note added to the final plat indicating the size of the variance and date of approval by the Zoning Board of Appeals. A motion was made by Furman, seconded by Kiniry, to conditionally approve the minor subdivision pending addition of note regarding variance added to final plat. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Kiniry-Aye. Motion carried.

2. Cellco Partnership d/b/a Verizon Wireless, Site Plan/SUP (Cell Tower), 417 Washington Avenue Ext. Presented by James LaValle, Young/Somer LLC. The applicant is proposing a cell tower on property owned by the Town of Saugerties and located at 417 Washington Avenue Extension. There is a significant coverage break in that area which would be addressed by the installation of the proposed tower.

Post opened the public hearing at 7:35pm. Public comments:

- George Beisel, 99 Beers Lane - express concerns regarding the location of the proposed cell tower in proximity to Cantine Field, which is a recreational facility for children and adults. There are better locations on Mike Krout Road or the Malden Firehouse. Was Malden Firehouse even considered? Why right next to residential parcels?
- Brenda Wilson, 76 Elm Street - we own property on Beers Lane as well and are concerned with why this was the location chosen when it seems that the only reason for the installation is to help service for those attending HITS functions or the Garlic Festival. Can't mobile wifi services be used for those events instead of installing a permanent cell tower? There are other locations that should be looked at other than Town property. The parcel is zoned Recreational and there are always lots of children around.

LaValle-would like to address the location choice. The location was chosen based on customer complaints, lag zones and the fact that Cantine is an area of concern with no reliable service in the event of an emergency. Try to lease from municipalities. A viewshed analysis was completed. If the tower was moved even a few hundred feet it would create the need to increase the height of the structure, which is undesirable. Constructability is also considered. The site that has been chosen was identified as the best location possible to create the necessary coverage. Would be using 5th generation high band width to create the best possible scenario. The tower will go into a dormant stage when not in use. Exposure will be less than 2% when the tower is being utilized at 100%. This is significantly lower than regulatory limits regarding RF energy exposure. Post-the Malden Firehouse parcel does not have enough room to construct a cell tower and if there was, the height would have to be significantly taller than the tower that is proposed, and still may not even provide coverage that is necessary.

- Janet Grillo, 64 Elm Street - what would happen if the cell tower were not erected? Things would remain the same and we have all survived with what we have for a long time. There is not an extraordinary need for this location. LaValle-the installation at this site would take demand off adjacent networks and help with speed. There is also a need as far as 911 accessibility that has been requested by the Village of Saugerties, Town of Saugerties and Ulster County.

Post-the applicant does have to provide the Board with a revised site plan as requested. The Board was informed that the notices that were sent out by the applicant did not have the correct date for the public hearing. Post-the public hearing will be carried over and kept open for the August 19, 2025 monthly Planning Board meeting. The applicant will have to re-notice by certified mail, return receipt and the Planning Board will publish as required.

Beltrani-just to be clear the Town Board made a decision, with resolution, to exempt the applicant of certain site plan requirements that would be reviewed by this board. The Planning Board can only review those items that were not included. The applicant must provide information to allow a better understanding of access, improvements to the driveway, height and relationship of the cell tower site to fields and trails.

A motion was made by Hlavaty, seconded by Kiniry, to leave the public hearing open until the August 19, 2025 monthly Planning Board meeting. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Kiniry-Aye. Motion carried.

3. Minor Subdivision (2-Lot), Peter Larson, 1058 Churchland Lane. Presented by Jeff Hogan, Praetorius & Conrad, P.C. The applicant is proposing a 2 lot subdivision on the 37-acre parcel to deed 4.3-acres to his son and wife so they can build a single family residence. There is an existing 50' ROW to the adjacent lot, owned by the Bach family, which will be brought up to the Town's Private Rural Road standards.

Post opened the public hearing at 8:03pm. No one was present from the public with comments/concerns. Beltrani-there seem to be some existing encroachments from the Bach property onto the Larson property that should be discussed between the two. The Planning Board can move forward with scheduling a public hearing. A motion was made by Kiniry, seconded by Furman, to adopt a negative declaration under SEQR. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Kiniry-Aye. Motion carried. A motion was made by Hlavaty, seconded by Tiano, to close the public hearing since there were no further comments/concerns from the public. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Kiniry-Aye. Motion carried.

Beltrani-the applicant is aware of the encroachments from the Bach property and has chosen not to revise the plat at this time to rectify those encroachments. The topography waiver is not needed as the applicant has provided.

A motion was made by Hlavaty, seconded by Tiano, to conditionally approve the 2-lot minor subdivision pending a note be added to the plat regarding encroachments, engineering comments, road maintenance agreement and easements be submitted to the Planning Board attorney for review and approval. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Kiniry-Aye. Motion carried.

OLD BUSINESS

1. Major Subdivision (8-Lot), Damian Repucci/The Homes at Witt's Pond, 224 Blue Mountain Road.

Presented by Darrin Elsom, Kaaterskill Associates. Elsom-received the Planner's review memo and will have formal responses prepared for the August submission. Jurisdictional Determination came back as positive from NYSDEC but exact locations were not demonstrated. Have set up a site meeting with NYSDEC for next week. Paul Larios, Town Engineer, has been given a chance to review the project and we have discussed doing a lot by lot plan instead of a blanket SWPPP for the entire subdivision. Would provide a guidance document to each parcel owner with their responsibilities per lot. Would provide stormwater structures with roadways and address all elements downstream. Home Owner's Association requirement of rain gardens. Beltrani-concerns with if one owner does not do what they are supposed to do in terms of stormwater what happens to those down stream? It would have to be discussed further after the Town Engineer has reviewed it. Elsom-would like to know what kind of Conservation Subdivision analysis is required. The applicant is not looking to move forward with one but how in depth does the analysis have to be? The Planning Board members have already visited the site regarding the trees.

Beltrani-the updated EAF has been submitted and the NOI is ready for circulation. The review does warrant Part II and Part III to be completed. The NYSDEC has approved the box culvert. The applicant should provide the capacity of wells (pump tests). Referral to the County is required. Once some additional items have been addressed a public hearing can be scheduled and referral to UCPB completed.

No further action by the Board at this time.

2. Site Plan/SUP, Spiral House Park, 185 Fishcreek Road. Presented by Kyle Bardwell (LaBella Associates) and Joshua Cohen (Spiral House Park). Also present, Patricia Livingston, previous owner of parcel and founder of Spiral House Park. The applicant is looking to open a cultural facility for the public. No additional construction is proposed. Cohen-Town Engineering comments have been received and reviewed. A Draft Event Management Plan has been submitted. A photometric plan has been developed and a draft resolution was provided. Beltrani-most comments have been addressed at this time. Special Use Permit conditions have been outlined within the draft resolution and the applicant is aware. Such conditions address operations and management of the site, mostly as related to events. The lodging and events zoning law is on the agenda for adoption at the Town board meeting, Wednesday July 16, 2025. The applicant has agreed to follow those requirements that have been outlined in that updated zoning law. The light poles that are along the driveway (solar powered) are on timers, a timer plan is required. Bardwell-will only be used for evening events. Beltrani-the event management plan demonstrates minor events of less than 150 guests. Indicating that there will be 6 minor events per year, 2-3 weekends and 2-3 weekdays. Currently it states that all events are to end by 10pm. Furman-can we request that weekday events end at 9pm? Bardwell-we would agree to that. Beltrani-how will amplified sound be handled? Bardwell-the event tent has been strategically placed in a central location. Only proposing small amps for presentations and such. Post-there is a decibel limit at the property line that will have to be adhered to. Tiano-is the location of the event tent enclosed by forest? Cohen-it is in the middle of a hill and is surrounded everywhere by foliage except for the driveway area. Beltrani-will the tent be up seasonally or only for events? Cohen-only as necessary for events. Beltrani-it would be required to add the SUP requirements to the site plan for easy access by the Code Enforcement officer/Building Department. Post-the SUP will be reviewed after one year for compliance. Beltrani-incorporate the emergency management plan. Include septic and water supply as conditions of SUP. The events law does allow use of shuttles but this project does not propose and they will not be allowed unless approved and reviewed by the Planning Board prior to use. The proposed resolution was discussed. Beltrani read through the conditions of approval as outlined in the draft resolution. Bardwell-would request that conditions regarding portable restrooms allow for 72-hours on-site to give time for them to be removed by their prospective company. Post-sounds reasonable. Beltrani-conditions of approval will be lighting plans to be included on site plan, notes related to the SUP requirements to be added to site plan, review by building department within 12 months of final approval to identify violations or complaints.

A motion was made by Furman, seconded by Hlavaty, to adopt a negative declaration under SEQR, conditionally approve the Site Plan and SUP as outlined: Compliance with the proposed special use requirements for Rural Event Venues, §245-11.X, currently before the Town Board for adoption; Addition of timing notes for lighting to be added to site plans; Revision of the Events Management Plan per Town Planner comment memo dated July 7, 2025; Notes related to special use permit requirements to be added to site plans. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Kiniry-Abstain. Motion carried.

PRE-HEARING CONFERENCE

1. Minor Subdivision (2-Lot), Barbara Budik, 1088 Kings Highway. Presented by Wlatter Eckert, Brinnier & Larios, P.C. The applicant is proposing to subdivide a 70+ acre parcel into two lots, one 9.85 acres and the second 63.319 acres. There is a ROW to the larger parcel for future development but the applicant would request not having to bring that ROW up to PRR at this time as no development is proposed. Beltrani-the existing roadway extends to the point of development and the ROW extends to the new lot. The PRR standard requires build or bond. Will have to confirm with the Planning Board attorney that the Board would be able to approve the subdivision without a bond or build of the PRR but adding some type of language to the subdivision plat indicating that if development is proposed in the future the application would have to come back to the Planning Board for review of the ROW. Will have to inquire if the CSX agreement will have to be amended at that crossing. Beltrani-uncoordinated review, unlisted action.

A motion was made by Tiano, seconded by Kiniry, to declare this an Unlisted Action under SEQR and set the public hearing for the August 19, 2025 monthly Planning Board meeting. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Kiniry-Aye. Motion carried.

2. Site Plan (SFR), Haley & Tyler Fischer, Deak Lane. Presented by applicant's representative, Christopher Fischer. The applicants are looking to construct a single family home. Post-the only reason the applicant is here tonight is because the parcel is located within the Waterfront Overlay and site plan approval is required. The east facing windows will require non-reflective glass and any lighting will need to be downward facing and shielded. Will the addition of the proposed structure create any obstruction of view for neighbors? Fischer-no.

A motion was made by Tiano, seconded by Kiniry, to conditionally approve the site plan for a SFR with the requirements that non-reflective glass be installed on the river facing side of the residence and only dark sky compliant light fixtures be used. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Kiniry-Abstain. Motion carried.

3. Site Plan Amendment (Additional Apartment Building), 87 Overlook Estates/David Kravec, 87 Overlook Estates. Presented by Khattar Elmassalemah, Praetorius & Conrad, P.C. The applicant is looking to construct an additional apartment building containing 4 one-bedroom units on a parcel that currently contains five apartment buildings. The parking has been rearranged to ensure that parking requirements have been met for the additional units. There is an existing fire lane that will be preserved with the rearranged parking proposed. A building will be removed to make room for additional parking that is required. Minimal disturbance is proposed. The applicant has communicated with Glasco Fire Department already and they have requested that a hydrant be installed across the street from the complex and the applicant is prepared to do so. A 10' paver surface has been proposed to give access to emergency vehicles to the proposed new building. The general elevation of the new structure to match existing. Tiano-would the applicant agree to make the area in front of the new building 14' wide to provide space for the outriggers of the fire apparatus in the event of a fire? Elmassalemah-yes, that can be added. There is existing parking on the property line, the applicant would like to leave the existing parking where it lies and move the proposed new parking to meet the 10' setback requirement where the existing structure is being removed. Beltrani-there is a 20% landscaping requirement of any parking area of 20 spaces or more. Elmassalemah-we are not adding 20 spots? I am sure we can add some landscaping in but the existing conditions may not allow for the entire 20% requirement. The lighting proposed is similar to the existing building on-site. Furman-is a sign proposed? Elmassalemah-no sign.

Beltrani-the applicant will need to provide will serve letters from sewer/water. This is an Unlisted Action under SEQR, uncoordinated review. UCPB referral is required and a lighting plan will be necessary.

A motion was made by Tiano, seconded by Hlavaty, to refer the application to the Ulster County Planning Board upon receipt of the Lighting Plan. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Kiniry-Abstain. Motion carried.

4. Site Plan (Deli/Convenience Store), 595 Glasco Turnpike/MD Hossain, 595 Glasco Tpke. No one was present.

ADDITIONAL ITEMS

1. Lot Consolidation Checklist: Upon speaking with the County Land Records contact, the Planning Board Secretary has been working on a consolidation checklist to provide to land owners that are looking to simply combine adjacent properties with a shared owner. The contact at Ulster County, Bill Stade, has reviewed the draft form that was created. It provides information to the land owner to allow them the ability to complete the lot line consolidation without a full Planning Board submission and ensuring it is a legal lot consolidation, not just for tax purposes. Beltrani has reviewed it as well. Board discussion and no changes proposed. Planning Board Secretary to forward to George Redder, PB Attorney, for review and comment.

2. Winston Farms PDD Comment Discussion: Beltrani gave a brief update on the review of the Planned Development District (PDD) for Winston Farms. This discussion is to develop a list of questions or concerns that will be submitted to the Town Board before the close of the public comment period. Once the zoning is approved the Planning Board will become an involved agency. Furman-the PDD uses overlays to determine areas that are buildable. What defines “Open Space” and how do we indicate what is considered that open space? It explains that 50% will remain open space but does not say what that consists of. Can the Planning Board request that an “Open Space” Overlay and definition be created? What is that process? Beltrani-correct that the PDD does not define open space. The Planning Board would benefit from a definite explanation of what “Open Space” is and a mapped overlay of that area. Tiano-concerns regarding the determination of open space and then the ability to change that. Furman-an identification of what that open space is and where it is would be necessary. Beltrani-any comments and concerns should be addressed to the Planning Board Secretary to create a list that can be submitted to the Town Board for their review. Comments from the Planning Board are important. Furman-will this be its own sewer district? Where does it discharge to? The area is sensitive and has an Aquifer Overlay. Is there sufficient water? Flooding concerns with the development. Flooding impacts on the Beaverkill. How will this impact the fire department? Hlavaty-traffic control. Kiniry-would the Town Board and Planning Board ever have a joint meeting? Post-it has been done in the past but very rarely.

All comments will be due to the Planning Board Secretary by Wednesday, July 23, 2025.

ADJOURNMENT

Since there was no further business to discuss, a motion was made by Hlavaty, seconded by Kiniry, to adjourn the meeting. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Hlavaty-Aye, Kiniry-Abstain. Motion carried. The meeting was closed at 10:09 pm.

Respectfully Submitted by,

Becky Bertorelli
Planning Board Secretary