



## PLANNING BOARD MINUTES

*Virtual*

**November 16, 2021**

C. Howard Post, Chairperson, opened the meeting at 7:32 p.m.

Present: C. Howard Post (Chair), Carole Furman (Vice-Chair), Mike Tiano, Robert Hlavaty, Kevin Brady, Ken Goldberg and Len Bouren

Absent: William Creen (Alternate)

The draft minutes of the October 19, 2021 Planning Board meetings were reviewed. A motion was made by Hlavaty, seconded by Furman, to approve. Board vote: Furman-Aye, Goldberg-Aye, Tiano-Aye, Bouren-Aye, Brady-Aye, Post-Aye, Hlavaty-Aye. Motion carried.

### **PUBLIC HEARINGS**

**1. Site Plan/SUP, Rust Free Motors, LLC, 2 Simmons Drive.** Presented by Steven King and Brian Morris, owners of Rust Free Motors, LLC. Many letters of support have been received and submitted to the Planning Board for record. King-the fence screening was started but has recently ceased since the applicant is not allowed to perform any site work while the application is before the Planning Board. The fenced area will provide a screened area in the rear of the lot for undesirable items so that the neighbors do not have to see them. There are bushes proposed for the northern property line. There is a paddock fence along Route 9W proposed to eliminate entering the property from that side. This application is for car sales with a repair shop.

The Public Hearing was opened at 7:36 pm. Post opened it up for public comments/concerns:

- Patrick Gallo, 11 Simmons Drive-the fencing is only being proposed in one area. Would prefer an entrance and exit on the Route 9W side instead of the residential side. There is noise from an idling tow truck for long periods of time. The applicant has driven a hovercraft down the street disturbing the neighborhood. The exhaust of the vehicles is a concern. Are the vehicles registered and how many can be on the lot at one time. There are video machines on the lot and a washer machine, like a junkyard. Difficult to pull out of Simmons with the visual site distance. There is a smell of solvents, requiring proper ventilation/filtration. King-the noise can be controlled to an extent. We were told that we can not use the 9W side from exit/entrance but can certainly look into this. There will only be an entrance/exit in the front lot for customers, they will park in the front lot and walk to the back lot to view vehicles. As far as screening we are in a holding pattern until the Planning Board process is completed. We can limit the idling of the tow truck to 10 minutes, making it protocol. The tow truck does need to be running in order to get the vehicles on and off the flatbed. Gallo-the fencing should be extended down the entire length of the back lot to block the neighbors from view. The entrance on 9W would be more desirable. Morris-will have to look into using that as an entrance/exit more.
- Sue Rinaldi, 9 Simmons Drive-speaking on behalf of her mother that lives directly across the street from the back lot. Would have preferred if this meeting was live instead of virtual. Screening should be extended. Simmons Drive is a residential area and should not be used for the primary entrance/exit. Under municipal law this would be an “unwarranted evasion” of the neighborhood. The site as it is fits

the description of a junkyard. The neighbors are losing resale values of their properties because of it. The fencing should extend the length of the backyard along Simmons Drive. A Special Use Permit should be enhancing the neighborhood, not this. Located in the Gateway Overlay and this is what you see when you enter Saugerties. King-we have been moving vehicles around to try and limit the view from neighbors of “unsightly” items. The older or incomplete vehicles we are proposing to put in the fenced area to keep out of sight. Nina & Jack Rinaldi-this site has been discussed as a family. The 9W side should be used as the primary entrance/exit to the site. Morris-the front of the site we do use the 9W side for the entrance/exit, but we were under the understanding that the back of the lot could not enter/exit on the 9W side, so we will be looking into this further. Rinaldi-why was the applicant allowed to open and start business prior to Planning Board approval? Post-applicant was unaware that they were required to come before the Planning Board until they were notified by the Building Department. They are allowed to operate with limited business to just do repair work while under review for Site Plan and Special Use Permit.

- Lou Oliver, 56 Lamb Ave.-what use does the paddock fence along 9W do, it does not screen the site at all. How high will it be and what will it be made of? King-it will be 3’ high and made out of oak or pine. It is proposed to stop individuals from driving onto the site from 9W, there is currently no curb cut at that location.
- Erin Davis, address unknown-happy that the building is being occupied but the site does look like a junkyard and should be cleaned up, especially since it is located in the Gateway Overlay District. The site needs to be screened in full. The lot should be accessible from 9W not Simmons Drive, contact State to see if that is possible. The site is unsafe for children in the area. There is a storage unit with items in it but the door is open and a child could wander into that and get closed in. The fumes come into the car windows when passing by. Screen the view from the residential side.
- Theresa Gallo, 11 Simmons Drive-when it rains a lot there is always a pond on the back of the site, how will that be addressed? King-looking to install a catch basin to collect overflow, are to be addressed. Can the speed limit be addressed on Simmons Drive? Post-you can make a recommendation to the Town Board, the Planning Board does not have any jurisdiction on that. Morris-the traffic pattern is a concern that we have as well.

Beltrani-the SUP does require the public hearing and the Planning Board does consider the comments/concerns that are presented. We also refer to the County, as required, and consider their comments/modifications. Zoning elements are part of the review process. The Board is advised by my Planner Comments as well. Conditions can be implemented and final approval will not be given until those conditions are met. The SUP lists requirements of approval. The public hearing can remain open until such comments/concerns are addressed.

- Salvatore Russo, 694 Schoolhouse Road-concerns about run-off with the oil and gas that can be leaked from the vehicles. EPA should be notified and regulated. King-there are no cars being processed in the rear parking area. There has been a lot of positive feedback from the community, just looking to create a site that works for our business and try to address the neighbors’ concerns.
- Tom Francello, 2179 Route 32-is there a dumpster on site? The site needs to comply with Gateway Overlay regulations. What kinds of trees/bushes are being planted? Beltrani-this will be discussed by the Board. Morris-happy to screen the whole back yard and ask the NYSDOT for permission to get a curb cut on 9W for the rear lot. We can install a fence along Simmons Drive with a gate to open if necessary. Post-a gate would be a good idea. King-no plans to have a dumpster on site. Rinaldi-would prefer a fence with shrubs all the way down along Simmons Drive, in the back lot area.

Post-the Board will keep this Public Hearing open until next month to give the applicant some time to look into items that were addressed by the public. The public can send letters to the Planning Board with their concerns for record. Beltrani-there are concerns with the ability to adhere to the 25’ setback in the zoning district. The building is existing. The parking and cars at the front cause a site distance concern. The 25’ setback needs to be

shown as a dotted line around the edge of the parcel. The UCPB and the Planner Comments have requested that parking needs to be to scale. The Planning Board never received any correspondence from NYSDOT regarding the inability to use Route 9W as access for the back lot. King-we only contacted Doug Myer, not the NYSDOT. Beltrani-open up a conversation with NYSDOT regarding access. The capacity of vehicles to be stored on-site needs to be addressed. Need scaled drawings for space, maneuverability, safety and security. What is being stored in that fenced area? Gateway Overlay does offer guidance regarding permitted landscaping and screening. Paddock and ornamental grasses for the 9W side of the back lot, will recommend some species. Post-Board questions? Hlavaty-would like the applicant to address the comments in the UCPB's letter. Tiano-snow removal, request a chemical list for the Fire Department. Goldberg-why can't the 9W side be used for access, fence w/gate preferred, landscaping with access off 9W, how long would the vehicles be on site and how many, how much traffic is expected. Morris-would prefer the entrance on 9W, will look into that. Furman-kid's safety is a concern, fence is a good idea, sightline at the exit off Simmons Drive. Morris-will be conscious of placement of vehicles in the front lot.

Post-the public hearing will be carried over to next month.

**2. Minor Subdivision, Lawrence & Melinda Herzog, 38 Snyder Lane.** Presented by owner/applicant, Lawrence Herzog and Ken Keith, Surveyor. The applicant is requesting to subdivide an existing 9.5-acre parcel into two parcels, one 2.5-acres with an existing house and the second with the remaining lands to stay as an undeveloped parcel to be used for hunting. No new construction is proposed.

The Public Hearing was opened at 8:46pm. Post-opened it up for public comments/concerns:

- Salvatore Russo, 694 Schoolhouse Road-plans for the two parcels? Herzog-intention is to sell the existing house and keep the second parcel to be created as a wooded lot. Russo-Historical Restrictions? Beltrani-not if there is no development or disturbance.

No further comments/concerns were received. A motion was made by Goldberg, seconded by Furman, to adopt a negative declaration under SEQR. Board vote: Hlavaty-Aye, Bouren-Aye, Brady-Aye, Tiano-Aye, Furman-Aye, Goldberg-Aye, Post-Aye. Motion Carried. A motion was made by Furman, seconded by Hlavaty, to close the public hearing. Board Vote: Hlavaty-Aye, Bouren-Aye, Brady-Aye, Tiano-Aye, Furman-Aye, Goldberg-Aye, Post-Aye. Motion Carried. The public hearing was closed at 8:50pm. Post-Board comments/concerns: Hlavaty-no, Bouren-no, Brady-no, Tiano-no, Goldberg-no, Furman-no. A motion was made by Goldberg, seconded by Furman, to approve the minor subdivision. Board Vote: Hlavaty-Aye, Bouren-Aye, Brady-Aye, Tiano-Aye, Furman-Aye, Goldberg-Aye, Post-Aye. Motion Carried.

**3. Site Plan/SUP, Tarpon Towers II/Verizon, 17 Industrial Drive.** Presented by Scott Olsen, Young/Sommer LLC. The Zoning Board of Appeals has notified the Planning Board that they will issue a formal decision in January 2022. It is appropriate for the Planning Board to adjourn the public hearing until after the ZBA January meeting. Beltrani-the public hearing will not be closed but just adjourned, a continuation of the hearing for the January meeting, skipping December.

Public comments/concerns continued:

- Julie Desch, 793 Kings Highway- is the applicant looking at alternative sites or just keeping it here. Along the Thruway, pull-off? Two smaller towers to create coverage? Olsen-we have considered every alternate site that has been requested. The radio frequency requirements have been confirmed by the ZBA consultant. This location is the only one that Mt. Marion Park will benefit from. Not familiar with the Thruway, pull-off site mentioned. The issue with two smaller towers is that the zoning districts where they would have to be installed do not allow them.
- Ray Smith, 783 Kings Highway-there is a texting pull off area of the NYS Thruway a quarter mile or less from this location, could be a possible location. Mike Crosby (Verizon Specialist)-1.5 miles north of

Mt. Marion park and 1 mile north of the proposed location for the tower. The coverage area is 1-1.25 miles in order to provide the services needed. That location will put us outside the area needed.

Smith-Town to hire a specialist? Olsen-one was hired by the ZBA, Ronald Graff, who has reviewed Crosby's analysis. Crosby-capacity and coverage issues are what we are trying to address with the installation of the new tower. The position of the tower is critical.

- Robert Berg, Esq.- representing Andi Turco-Levin, 51-54 Industrial Drive-Mr. Olsen was misleading in stating that Verizon had looked at all sites asked of them to look at. They are obligated to look at all possible sites within a 2 mile radius. They wrote off 28 possible sites because of category 5, but they are required to analyze under code. Tarpon Towers rents out the space on the tower so they want a large tower where they have space. Tarpon will not pay for the installation of additional towers. The proposed tower presents a serious public safety threat with the variances, if given. There are falling hazards, debris over residents, fall zone crosses across to Tower Drive. Olsen-what is being said is insulting. A misstatement of the law is being made, it is not stated that we have to perform an analysis of all sites within a 2 mile radius. We have over designed the bottom half of the tower to ensure that there are no falling hazards. Berg-what about the collapse of the tower. Olsen-no professional analysis has been provided to refute our analysis. Berg-it is not Graff's job to review alternative sites. Turco-Levin-the tower should be located in an area that is less occupied. It is too close in proximity to where people walk daily, safety issues.
- Arthur Green, 1033 Kings Highway-8 to 10 months ago I was contacted to use the water tower on our site for a tower. It was not Verizon that contacted me, it was another company. Olsen-do you know who it was that you were working with? Green-Dish Wireless was the company we were in negotiations with. Olsen-no relation to us.
- John Greco, 807 Kings Highway-Schoolhouse Road was the original location suggested years ago, 5-10 years ago. So much farther away from the proposed area to be serviced that the firehouse or Industrial Drive. It is the applicant's responsibility to review all feasible sites with a 2-mile radius. Olsen-that was not the same site for this coverage radius. Telecommunications towers are an allowed use in the OLI district, per Town Zoning. Mt. Marion Park had been suggested as a location, the Town does not have the right to lease property to place the tower on property that is in the trust, it is also not a permitted use in that zoning district. Crosby-that was a site proposed 6 years ago, wireless is not static, usage patterns have evolved the needs, frequency and capacity issues have increased. This site is not related to the one mentioned. The language in the code is very old, if we looked 2 miles south we would be past the next tower.

Post-we will adjourn the public hearing until after the ZBA meeting in January 2022. Tiano-just would like to note that the pictures were taken at advantageous positions in favor of Verizon. Some were taken behind buildings with chimneys. Made a list of all questionable pictures and will forward them to the Board and the applicant. Concerned with the height and visuals.

## **OLD BUSINESS**

**1. Major Subdivision, Catskill Terraces/HV Contemporary Homes LLC, Ralph Vedder/Manorville Road.** Presented by Jeffrey Hogan, Praetorius & Conrad, P.C. The applicant is proposing a 10-lot subdivision with access via Ralph Vedder Road and Manorville Road. The engineer has submitted the SWPPP to the Town Engineer for review and comment. Post-Board questions? Hlavaty-none, Bouren-none, Brady-none, Tiano-none, Goldberg-none, Furman-none. Beltrani-the draft resolution was prepared and distributed for the Board's review. Will the roads be built or bonded? Item #5-conditions regarding phasing plan, may need to be prepared. Moriello-received a copy of the draft resolution and had only minor suggestions. The applicant is presently determining how they will proceed, we have been in contact with the Planning Board Attorney, George Redder and the Town Engineer, Dennis Larios. Dennis Larios was present. Larios-no comments, an estimate of improvements for the roads will be reviewed, along with the SWPPP. Phasing is acceptable. Post-is that the applicant's intention? McKeel (owner)-preference is to bond the entire project. Post-questions about resolution?

Hlavaty-no, Brady-no, Bouren-no, Tiano-no, Goldberg-no, Furman-no, Post-no. Excellent job with the resolution. A motion was made by Furman, seconded by Brady, to approve the Preliminary Plat, waive the public hearing for Final Plat and Final Conditional Approval as outlined in the resolution. Board Vote: Hlavaty-Aye, Brady-Aye, Bouren-Aye, Tiano-Aye, Goldberg-Aye, Furman-Aye, Post-Aye. Motion carried.

**2. Site Plan/SUP, Denier Car Wash/Duncan Properties, LLC, 2891 & 2897 Route 32.** Presented by Scott Ouimet (Kaaterskill Associates) and Mike Moriello, Esq. Letter received from the Town Engineer, Dennis Larios. Larios-there is a large concern with putting a car wash in an area where there is no public water supply. Car washes create industrial waste discharge. Concerns with the recycling of such a large amount of discharge and the idea that there will be zero onsite discharge. There is a 3,000 gallon holding tank which will be evacuated periodically with a waste hauler, this is a tough way to run a car wash. There is no restroom in the plan, if one will be installed it will require a septic on site. NYSDEC approval required for holding tanks, they are not generally allowed for year round usage on a permanent basis. No well water quality data has been provided, backwash. NYS DOT should be contacted for approval of the reuse of the entrance for a car wash facility. Open to working with the applicant to address the concerns. A car wash is hard to run without public sewer availability. Ouimet-Foam & Wash uses the water reclamation system successfully. There is a cost savings that works for them. Will provide details on the well. Concerns can be addressed on site plan/SUP once past the zoning change that is before the Town Board. Shared a presentation regarding the water reclamation system. There is a collection of water which goes into the sediment/settling tank. There are three tanks to move through. Next phase is reclamation treatment which uses the Super Clear product. There are two tanks, chemical treatment to separate dirty from lean water. Three par treatment system (Super Clear). Denier (owner)-no employees are proposed on site, no F/T employees projected. Well water would be treated through a reclamation system. Concerns will be addressed on the environmental piece. Beltrani-conversation around zoning has been regarding reclamation of zero discharge sites would be a SUP requirement. Not comfortable as a blanket over the zoning amendment. Town Engineer's questions regarding how realistic the zero discharge reclamation system is need to be answered. Permitted use without sewer and water. Ouimet-would be the burden of the applicant to meet the standards that are required of the SUP. Moriello-agree with Beltrani, look at impacts as part of SEQR. Will need to look at the overall project. Have to provide more detail and answers to a point that a Neg Dec can be granted under SEQR. Larios-fully understanding of the zero discharge is much more problematic. Will require more details from the manufacturer. MORE details regarding the trucking out of the holding tank. Could require a lot of trucking out of holding tanks depending on usage. Denier-appreciate the Town Engineer's input. Larios-the restroom requirement will have to be addressed with the Building Department. NYS Code and Building Code requirements, need a small septic system. Beltrani-site plan shows phases, what each phase is, and needs more details. Denier-remove phases and stick with the two bay site plan, one automatic and one manual. Bouren-emergency turn-off? Will the bay doors close? How do ensure zero run-off with no staff onsite to monitor? Denier-maybe closed doors under operation, there will be video surveillance. Furman-heated? Propane? Denier-operational all year, heating will be installed. Tiano-no bathroom? Denier-if it is required one will be installed. Larios-if one is installed would it be employee use only? Post-additional Board questions: Hlavaty-no, Bouren-no, Brady-no, Tiano-just bathroom, Goldberg-no, Furman-no, Post-no. Post-need Town Engineer's questions answered before moving forward. Need to meet SEQE determination. Beltrani-yes, one element of moving the project forward to recommendations to the Town Board with zoning changes. My memo from October has not received any comment/follow-up from the applicant. Denier-that will be addressed.

**3. Site Plan/Lot Line Revision, Glasco Apartments, 260 Glasco Tpke., 2964 & 2966 Route 9W, Rt. 9W, 30 Belknap Ln./off Glasco Tpke.** Presented by Chris LaPorta, Passero Associates. There are no new submittals. We have received the traffic consultant's report and are working on a response. Approval was received from the Army Corps of Engineers to fill in the ponds, pre-construction. Had a meeting with the Glasco Fire Department Fire Chief, Mike Sasso regarding the UCPB's comment to use Mary Street as access. The Fire Chief agrees that it should only be used for emergency access. There are poor sight lines at the intersections to the east and west.

The proposed 9W access has great sight distance. Would like to schedule a public hearing for next month. Will get a letter from the Fire Department confirming their opinion on using Mary Street for gated emergency access only. Post-the traffic report review was received from the Planning Board's consultant, Philip Grealy, and distributed to the Board and applicant. Rich D'Andrea from Colliers was present for Mr. Grealy. D'Andrea-in accordance with standards the consultant is generally in agreement with the applicant's submitted traffic report. The intersection with Riozzi Court, Route 9W and Route 32 is impacted by the increase in traffic volume and an operations traffic signal should be used. At this time there is a bag over that side of the traffic light. Regarding the access from the site onto Route 9W the NYSDOT should have input on location of that entrance/exit, taking into account sight distances. A left turn lane warrants analysis. LaPorta-will be submitting the traffic report to the NYSDOT to address concerns, and will review with the consultant prior to the final report. Beltrani-traffic was the big conversation for this evening's meeting. The Planning Board can schedule a public hearing for next month. SEQR is still outstanding, awaiting a written response to items addressed in the comment letter. The UCPB letter was received, as previously discussed. LaPorta-will be submitting one response letter to address outstanding concerns/comments.

A motion was made by Furman, seconded by Hlavaty, to schedule the public hearing for next month. Board vote: Hlavaty-Aye, Bouren-Aye, Brady-Aye, Tiano-Aye, Goldberg-Aye, Furman-Aye, Post-Aye. Motion carried. Post-further Board questions: Bouren-no, Brady-no, Hlavaty-is there anything in the UCPB comment letter that the applicant does not think is necessary? LaPorta-no. Tiano-no, Goldberg-no, Furman-no, Post-no. Post-that is all the Planning Board can act on at this time.

### **PRE-HEARING CONFERENCE**

**1. Minor Subdivision/Lot Line Revision/Site Plan/SUP, Arthur Green/Sinsapaugh LLC, 1033 Kings Highway/21 Sinsapaugh Lane.** Presented by Matt Mason (architect) and Arthur Green (owner/applicant). The applicant would like to rent space to a recycling business in the portion of one building. There are parking and circulation issues that need to be worked through. The site is located in the Aquifer Overlay district, would this be designated as a "Miscellaneous Manufacturing" business? Beltrani-spoke with the building inspector, Alvah Weeks, regarding this, the Aquifer Overlay zoning district will need to be mapped on the site plan. If the building inspector is not comfortable making a determination we can have the Planning Board attorney look at this application for designation. It is noted that junkyards, salvage and impound lots are prohibited in the Aquifer Overlay district. Would like more information on the operations of the recycling business and where on-site it will be located. Maish Freedman, Planit Waste, presented the recycling business operations. Freedman-family has been in the recycling business for well over 100 years. The purpose of this facility would be to consolidate E-waste (electronic recycling), which would include computer parts, ferrous and non-ferrous metals, etc. Items would be brought in and the vehicle bringing the items would be weighed upon arrival and weighed on the way out after drop off of the items to be recycled. Scrap metal and universal waste would be handled but no hazardous waste would be taken in. Beltrani-the number of parking spaces can be determined by the Planning Board when looking at the use of the space. Will require a list of items to be recycled. Will require a permit with the NYSDEC. Freedman-we are registered to operate for e-waste. Roll-off trucks, dumptrucks, etc will be the primary transportation used to bring items to the facility. The water tower that is on-site is not part of the recycling part of the site plan. Beltrani-for SEQR purposes the applicant submitted the subdivision and site plan at the same time so that the whole project could be reviewed together.

There were no further questions from the Board at this time, more information is needed. Mason-will move forward and address concerns and elements in the Planner's comment memo for the next meeting.

**2. Minor Subdivision, Douglas & Joyce Brayton, 1066 Main Street (Malden).** Presented by Dan McCarthy, *Praetorius & Conrad, P.C.* The applicant proposes to split a .8-acre parcel into two. Parcel 1 will have the existing house and Parcel 2 will consist of an existing garage w/rear deck, in which the applicant will be creating a living space in the rear for residential use. Beltrani-confirm the garage building is considered a principal

residential use. What proportion of the garage is proposed to be residential space. Is there municipal water/sewer for both lots? Both lots do have existing access. The current garage is considered an accessory building to the SFR (Single Family Residence), and will confirm with the Building Inspector that the proposed residential space to be created will be considered residential with accessory garage. Side lot lines should be at right angles unless it is the opinion of the Board to be beneficial. McCarthy-the lot lines were created based on the topography of the land, it was the most practical configuration. Beltrani-this is an Unlisted Action and the Board can schedule a public hearing. Post-Board questions: Hlavaty-no, Brady-the parcel located off Mueller Lane will it require a sewer easement? McCarthy-the garage parcel is located off Mueller, Parcel 1 is connected on Main Street and Parcel 2 does not require an easement as it has access to public water/sewer off Mueller Lane. Bouren-no, Tiano-no, Goldberg-no, Furman-no, Post-no.

A motion was made by Furman, seconded by Brady, to schedule the public hearing. Board vote: Hlavaty-Aye, Bouren-Aye, Brady-Aye, Tiano-Aye, Goldberg-Aye, Furman-Aye, Post-Aye. Motion carried. A motion was made by Hlavaty, seconded by Furman, to declare this an Unlisted Action under SEQR. Board vote: Hlavaty-Aye, Bouren-Aye, Brady-Aye, Tiano-Aye, Goldberg-Aye, Furman-Aye, Post-Aye. Motion carried.

**3. Site Plan, Edward Garcia/Imperial Restrooms, Inc., 3524 Route 32.** Presented by Peter Cantine, Andrew Whitelaw and Ed Garcia (applicant). The applicant is looking to move his existing portable restroom business to the site. There is an existing garage and residential house on the parcel. Currently the applicant operates the business at 40 Van Buskirk Road. Purchasing this location to relocate. Garcia-leaving the site the same as it is. There are usually no more than 20-25 units on site at any one time. The purpose is to have all of them rented and off site as much as possible. Most of the units will be stored within the existing garage and any overflow will be parked in the 100' x 50' area located behind the building. Post-will they be visible from High Falls Road? Garcia-there is an existing wooded area that will act as a buffer. The only change we are proposing is a change of use, which requires a site plan review. The units will be taken off site to high end events, the units are gel-coat fiberglass and are smaller than the current vehicles on site for the existing business. In the process of purchasing the parcel but looking to get approval to do business at this location. Beltrani-any proposed expansion? The block retaining wall in the rear of the building? Whitelaw-no proposed work that is existing. Beltrani-the previous site map from Gambino did not have that information. No public hearing is required for site plan approval, this is an allowed use. Type II Action under SEQR. Referral to the UCPB is not required. Post-Board comments/concerns? Hlavaty-no, Brady-no, Bouren-what will the house be used for? Garcia-it will be used in the same capacity as it currently is being used, part office, part residential. Bouren-what do the units look like? When will they be pumped? Garcia-you can view them at [www.imperialrestrooms.com](http://www.imperialrestrooms.com). We have a License #3A-1135 to transfer sewage, however, they are pumped out before moving. Each unit has a steel septic tank. They will be pumped by a porta potty truck to a designated facility. Tiano-no questions. Goldberg-Are the units returned to the site and then cleaned? What type of cleaners are used? Garcia-pumping of the sewage will be off-site, as described previously, and they will be returned to the site to be cleaned with residential cleaners and re-stocked inside the building. Furman and Post had no questions/comments.

A motion was made by Brady, seconded by Tiano, to approve the site plan as presented for a change of use. Board vote: Hlavaty-Aye, Bouren-Aye, Brady-Aye, Tiano-Aye, Goldberg-Aye, Furman-Aye, Post-Aye. Motion carried.

**4. Major Subdivision, Abe & Nicole Friedman, 159 Band Camp Road.** No one was present.

**5. Lot Line Revision, Patricia A. Williams/Fred DiVito, 187 Charles Smith Road/350 Wilhelm Road.** Presented by Khattar Elmassalemah, *Praetorius & Conrad, P.C.* The applicant is looking to perform a lot line adjustment, Parcel B lies in Green County, Town of Catskill and Parcel A is located solely in the Town of Saugerties, Ulster County. The applicant would like to combine part of Parcel A (12-acres) with Parcel B, which would result in Parcel B straddling the County/Town line. The final size of the lots will be Parcel B-16 acres and

Parcel A-24 acres. Elmassalemah-we have been in contact with the Town of Catskill and they have clarified that the area of the parcel located in the Catskill will be a separate tax lot with a separate tax identification number, requiring Parcel B being filed in both counties. There is no proposed building, disturbance or improvements on the acquired section of Parcel B that will be located in Saugerties. Will update the sketch plat with the correct zoning district and add the flood zone. No changes to the roadway or existing access are proposed. Beltrani-this looks as though the applicant will actually be adding a lot to the Town of Saugerties tax map. Suggest getting the opinion of the Planning Board's attorney, George Redder, if this is actually a minor subdivision not a lot line revision.

Post-poll the Board to see Redder's opinion should be requested prior to moving forward: Hlavaty-yes, Brady-yes, Bouren-yes, Tiano-yes, Goldberg-yes, Furman-yes, Post-yes. Will contact Redder and update the applicant with his response.

### **ADDITIONAL ITEMS**

**1. 44 Pine Tree Lane Subdivision Correspondence-Jacobowitz & Gubits LLP.** The Board received a letter from the aforementioned attorneys office regarding a subdivision that has only been before the Board for an initial meeting. The applicant of such subdivision has been advertising the sale of the lots that are proposed in that subdivision. The letter discussing legal action the Town may be able to pursue for the illegal sale of unapproved lots.

**2. Village of Saugerties NOI-Local Law #2, 2021 Parking Space Amendment.** The Board received a "Notice of Intent" from the Village of Saugerties Town Board to act as lead agency for the aforementioned Local Law #2. Post-does the Planning Board agree the Town Board of the Village of Saugerties should act as Lead Agency on this matter? Hlavaty-yes, Brady-yes, Bouren-yes, Furman-yes, Tiano-yes, Goldberg-yes, Post-yes.

**3. Sherlilly LLC, SUP Extension Request.** Due to the pandemic the applicant is requesting an extension for the SUP, for a period of 1-year. Post-poll the Board to extend the SUP for a 1-year period. Hlavaty-yes, Bouren-yes, Brady-yes, Furman-yes, Tiano-yes, Goldberg-yes, Post-yes. The SUP review has been extended to December 2022.

### **ADJOURNMENT**

A short discussion regarding the return to in-person meetings. The Board is more comfortable staying virtual until it is not an option. Since there was no further business to discuss, a motion was made by Furman, seconded by Hlavaty, to adjourn the meeting. Board vote: Furman-Aye, Goldberg-Aye, Tiano-Aye, Bouren-Aye, Brady-Aye, Post-Aye, Hlavaty-aye. Motion carried. The meeting was closed at 12:01 am.

Respectfully Submitted by,

Becky Bertorelli  
Planning Board Secretary