



PLANNING BOARD MINUTES November 19, 2019

Howard Post, Chairman, opened the meeting at 7:32 p.m.
Pledge of Allegiance.

Present: Howard Post, William Creen, Ken Goldberg, Carole Furman, Len Bouren, Mike Tiano, Daniel Ellsworth and Robert Hlavaty (alternate)
Also Present: Dan Shuster (Town Planner)

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

PUBLIC HEARING(S):

1. Minor Subdivision, Martec/Demetri Kolokotronis, 44 Pine Tree Lane. Presented by Mike Vetere III, Vetere Land Surveying, for the applicant. Public hearing was opened at 7:33 pm. The applicant would like to subdivide a 4.791+/- acre lot from a larger, 19+/- acre lot, creating two lots. There is already a driveway into the proposed new parcel, received letter from the Town Highway Superintendent that there is already an existing curb cut for this particular property. An existing house is on the 19+/-acre and will remain on the larger. Post-is anyone present for the public hearing. Public comments were as follows:

- Augusta Lane, 65 Pine Tree Lane, this property is located in the Sensitive Area Overlay district, how does the subdivision comply? Vetere-do not believe that it is located in the Sensitive Area Overlay district but even if it is the setbacks and size of the lot still meet the zoning requirements as set forth by the Town Law. Lane-There is a trout stream that runs through the property and flood zone. Vetere-have met all the required buffers/setbacks for the stream and will not be disturbing with the subdivision. This property is not located in a floodplain, Federal or State. Lane-There is no drainage at the existing drive to the new parcel to be created and it runs off into our property, will that be corrected? Vetere-there has been no indication from the Highway Department that there is an issue that needs to be addressed and the curb cut that is there meets their requirements with not changes to be made. Lane-There has been erosion to the stream banks on the property in question by the applicant, will that continue? Vetere-that is something that is not a concern to be addressed at this time with this application. If there is a concern it should be addressed to the DEC if it is felt that the applicant is doing something to erode the banks of the stream. Lane-the applicant has dredged the property and a letter has been sent to the DEC to slow down the erosion but there have been no results or actions taken. Post-the Board will take it under advisement and get in touch with the Building Department to see if there is anything that they need to address but it does not have any bearing on the decision of this application. Vetere-DEC has been involved and has looked at this issue on more then one occasion. Post-it will have no bearing on your application, but we would like to address it the best that we can.

Post-is anyone else present with concerns/comments? No. A motion was made by Creen, seconded by Furman, to close the public hearing. All in favor, none opposed, carried. Closed at 7:46 pm.

Goldberg-anything regarding feasibility of septic? A letter of sewage treatment disposable system installation feasibility was received from Mark Tiano, P.E. determining that the property is suitable for such installation. Ellsworth-are they raising the road or changing it in any way? Vetere-no need for further development. Issue of drainage would be by request of Doug Meyer, but not by the Planning Board. Ellsworth-we certainly do have

the right. We have the right to address any issues and request that another Town Department be involved to look at those issues our Board is concerned about. Tiano-second paragraph of feasibility letters states that the soils are well drained but in the third paragraph it states the soils are sometimes poorly drained? Vetere-believe that the engineer was referring to hydraulic soils in pockets, there 5-acres of land and there are multiple places that a septic can be built. We do a letter like this to demonstrate there are several spots on the property that a septic system can be installed which allows a buyer to place a house in different locations and not be restricted to one area.

A motion was made by Furman, seconded by Creen, to approve the 2-lot subdivision as described. All in favor, none opposed, carried.

*Upon review of the zoning district overlay map in the meeting it was determined that the property does lie in the Sensitive Overlay District.

2. Minor Subdivision, Meyer & Naomi Rothberg, 420 Charles Hommel Road. Presented by Dan McCarthy, Praetorius and Conrad, P.C. Public hearing was opened at 7:50 pm. The applicant would like to subdivide Parcel 1, a 10+/- acre lot with existing house, from a 56-acre lot. The remaining, Parcel II, will be 46+/- acres and will be donated to the Woodstock Conservancy along with an adjacent 29-acre lot for access to the larger lot. Post-Is there anyone present for the public hearing with questions/concerns? Public comments were as follows:

- Elizabeth Silverman, Manorville Road-what will be happening to the larger lot, will the conservancy create trails/parking lot? Rothberg-the idea is that they will keep it as protected land/conservancy.

Post-anyone else present with questions/concerns. No. A motion was made by Creen, seconded by Ellsworth, to close the public hearing. All in favor, none opposed, carried. Closed at 7:57 pm.

Tiano-it is not for the Planning Board or the applicant to say what someone will do with the property once they have acquired ownership. Post-if they do want to develop in any way they would have to come back before the Planning Board for a Site Plan review and approval. Shuster-a condition of the approval could include a note that the 45-acre lot is not a building lot and can not be considered buildable until an access road is developed to the standards as set by the Town for private rural roads.

A motion was made by Goldberg, seconded by Tiano, to approve the subdivision with the condition that a note be made on the final map indicating that the larger 45-acre lot is not a buildable lot and can not be considered buildable until an access road is developed to the standards as set by the Town for private rural roads. All in favor, none opposed, carried.

3. Minor Subdivision, Ronald & Donna Beiter, 54 Brink Road. Presented by Tom Conrad, Praetorius & Conrad, P.C. The public hearing opened at 8:04 pm. The applicant would like to split one parcel into two, a parcel they are in the process of buying off Rivka road that will create access. Post-anyone present for the public hearing. No. A motion was made by Creen, seconded by Ellsworth, to close the public hearing. All in favor, none opposed, carried. Closed at 8:06 pm.

Ellsworth-the applicant does not own the property that the access is being created, correct? McCarthy- in contract to purchase, completion of this subdivision will be contingent on acquiring that parcel. Post-place a condition that until the Right of Way is in place this is not a buildable lot. Ellsworth-the road will be over 300' ft. long. Conrad-will be adding the cul de sac at the end of the road. Shuster-it will be a private rural road and will have to be approved by the Town Highway Superintendent.

A motion was made by Ellsworth, seconded by Bouren, to approve the 2-lot minor subdivision contingent on the 50' ROW being obtained. All in favor, none opposed, carried.

OLD BUSINESS:

1. Site Plan/SUP, Porter & Sara Fox, 252 Charles Hommel Road. Post-there was an error by the Town newspaper and the legal notice was not printed for the public hearing regarding application, as required by Town Law. Therefore the public hearing will be postponed until the December meeting. Notice was sent out by the owner, via certified mail, return receipt requested, before knowing that the public hearing would have to be postponed. Is anyone present with questions that can be presented to the applicant for follow-up at the December meeting? The applicant is not present, but the questions will be noted.

- Edward Pelham/Tami Pelham-397 Manorville Rd-several concerns regarding the existing container cabins; fire access, potable water, hiking trails?
- Richard Lansky/Kate Stickley-402 Manorville Rd-this has previously been advertised on the web as a business without the SUP? Post-this was just brought before the Board last month and was referred to us by the Building Department. If it has previously been advertised, we have no knowledge of that. We are responsible for the application at this point. Stickley-does the SUP go with the deed if the owners decide to sell the property in the future? Post-yes, we usually set up a 1-year re-visit of the application, once approved, to ensure that the stipulations of the SUP are being followed. Stickley-What is that actual title of this facility? Shuster-Lodging facility. Stickley-how are Airbnb's regulated, as the existing container cabins were being advertised like an Airbnb? Ellsworth-Airbnb is a name brand and they will advertise what ever a homeowner has to offer. Post-suggest starting with the Town Board regarding the regulations of Airbnb facilities, we do not have regulations, specific to them, that we enforce as a Planning Board, at this time.

Post-any additional questions should be held for the public hearing that is set for December 17, 2019.

2. Site Plan/SUP, Autocamp/Family Real Property Holdings, LLC, 882 Route 212. Ellsworth-recused himself from review of this application as he is a neighbor. Presented by Bruce Utter, Praetorius and Conrad, P.C. Also present: George Rodenhausen (Attorney). The applicant will be using existing the 95-sites, some have water/sewer; 85-RV Sites (some Airstream RVs and some mobile cabins) and 10-platform tent sites. The existing access roads will be used. Revising the existing recreational areas for parking, everyone will park in the main lot and be brought to their rented site via golf cart. The road will only be used by staff and emergency access vehicles. Lead Agency request was set out, responses were received from the DOT and DEC with no objection to the Town of Saugerties Planning Board acting as Lead Agency. The 30-days have lapsed for response. A letter was received from the NYS Parks, Recreation and Historic Preservation Department stating that no further archeological studies are needed and there will be no impact on archaeological or historic resources on site. Two lighting plans are being submitted at this time as the applicant is debating which they would like to move forward with. Hoping that both can be approved so that there is no delay in the process and the applicant can choose when ready. Lighting plan #1 has 15' high lighting posts spaced along the roadways with downward lighting. Scattered 60' – 80'. Lighting plan #2 has bollards on both sides of the roads throughout. Concern would be during the winter months and the difficulty the bollards will cause for snowplowing.

A motion was made by Bouren, seconded by Furman, to refer to the Ulster County Planning Board as required, it is located on a County Road, Route 212. All in favor, none opposed, carried. Shuster-attached Part #3 of the EAF form, to the monthly reviews. A motion was made by Goldberg, seconded by Tiano, to approve the Negative Declaration with acceptance of Part #3 as submitted. All in favor, none opposed, carried.

Shuster-recommend that the grading plan be referred to the Town Engineer for review and comments. Will need more clear detailed lighting plan and a more detailed landscaping plan for the entire site. Utter-shifted the

stormwater areas and will be able to add additional landscaping in the areas that they were. The applicant would like the entrance to be meadow like, so looking to put plantings that fit that style but do not grow too tall for sight distance reasons when leaving the facility. Shuster-clean up the entrance plan so it is easier to visualize. Utter-a plan was submitted to show a basic site landscaping plan. Furman-are there concrete pads on each site? Utter-no, they are gravel sites with decks to be installed. The sign detail was shown; pole mounted sign, internal lighting and w/in 10' of existing sign. Tiano-do they plan to be year around? Utter-the tent area will be closed during the winter months and hoping to start with a % that they will offer year around with hopes to increase with demand. There is a note added to the site plan stating that there will be no amplified music on-site between 10:30 pm and 10:30 am. Shuster-needs to be changed to no amplified noise. Utter-taking in to account the requested changes/additions the applicant would like to move forward with a public hearing.

A motion was made by Goldberg, seconded by Furman, to set the public hearing for the December 17, 2019 meeting. All in favor, none opposed, carried.

PRE-HEARING CONFERENCE:

1. Lot Line Revision, David & Marie Mills/Marilyn Cooke, 460 Dave Elliot Road. Presented by Dan McCarthy, Praetorius & Conrad, P.C. The applicant is in the process of purchasing a small parcel from their adjoining neighbor, Marilyn Cooke, to provide access to an otherwise landlocked parcel they own. Access will be from Dave Elliot Road. Shuster-are their plans to extend that access to the parcels to the north that are also currently landlocked? McCarthy-not in the plan at this time. Shuster-the application satisfies the basic standards required. A motion was made by Goldberg, seconded by Tiano, to declare this 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. All in favor, none opposed, carried.

2. Site Plan, Konrad & Susanna Kaletsch, 211 Tissal Road. This application was #3 on the agenda but was moved up at the meeting. Presented by Scott Budik for the owners. The owners would like to build an echo 2-car garage with a green roof to fit in the grade of the property. There will be minimal downward lighting and the building will be one story to fit in the natural layout of the parcel. Shuster-the applicant is only in front of the Planning Board because the parcel lies in the Waterfront Overlay District. It will need to be referred to the Ulster County Planning Board because it is located adjacent to the Esopus Creek. A public hearing is not required. 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 Furman, seconded by Bouren, to refer to the Ulster County Planning Board. All in favor, none opposed, carried.

3 Lot Line Revision, Rolf Olsen, Sr., 1354 Route 212. Presented by Tom Conrad, Praetorius and Conrad, P.C. The applicant would like to make several lot line revisions on three adjoining lots, leaving an additional parcel untouched, that he currently owns to relocate the access to Lot 3A. Lot 4 is currently a flag lot with access from Route 212 along the north side of Lot 2 & Lot 3. The adjacent owner, to the north, would like to purchase Lot 3 but to do so the access to Lot 4 must be changed to eliminate the flag lot section that runs north of Lot 3 for access. The applicant would like to do the following:

1. Combine the existing flag lot portion of Lot 4 that runs through Lot 2 with Lot 2. Increasing the size from 5.995-acres to 6.75-acres.
2. Combine the flag lot portion of Lot 4 that runs through Lot 3 with Lot 3.
3. Move a small .169+/- acre section of Lot 2 to Lot 3 so that it lines up with the existing lot line of the neighbor to the north's property, which is looking to purchase Lot 3, when purchased access will be via an existing driveway off Quarry Ridge Road. Increasing the size from 8.3-acres to over 9-acres.
4. Move the access of Lot 4, via a 20' wide ROW through Lot 2, off Route 212, to the south part and through Lot 3 with a 50' ROW to Lot 4. With the lot line revisions requested Lot 4 will decrease from 24-acres to approx. 22-acres.

Conrad-Shuster made a comment in his review that there is an unusable section of Lot 2 that is being created with the ROW to Lot 4, which might be better included in Lot 3. Will discuss with the applicant, make sense. The ROW through Lot 2 will have to be brought up the required 50' width. Shuster-the proposed access for Lot 3 via the driveway off Quarry Ridge Road may have to be brought up to the Town's Private Rural Road standards once it is serving two or more units and more than 300' in length. Shuster-Complicated lot line revision no further action can be taken by the Board until a more concrete map is submitted. Ellsworth-new ROW does Lot 3 have access to ROW. Conrad-there are no intentions of using it. Ellsworth-make sure the entire ROW from Lot 2 and Lot 3 follows the standards set by the Town.

No further action can be taken by the Board at this time.

5. Minor Subdivision, Mary Spinac/Horsebreed Realty, Inc., 431 Shear Road. Post recused himself. Presented by Tom Conrad, Praetorius & Conrad, P.C. The applicant would like to separate the house with five acres from the parcel that is owned by Horsebreed Realty, Inc. Ellsworth-is the septic on the section of the parcel the applicant wishes to subdivide? Conrad-yes everything is being subdivided so that all setbacks are met. 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 set the public hearing for the December 17, 2019 meeting. All in favor, none opposed, carried.

OTHER BUSINESS:

- **Lot Line Revision, Lisa Kirk/Tana Agostini, 1076/1066 Glasco Tpke.** Approved on July 15, 2019 and the final maps were signed on August 27, 2019. However, they were not filed with the Ulster County Clerk's Office within the 62-day timeframe. Need to be re-approved and signed/dated. A motion was made by Creen, seconded by Tiano, to re-approve and re-sign/date. All in favor, none opposed, carried.

ADJOURNMENT:

Since there was no further business to discuss, a motion by Bouren, seconded by Creen, to adjourn the meeting at 9:13 pm. All in favor, none opposed, carried.

Respectfully Submitted by,

Becky Bertorelli
Planning Board Secretary