



## PLANNING BOARD MINUTES February 19, 2019

The Pledge of Allegiance.

Howard Post, Chairman, opened the meeting at 7:26 p.m.

Present: Howard Post, William Creen, Kenneth Goldberg, Len Bouren, Carole Furman, Michael Tiano, Daniel Ellsworth and Robert Hlavaty (alternate)

Also Present: Dan Shuster (Town Planner) and Paul Andreassen (Liason)

Review of January 15, 2019 draft minutes. A motion was made by Tiano, seconded by Goldberg, to accept the minutes as written. All in favor, none opposed, carried.

### **PUBLIC HEARING(S):**

**1. Site Plan/SUP, Trnka Trust/Solar Generation, 1751 Old Kings Highway.** Public Hearing began at 7:28 pm. Paul McMenemy and Samuel Wilkinson, Solar Generation, presented, the owners were present as well. A brief description of the project was given: 750 KW community solar project which will ideally serve approximately 75 homes through an agreement with Central Hudson customers. The panels will use less than 20% of the lot space and adequate screening will be used. The panels are fixed. Post asked if anyone was present for the Public Hearing or if anyone had any questions, no one present, no questions. A motion was made by Furman, seconded by Creen, to close the Public Hearing. All in favor, none opposed, carried. Closed at 7:31 pm. Post-Received a response to the referral from the Ulster County Planning Board with a recommendation of using an alternative site due to the proposed location being within a County Agricultural District and prime farmland. This type of land should not be developed if the area to be used is greater than 20% of the allocated farmland. Goldberg-The proposed usage is one-third of the property. Bouren-Can still be used as farmland by using farm animals to keep the vegetation controlled. Ellsworth-no harm or damage to the farmland by developing the solar array. Ensure that there will be no stripping of topsoil now or in the future. McMenemy- will not do so, no grading. A motion was made by Furman, seconded by Ellsworth, to override the UCPB's recommendation. All in favor, none opposed, carried. A motion was made by Goldberg, seconded by Bouren, to approve conditional final pending submission and approval of the decommissioning bond to the Town's Attorney. All in favor, none opposed, carried.

**2. 2-Lot Minor Subdivision, Jessica Keil, 233 West Camp Road.** Public Hearing began at 7:36 pm. Presented by Diane and Chip Keil, in Jessica's absence. The applicant would like to subdivide the property on the south side of West Camp Road into two lots. The section of the parcel on the north side of West Camp Road is already considered a separate parcel because it is separated by the town road. A letter has been received from the Town of Saugerties Highway Superintendent showing where a curb cut would be approved if this lot were to be developed. Peter Shoenberger, 174 West Camp Rd., asked what the plan was for the land that is adjacent to them on the north side of West Camp Rd. Keil, C.-no plans currently. Post asked if anyone else had questions, none. A motion was made by Creen, seconded by Tiano, to close the Public Hearing. All in favor, none opposed, carried. Closed at 7:41 pm.

Shuster-requested that the 50' ROW be centered on Clearwater Lane and look into whether there currently a maintenance agreement for Clearwater Lane. A wetland delineation will have to be done before further development can be done on the parcel to be created on the south side of West Camp Rd., will be a condition of the resolution. A motion was made by Ellsworth, seconded by Furman, to approve conditional final contingent on

the receipt of an updated map with the 50' ROW centered on Clearwater Lane, notation added as described regarding development and delineation of wetlands along with any information regarding an existing Road Maintenance agreement for Clearwater lane. All in favor, none opposed, carried.

**3. Site Plan/SUP, Roderick Martin, 209 Lauren Tice Road.** Public Hearing began at 8:00 pm. Presented by Paul McMenemy and Samuel Wilkinson, Solar Generation, presented, the owners were present as well. A brief description of the project was given: 2.4 MW community solar project that will essentially power 240 homes. The panels will be bi-facial and pivoting to follow the sun's path. Plantings of wildflowers, with help from Cornell Cooperative Extension, to eliminate the need to mow under the panels. Angela Morano, 166 Lauren Tice Road, asked how much property will be used? How is the property cleared? How do homeowners participate? Any other projects in the area? Timeframe? McMenemy-Approx. 8 acres will be utilized. Applicants must go through an application process with Solar Generation to participate, and they must be customers of Central Hudson. It will be offered to Saugerties residents first as well as the municipality. Will be advertised when the project is ready to accept applicants. The subscription part of it can take approximately 3 months to complete. There will be no clearing of land, no pesticides or herbicides used. The only disturbance will be the use of pile drivers to install the posts for the solar panels. This and the Trnka project are the only two projects that Solar Generation currently have in Saugerties. Screening plan will be in effect for this project as well, like the Trnka project. Ellsworth-if anyone would like to see what a pivoting system looks like the Esopus Town Hall currently has one. A motion was made by Goldberg, seconded by Furman, to close the Public Hearing. All in favor, none opposed, carried. Closed 8:07 pm.

Goldberg-Just to confirm the process, once the project is up and running an applicant will contact the entity that runs the project, this case Solar Generation, to apply to participate in the community solar. Solar Generation will then contact Central Hudson on their behalf to take care of that aspect, correct? McMenemy-Correct. Advertisements will be in the paper to ensure the public's knowledge of the process/project. Shuster-Need a landscaping map with information regarding the plantings as submitted by Cornell Cooperative Extension. A motion was made by Goldberg, seconded by Furman, to approve conditional final contingent on the receipt of an acceptable decommissioning bond approved by the Town Attorney, details of the Landscaping Plan with planting information provided by Cornell Cooperative Extension. All in favor, none opposed, carried. Ellsworth-note that landscaping will not block the view completely due to the size of the project.

#### **OLD BUSINESS:**

**1. Site Plan/SUP, Sophiedrew Acres, LLC/Bach, Glasco Turnpike.** Presented by Bruce Utter, P&C. The manure storage was moved further from the property line as requested by the Board. Notes were added to the plans regarding the hours of operation and the number of horses on site at any point of time. Landscaping was discussed. Pictures were distributed to the Board to demonstrate different viewpoints of the property. The existing tree line will remain to the East. There is a gap in the tree-line where the outdoor arena will be located. The existing tree line on the north side of the property will remain. The trees along Mary Street will remain and landscaping will be added looking South-West of the existing garage. The trees to be installed be 25' on center and will be a mix of Norway Spruce and White Pine, in between existing trees. Stormwater report will be submitted to Brinnier & Larios, Town Engineer, by the end of the week. Building color is requested to remain white. Tiano-more trees along Mary Street for screening. Utter-Additional trees will be installed behind the Benson & Palladino parcels. Tiano-Landscaping questions were asked on August 21, 2018 & October 13, 2018 regarding pesticides that were sprayed in the past and whether it will be harmful to the horses. An article from the Saugerties Times dated November 29, 2018 was referenced regarding the spraying of pesticides containing neurotoxins in Hurley on Gill's Farm to eliminate an insect infestation of the corn crops. It is believed this same plane was used on the property that is to house this project. What kind of evasive fly will be used? The concern is for existing businesses in the area, one being Mr. Delgasio's Birdhouse business and an existing reptile business. Sanitary conditions? The Horse Stable Manure Management from Penn State Extension were

referenced and distributed to the Board for their review:

- 12 tons of manure and bedding are removed annually from each stall
- 51 pounds of total raw waste a day per horse
- 2 to 3 acres of good pasture are needed per house for summer feeding purposes
- Insects can produce 300 million offspring in about 60 days, what will be the dumpster schedule?
- Water pollution concerns-run off from the waste dumpsters, should be covered to minimize the effects. Also, run-off from field applied manure.
- The minimum separation distance commonly recommended between composting/manure handling activities and residence/business should be 200' to 500' feet

Post-Shuster should do a draft resolution for the next meeting which will address Tiano's questions/concerns. A motion was made by Ellsworth, seconded by Furman, to for a draft resolution to be developed for the next meeting. All in favor, Tiano opposed, carried. An updated landscaping plan will need to be obtained along with answers to Tiano's questions. Ellsworth-PA system, decibel restrictions. Utter-applicant does not want to install one.

**2. Site Plan/SUP, Blue Stone Solar, LLC/Geronimo Energy, Churchland Lane.** Jenny Monson-Miller and Derek Hasek, Geronimo Energy, presented. Two updated landscaping plans were submitted to the Board for review. One included screening along the Thruway and the other did not. Ellsworth-there is only a short period of time that the area to be developed is visible from the Thruway, screening should not be required. Furman-there is fencing, will there be any destruction of existing screening along Thruway? Monson-Miller-no destruction and the fence will have the wildlife openings as required. Shuster-may want a landscape expert to look at plans to ensure that the plantings will thrive in the area. Ellsworth-plantings/screening will be required to be kept up as part of their building permit. A motion was made by Ellsworth, seconded by Furman, to accept the landscaping plan as submitted without the screening along the NYS Thruway. All in favor, none opposed, carried.

**3. Site Plan/SUP, Catskill Animal Sanctuary, Old Stage Road.** Barry Medenbach, Medenbach & Eggers, P.C., presented. Also present; Colleen Schropfer - Catskill Animal Sanctuary Deputy Director. The Planning Board had requested an archeological study at the last meeting. A letter was received from NYS Parks, Recreation, and Historic Preservation stating that based upon their review the project will have no impact on archeological and /or historic resources. A letter was reviewed from a concerned citizen that there were archeological resources on that land. The Board concurs with the NYS Parks, Recreation and Historic Preservation's opinion on the matter. This is considered an unlisted action under SEQR. A motion was made by Goldberg, seconded by Furman, to approve a Neg. Dec. All in favor, none opposed, carried. A motion was made by Goldberg, seconded by Furman, to schedule the Public Hearing for March 19, 2019. All in favor, none opposed, carried. A motion was made by Goldberg, seconded by Furman, to refer to the Ulster County Planning Board. All in favor, none opposed, carried. Tiano made a request that a standpipe be installed in the pond across the street for Fire Department access/use in the case of an emergency. Schropfer-will discuss with owner of property that contains the pond.

#### **PRE-HEARING CONFERENCE:**

**1. 3-Lot Major Subdivision, Jeffrey Zahn & Tana Bigelow, 841-847 Blue Mountain Road.** The owners presented. The applicants propose to subdivide a 55-acre lot into 3 parcels. The current parcel has three houses on it. The purpose is to create a lot for each of the existing homes. There are Federal Wetlands on the west side of the stream, there are none designated on the Blue Mountain Road side of the property. Shuster-the land is zoned LDR, but it has a Sensitive Area Overlay which will require each parcel to be at least 4-acres, as opposed to the 2-acre minimum required for an LDR district. The applicants will have to go before the Zoning Board of Appeals for an area variance and receive approval before the Planning Board can take further action. They could

also revise the subdivision plan to ensure that each parcel to be created will have at least 4-acres, as required by the zoning law. There is currently a road that creates access for the proposed parcels, a road maintenance agreement will have to be created. No further action can be taken by the Board at this time.

**2. 2-Lot Minor Subdivision, Maryanne & Richard Erickson, 320 George Sickle Road.** Presented by Dan McCarty, Praetorius & Conrad, P.C. The applicants wish to subdivide 15-acre parcel into two lots, creating a 10-acre lot, with the existing house and a 5-acre-lot. They would like to build a house on the 5-acre lot in the future. Shuster-the proposed subdivision complies with the zoning regulation sand the site does not exhibit any sensitive features.

A motion was made by Goldberg, seconded by Furman to declare an Unlisted action under SEQR. All in favor, none opposed, carried. A motion was made by Goldberg, seconded by Furman, to approve a negative declaration. All in favor, none opposed, carried. A motion was made by Goldberg, seconded by Tiano, to schedule the public hearing for March 19, 2019. All in favor, none opposed, carried. Post-plot septic location on map for Public Hearing.

**3. Lot Line Revision, Christine Kelly, 202 & 206 Goat Hill Road.** Don Brewer, Brewer Surveying, presented. Currently there are two homes on one lot and the applicant would like to revise the lot line so that each home will be located on a separate conforming parcel. One lot will be 1.369 acres and the other 3.725 acres. This application was sent to the Woodstock Planning Board for comment, since it is located on the Town line. The location map was included in the updated map and different line was used to demonstrate the new proposed lot line. Furman-access to the smaller of the two lots? Brewer-access will be from View Road, private road with an existing ROW that is in the deed and referenced on the map.

A motion was made by Goldberg, seconded by Tiano, to declare a Type II action under SEQR. All in favor, none opposed, carried. A motion was made by Goldberg, seconded by Furman, to approve the lot-line revision pending receipt of required signatures and payment of outstanding fees.

**MISCELLANEOUS:**

**1. Site Plan/SUP, AutoZone, 285 Ulster Avenue.** The Board received a copy of the application from AutoZone, which will be on property located in the Village, for review and comments. The proposed exit on to Railroad Avenue is in the Town jurisdiction. The Town Highway Superintendent has approved the location of the exit and the Board concurs with his decision. The curb cut that will be located on Route 212 is located within the Village jurisdiction, DOT has approved. Shuster-Ulster County Planning Board raised the question as to whether the Town Zoning Law prevents commercial driveway through residential district. There is noting on record in the zoning law. At this point the Planning Board have no comments/concerns.

**2. Water Advisory Committee-** A letter was sent to the Board requesting that the water department be notified when the water district will be significantly affected by a proposed project. The Board concurs and will do so.

**Adjournment:**

Since there was no further business to discuss, a motion by Creen seconded by Furman, to adjourn the meeting at 9:27 pm. All in favor, none opposed, carried.

Respectfully Submitted by,

Becky Bertorelli  
Planning Board Secretary