

## MINUTES FOR MAY 17, 2005

Ten public hearings were scheduled for this meeting and the public was invited to come forward to examine maps and ask questions. William Creen, Chairman, opened the meeting at 7:40p.m. Present were James Bruno, William Creen, William Hayes, Howard Post, John Rinaldo, George Collins and Carole Furman.

Chris Round, Consultant was present. Tom Macarille was present.

A motion by Post, seconded by Hayes to accept the April 2005 Minutes. All in favor, none opposed, carried.

### PUBLIC HEARINGS:

1. Minor-Daniel & Colleen Hagan-Rt. 9W-opened public hearing at 7:42p.m. Maps presented by John Post-35 acres across from antique iron center. There are just 2 lots- 1 has an existing house. No more subdividing. No comments. Mike Vetere will present next month. A motion by Post, seconded by Rinaldo to close hearing at 7:45p.m. All in favor, none opposed, carried. Rec'd receipt cards.
2. Major-Michael Vetere & Mark Tiano-Fortune Valley Estates-Fortune Valley Lane-opened hearing at 7:46p.m. Maps presented by Mark Tiano-4 lots-Will add to right-of-way, put in a cul-de-sac and dedicate that part of the road to the Town. Then will continue road from there with 4 lots off. Has maintenance agreement. Working on topo. Need to pay inspection fees, bond the road and have plan profile reviewed. No comments. A motion by Post, seconded by Hayes to close hearing 7:50p.m. All in favor, none opposed, carried. Received receipt cards. Put on June agenda.
3. Lot Line Revision & Site Plan-Fehr Brothers-Kings Hwy.-opened hearing at 7:52p.m. Maps presented by Bob Carey-building a new building-expanding for storage. Taking a small piece from other lands of Fehr Brothers in order to comply for site plan. Have hired a landscaper to plant maple trees to landscape parking lot. Nothing else has changed- building is for storage. Drainage goes

to pond. No comments. A motion by Post, seconded by Collins for a Neg Dec. All in favor, none opposed, carried. A motion by Post, seconded by Collins to grant Final approval. All in favor, none opposed, carried.

Received 2 signed site plans.

4. Minor-Gil DeMare-Fishcreek Rd.-opened hearing at 7:57p.m.-Maps presented by Gil deMare-existing right-of-way. No comments. A motion by Post, seconded by Hayes to close hearing at 8:00p.m. All in favor, none opposed, carried. A motion by Post, seconded by Hayes for a Neg Dec. All in favor, none opposed, carried. A motion by Post, seconded by Hayes to grant preliminary plat approval, waive submission of Final Plat and grant Conditional Final approval pending owner's signature and paid fees. All in favor, none opposed, carried. Received receipt cards.

5. Minor-Carol Burks-Dave Elliot Road-Maps presented by Jeff Hogan-opened public hearing at 8:03p.m.-7 acres subdividing into 2 parcels of 2 acres and 4 acres. Access is on left side to back. Comments: Bill Trumphour-status of road, sensitive overlay –questionable, should be looked into.

Tiedtke-Has a title search been done-owns on West, there are wetlands and don't they need 4 acre parcels to build and there is a dumping spot by road. Hogan-discussed drive way, can fill in and make a road and they would have to clean the area if they want. Planning Bd.- there is sufficient land. Hogan-received a telephone call from an attorney of a neighbor, Wilson, stating that the pond was to be only shared between the 2 parcels not this new one. Creen-look into that agreement before you get approval. A motion by Post, seconded by Furman to close hearing at 8:11p.m. All in favor, none opposed, carried. Rec'd receipt cards. Will act on when pond issue is satisfied.

6. Major-Suzanne DeBeaumont / Highwoods Development-Dutchtown Rd.-opened public hearing at 8:35p.m -Maps presented by Jeff Hogan-4 lots-This is in two municipalities so will not dedicate road to the Town, will be private. Will avoid wetlands and stream. Comments: Daniel Marazita-what is width of driveway, right of way is less than 100ft. from wetland and was put in illegally.

Creen explained depends on how long it is, homeowner's agreement. Can be close to wetland if no disturbance. If this is a legal problem it is between you and the neighbor and the attorneys. Hogan-it is Federal wetlands and State.

Mrs. Josh Randall-how can they build a house first and now subdivide the property. Creen-they need subdivision approval before the house is sold.

Jan Marazita-what stops them from coming in every year with another building built. Creen-if it is a Town Road and maintained they can build if all is approved by Hwy. Dept., etc. If road is not Town maintained then can build up to 5 lots.

D. Marazita-what do they do if developing in Town of Ulster. Creen-basically the same process as here. A motion by Post, seconded by Rinaldo to close hearing at 8:38p.m. All in favor, none opposed, carried. A motion by Furman, seconded by Hayes for a Neg Dec. All in favor, none opposed, carried. A motion by Furman, seconded by Hayes to grant preliminary plat approval, waive submission of Final plat and grant Conditional Final approval pending owner's signatures. Received receipt cards.

7. Major-John Addrizzo-Churchland Rd.-Maps presented by Tom Conrad - opened public hearing at 8:40p.m.- 3 lots-has 188 acres. Lot 1 is 56 acres, Lot 2 is 20 acres and Lot 3 is 112 acres. Septic on 3 sites. No issue as it is a big piece. Lot 2 could be sold and subdivided further. Comments: Carol Ann DeCico-question on right-of-way to Lot 2. Conrad-met with Hwy. Superintendent. Stanfield-question if developing Lot 2.

Steve Hammerstone-what about Lots 1 & 3 and aren't they in Agricultural District.

Conrad-no plans for 1 & 3-are not in Agricultural District but will check. Discussed how many acres for Agric. District and Bill Trumphour said 7 was 10 acres. It was suggested to go online to check and Conrad said to make sure you verify the information give online. Another question on Kingston Commons right-of-ways-if access becomes invalid. Creen-if abandoned then needs to be signed on again, also depends on how it is written in the deed. Conrad the right-of-way is 12ft. not 10ft. A motion by Post, seconded by Collins to close hearing at 8:45p.m. All in favor, none opposed, carried. Furman is concerned with Lot 3 not having an access. Creen-the Town still maintains up there, not Town specs though. It is a legal access not practical. Could not further subdivide until they obtain an access. A motion by Post, seconded by Collins for a Neg Dec. Furman abstained, motion carried. A motion by Post, seconded by Collins to grant preliminary plat approval, waive submission of Final Plat and

grant Conditional Final approval pending owner's signatures and designate on map an insurable access for Lot 3. Furman abstained, motion carried.  
Received receipt cards.

8. Minor-John Addrizzo-John Carle Rd.-opened public hearing at 8:53p.m.-Maps presented by Tom Conrad. Lot 1 is used for grazing goats. Will subdivide Lot 2. There are 151 acres that RRV wants to purchase. Comments: Jessica Brott-concerned with subdividing. Steve Vining- concerned with access- went to court over it and Judge said to not allow access there. Conrad-has 2 other accesses-shows all access on map if they are there. They will not use that one. It is not landlocked. Do not hinder lawsuit. Creen-show access, cannot subdivide if landlocked.

Jack Heppner-he has a lawsuit in courts now too. They do not have an access thru his property. Do not put in that it is landlocked property because that makes it a must that he needs to give them an access.

Jason Brott-show him exactly where lot is on John Carle Road. Conrad-showed him.

Rinaldo-what about the title overlap. Creen-there are a few like that, it just carries through unless they want to correct it themselves. Conrad received a copy of the lawsuit which he was not aware of. A motion by Post, seconded by Rinaldo to close hearing at 9:08p.m. All in favor, none opposed, carried.  
Received receipt cards.

9. Site Plan-Twin Beaks-Rt. 32-opened public hearing at 9:10p.m. Maps presented by Bruce Utter-7 acres in GB with Gateway Overlay-building retail buildings-134 parking spaces-has water and sewer but needs Health Dept. approval. Comments:

Rose Lattanzio-concerned with tires dumped there, drainage and she will have ponds all around her with West Nile disease, etc. Utter-they will be maintained which is required by the State. Blanca Aponte-concerned with traffic problems, speed and increased flow.

Josh Randall-pending casino will make traffic worse too. Aponte-can Town address with State. Creen-yes, go to Town Board-roads are being taxed by traffic in this whole area-needs to be looked into. A motion by Post, seconded by Hayes to close hearing at 9:16p.m. All in favor, none opposed, carried.

Furman-sewage system. Utter-explained there were no restrooms. Will send to Health Dept. Received receipt cards.

10. Minor-Norman & Alice Heese-Lauren Tice Rd.-opened public hearing at 9:25p.m.-Maps presented by Tom Conrad-6 acres into Parcel A to be 4.5 acres and Parcel B to be 2 acres. Access to Parcel B from Old Rt. 9W and Lauren Tice Rd. for Parcel A. No comments. A motion by Post, seconded by Bruno to close hearing at 9:27p.m. All in favor, none opposed, carried. No Health Dept. approval needed due to 2 acres and fill system. Parcel B has 2 accesses. A motion by Post, seconded by Furman for a Neg Dec. All in favor, none opposed, carried. A motion by Post, seconded by Furman to grant Preliminary Plat approval, waive submission of Final Plat and grant Conditional Final approval pending owner's signature. All in favor, none opposed, carried.

#### OLD BUSINESS:

1. Tom Francello- Rt. 32-Glasco to discuss Chahanovich – drainage problem. Discussed the problems with neighbors major subdivision-received 3 lot approval in 2003 for 3 apartments and another lot received approval in 2004. (Planning Board records show they received sketch plan and closed public hearing – no approvals-need to do a drainage report.) They have not finished the drainage report and have not solved the problem and they have not completed the project. Discussed the Planning Board's process how it should be looked into so this doesn't happen again. Has temporary CO on back lot-which mean open ended. Creen-can revoke CO-if they did not comply. It is an enforcement issue. Francello-just want you to know what is going on. It makes my property value go way down. Mr. Chahanovich-he talked with Paul Andreassen-it is a financial problem-doesn't want property to look like the way it does, did not short cut.

Creen-suggest that Mr. Francello and Mr. Chahanovich work out problems.

2. Site Plan-John Skordilis-Rt. 32N- cancelled from the May meeting.

Collins recused -

3. Site Plan Amendment- TRG Land, LLC / Teicher Organization-Rt. 9W-Glasco- Maps presented by Larry Wolinsky, Esq. Reduction of 80 apartments to 72 condos. No change in infrastructure including storm water plan from the approved site plan of 2004. Town Engineer, Dennis Larios, -reviewed plan in Fall 2003, their Engineer did a lot of work and suggests this would work, were some concerns with onsite infiltration with no course off property. Those options not available and he signed off in January or February 2004. The approved design would not flood neighbors. Teicher will not be happy with ponds and will probably want to seek solution with neighbors to the South. There is no change to the site plan. No reason to revisit storm plan.

Discussion on solutions: Creen: if went with existing ponds but plan for further solutions, like lay pipe to be connected in future drainage, if design is available during construction. Larios-not sure which way the pipe should be laid. Pumping was suggested or even emergency pumping capabilities and Larios said pumping clogs, power might go out, etc. Have 2 developers that have already agreed to help solve the problem, get 3 developers can split the cost and correct their problem. The Crossings are using 30% of land and the rest for ponds and to deal with drainage. Wolinsky agrees to cooperate but not agree to sign up for any solution right now. Macarell-set a meeting and start ball rolling and show good faith. Larios-The storm drainage plan meets New York State approval. A motion by Post, seconded by Hayes to approve the amended site plan. Furman and Bruno opposed, motion carried. Planning Board will write a letter to Teicher Organization to state their good faith in working with neighbors to solve the drainage issues. Received 2 signed site plans. Collins returned

4. Site Plan-Michael Maxwell-Church Rd.-Maps presented by Bruce Utter-update- Working on traffic study and Health Dept. approval. Will have by June meeting.

5. Richard Micucci / Simulaid-Malden Turnpike- Maps presented by Bruce Utter- Has letter from DEC and verbal from Town Engineer. Reviewed Co. Planning Bd. comments including left hand turn. Co. curb cut is in progress. Has public water and sewer. Town Engineer recommend having water and sewer approval locations and storm drainage is fine. A motion by Collins, seconded by Rinaldo for a Neg Dec. All in favor, none opposed, carried. A motion by Collins, seconded by Rinaldo to grant Conditional Final approval pending water and sewer connections, Town curb cut approval and have Ulster Co. look at the need for a left hand turn. All in favor, none opposed, carried.

6. Major-Blue Mt. Builders-Church Rd.-Maps presented by Richard Rothe-4 lots-curb cut is a non-issue and Wells. Has metes and bounds and waiting for Health Dept. approval. Received maintenance agreement. A motion by Post, seconded by Rinaldo for a Neg Dec. All in favor, none opposed, carried. A motion by Post, seconded by Rinaldo to grant Conditional Final approval pending owner's signatures, Health Dept. and curb cut approvals and fees paid. All in favor, none opposed, carried.

#### PRE-HEARING CONFERENCE:

1. Minor-John McLeod – Lee Schackne-Phillips Rd.-Maps presented by Richard Rothe-has existing 16ft. right-of-way-new lot needs Health Dept. approval. A motion by Rinaldo, seconded by Furman to grant sketch approval and to schedule a public hearing for June 21, 2005. All in favor, none opposed, carried.

2. Lot line revision-John Vos-Glasco Turnpike-Maps presented by John Vos-swap a piece off undeveloped lot and a piece off his parcel. A motion by Furman, seconded by Collins to waive public hearing per Section 323. All in favor, none opposed, carried.

A motion by Furman, seconded by Hayes for a Neg Dec. All in favor, none opposed, carried. A motion by Furman, seconded by Collins to grant preliminary plat approval, waive submission of Final Plat and grant Final approval. All in favor, none opposed, carried. Received 4 signed maps.

3. Site Plan-Saugerties Community Evangelical Free Church-Churchland Lane-Maps presented by John Wicks-Building a church-4,300sq.ft. metal building to hold 100 people-35 parking spaces, 450ft. of road, existing drive but moved to right and has curb cut approval. Will maintain the ditch and has topo. There is an easement in back but adjacent to their property. Landscaping will be indicated on map, shielded down facing lighting on a timer. Send to Co. Planning Bd. when plan is submitted and complete. Will pave handicapped area now. Show areas where there will be paving in future. No SPEDES if not disturbing less than 1 acre and show calculations. A motion by Furman, seconded by Hayes for sketch approval. All in favor, none opposed, carried.

4. Major-Henrietta Luhrs / Wayne & Heidi Haynes-Churchland Rd.- Maps presented by Richard Rothe- A motion by Furman, seconded by Hayes to grant sketch approval. All in favor, none opposed, carried.

5. Site Plan-Saugerties Wellness Center-Maps presented by Matt Mason-adding parking spaces and paving and lighting-shielded lights on buildings. Adding landscaping and will block off other entrances. A motion by Furman, seconded by Hayes to grant sketch approval and schedule public hearing for June 21, 2005. All in favor, none opposed, carried. Needs to be sent to Co. Planning Board.

6. Site Plan & Minor-Gas Land Petroleum, Inc.-Rt. 9W-Maps presented by Jeff Hogan for Richard Praetorius-subdivide 5 acres behind gas station and will build apartments. Discussed traffic, landscaping, lighting and drainage. Has 51 parking spaces. Access from Stephen's Drive. Water and sewer down Stephen's Drive. Storm water retention pond. A motion by Rinaldo, seconded by Furman to grant sketch approval and schedule a public hearing for June 21, 2005. All in favor, none opposed, carried.

7. Lot line revision-John & Barbara Baker-Dewitt Drive & Robbin's Lane-Maps presented by Tom Conrad-wants to sell Parcel B and take a piece and add to his other Parcel A. Access is Skyline Drive. A motion by Creen, seconded by Rinaldo to waive public hearing per Section 323. All in favor, none opposed, carried.

8. Minor-Selma Donnelly-Rt. 212-Maps presented by Jeff Hogan-5 acres into 2.5 acres with existing house and remaining. Common driveway access. Might need improvement on curb cut and show improvements on map. A motion by Furman, seconded by Hayes to grant sketch approval and schedule a public hearing for June 21, 2005. All in favor, none opposed, carried.

9. Major-John Mullen-Snyder Rd.-Maps presented by Tom Conrad-5 lots-water tower parcel in middle. Original road to top parcel. Private road to other 2 lots. Do profile 10% grade on road, will have a cul-de-sac and then extend road. Lot 1 access would be private road off cul-de-sac. No Health Dept. approvals,



they are large lots. A motion by Creen, seconded by Rinaldo to extend 1200ft. to 1500ft. an additional 300ft. All in favor, none opposed, carried. A motion by Creen, seconded by Bruno to grant sketch approval and schedule a public hearing for June 21, 2005. All in favor, none opposed, carried.

#### MISCELLANEOUS:

1. Received Zoning Board Minutes on May 9, 2005 – no comments.
2. Goering, Kevin – received 4 signed maps
3. Rudolph Kaisik-received 4 signed maps
4. Susan Bach – received 4 signed maps
5. Reviewed referral from Town of Ulster on Lou-Co and Tiano, Carmen Land LLC-no comments necessary. Will reply to Town of Ulster's referral. Replied on May 18, 2005.

Since there was no further business to discuss, a motion by Rinaldo, seconded by Bruno to adjourn the meeting at 1:00a.m.