



## PLANNING BOARD MINUTES March 18, 2025

C. Howard Post, Chair, opened the meeting at 7:34 p.m. Pledge

Present: C. Howard Post (Chair), Carole Furman (Vice Chair), Mike Tiano, Kevin Brady, Gina Kiniry and Brandon Schiller (alternate).

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

Absent: Bob Hlavaty and Al Riozzi

The draft minutes of the February 18, 2025 Planning Board meeting were reviewed. A motion was made by Tiano, seconded by Furman, to approve as written. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Brady-Aye, Kiniry-Aye. Motion carried.

### **PUBLIC HEARINGS**

**1. Minor Subdivision (2-Lot), Cindy Lam, 1601 Glasco Turnpike.** Presented by the agent, Stefan Markovics. The applicant is proposing a 2-Lot subdivision on the 17.39 acre parcel, one parcel 10-acres and one 6-acres. The applicant is proposing one single family residence and one driveway on the parcel with 6-acres and the remaining lot to remain vacant at this time. 8/10 of an acre of disturbance is proposed. The applicant has notified the Army Corps of Engineers.

Post opened the public hearing at 7:36 pm. Public Comments:

- David Miller, 1585 Glasco Turnpike - are any wetlands being disturbed? The applicant's agent provided a copy of the map for Mr. Miller to review. There is a small section of the wetlands that will be crossed with the driveway and contact with the Army Corps has been made. Any necessary permits will be obtained.
- Rowan Dordick, 523 John Joy Road - concerns about wetlands as well. The applicant shared the map of the plans with Mr. Dordick to show him where any impact may be from the construction of the driveway.

Post asked if there were any additional comments/concerns from the public. There were no comments. A motion was made by Furman, seconded by Brady, to close the public hearing. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Brady-Aye, Kiniry-Aye. Motion carried. The public hearing was closed at 7:43 pm.

Beltrani-consulted with the Town Engineer regarding the development of the 10-acre parcel in the future and what the Planning Board's requirements should be at this time. The applicant has demonstrated that the parcel is able to be developed. The previously requested recommendation to include a note for future development does not need to be added. The Planning Board can add the administrative comments regarding what needs to be added to the final plat along with the date of the wetland delineation as a condition of approval. The applicant has contacted the Army Corps of Engineers regarding the wetland impact. A NYS DEC jurisdictional determination should be provided and any requirements followed. Post-compliance with the NYS DEC updated regulations regarding freshwater wetlands will be the home owner's responsibility. Furman-agree. Kiniry-what does that entail? Beltrani-consultant determination, 60-response window. Post- NYS DEC is backed up, this could hold up a decision on the Planning Board if we do not leave it to the home owner to ensure that all requirements are followed. Beltrani-the applicant has been advised that an Impact Permit may be required and they are aware that

they should seek one. Post-this will be left to the home owner to follow-up, as required by the new regulations. Board agreed.

A motion was made by Tiano, seconded by Kiniry, to adopt a negative declaration under SEQR. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Brady-Aye, Kiniry-Aye. Motion carried. A motion was made by Brady, seconded by Furman, to approve the minor subdivision the inclusion of administrative requirements and notation of wetland delineation on the final plat. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Brady-Aye, Kiniry-Aye. Motion carried.

**2. Major Subdivision (3-Lot), Mark & Samantha Tiano, Old Stage Road.** Presented by the owner, Mark Tiano and the surveyor, Mike Vetere. The applicant is proposing a three-lot subdivision on 25.7+/- acre parcel located off Old Stage Road. Lot 1 to be 5.5+/- acres, lot 2 to be 5+/- acres and lot 3 to be 15+/- acres. A 100' "Privacy Easement" is proposed to run parallel with Route 9W to preserve visual impacts and protect the Esopus Creek.

Post opened the public hearing at 7:52 pm. There was no one present from the public. A motion was made by Furman, seconded by Kiniry, to close the public hearing since there were no comments/concerns to be heard. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Brady-Aye, Kiniry-Aye. Motion carried. The public hearing was closed at 7:54 pm.

Vetere-we have been working with the Town Engineer regarding stormwater management. Will address outstanding recommendations regarding septic. A SWPPP (Storm Water Pollution Protection Plan) is not required. Beltrani-the "Privacy Easement" that will be included as a deed restriction will have to be reviewed by the Planning Board attorney. Part I and Part II of the EAF were provided by NPV for review and approval. If the Board has any concerns regarding visual impacts from 9W they should be addressed. Post-asked the Board. No concerns.

A motion was made by Tiano, seconded by Kiniry, to re-approve the adopted negative declaration under SEQR. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Brady-Aye, Kiniry-Aye. Motion carried. A motion was made by Furman, seconded by Tiano, to approve the major subdivision with the conditions of approval from the PB Attorney regarding the "Privacy Easement" and addition of certification of septic system for each parcel, as per the Town Engineer. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Brady-Aye, Kiniry-Aye. Motion carried.

**3. Major Subdivision (3-Lot), Western Sullivan Properties/Jan Marazita, 236 Dutchtown Road.** Presented by Chis Manello, owner. Proposing a 2 lot subdivision on a parcel that was previously subdivided from the lot owned by Marazita.

Post opened the public hearing at 7:57 pm. Monello-proposing a single family residence on each parcel. Had a site visit with members of the Planning Board (2) to do a walk thru of the property to mark trees larger than 6" in diameter, as required by the zoning law. Public Comments:

- Kevin Woods, 196 Dutchtown Road - would like to see the exact locations of the proposed homes. Monello showed Mr. Woods the proposed locations indicated on the subdivision map.

Post-any additional comment/concerns from the public. None. A motion was made by Furman, seconded by Tiano, to close the public hearing. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Brady-Aye, Kiniry-Aye. Motion carried.

A motion was made by Kiniry, seconded by Brady, to adopt a negative declaration under SEQR. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Brady-Aye, Kiniry-Aye. Motion carried. A motion was made by Tiano,

seconded by Kiniry, to approve the major subdivision. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Brady-Aye, Kiniry-Aye. Motion carried.

## **OLD BUSINESS**

**1. Site Plan, Pond View Apartments, 14 Stevens Court.** Presented by Bruce Utter, Praetorius & Conrad, P.C. The applicant is proposing a 24-unit apartment complex. Beltrani-many of our planning comments have been addressed by the applicant. Utter-will be adding circulation signs to plans. An operation and maintenance agreement between the two parcels will be submitted for review. Landscaping in the parking area is to be addressed. In the past we have always included end aisle and center aisle landscaping. To get to the 20% of the gross parking area in the smaller parking lots is hard to do. Ensuring circulation and emergency access creates a difficulty with meeting the landscaping requirement. Other Towns calculate the required landscaping on a scale of the project. Betrani-screening from adjacent parcels will be important and if the Board is comfortable with the proposed landscaping within the parking area they can approve as is. Utter-there is landscaping proposed throughout the site. Foundation plants in front of the buildings, landscaping around the stormwater retention area, can propose some trees behind the buildings. A 6' stockage fence is proposed along the north side of the property and a 4' stockade fence is proposed along the south side of the property. Furman-maybe look at some trees to the south for screening. Beltrani-some screening should be incorporated on the western side of the property to screen between the residential and commercial use. Utter-UCPB has recommended sidewalks along Route 9W. The applicant is not proposing any changes to that parcel. It would be a significant cost and difficult to install safely in that area. Beltrani-that parcel is not being changed in any way so it would be a significant added cost to the applicant. Utter-if the State wanted to add sidewalks in the future the applicant would be willing to discuss allowing that and sign an agreement as such. Can add a note on the plans to address that agreement. The recreation that is proposed is the walking path around the stormwater retention pond. No playground is proposed. In response to the Planner's comment memo, proposing bluegrass/rye grass mix. Can switch out inkberry for boxwood. There is a dry detention area to the west so will have to be cautious about what can be planted in that area. UCPB comment stormwater management is being addressed. The applicant has an open SWPPP, will update accordingly to comply with current regulations and submit to the Town Engineer for review and comment. The existing stormwater retention pond is manmade. Beltrani-the State is looking at wetlands as any depression or waterbody. It is up to the applicant's discretion how they would like to move forward with the wetland concerns. Doesn't quite meet the meaning of a wetland but may want to submit to the NYS DEC for a jurisdictional determination and see where it goes. The fire department has no comments.

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

**2. Site Plan Amendment, Total Tennis, 1811 Old Kings Highway.** Presented by the owner, Edward Fondiller and Evan Ambrose, Total Tennis. The applicant received approval for the required 15.2' front yard setback area variance from the Zoning Board of Appeals on March 3, 2025. The applicant is proposing to install a 43'x 123' building that is 20' in height over an existing pickle ball court. One light is proposed at the entrance to the building. Existing landscaping/vegetation to remain. The County comes and cuts the vegetation along the road back all the time. In response to the UCPB comments regarding additional landscaping, it is difficult to plant trees near a tennis/pickle ball court because the roots can grow under the courts and raise them up. The road is at a higher elevation than the area where the structure will be built and you will only see about half of the building height from the road. Post-the addition of one tree on the west side of the entrance, outside the sight line, would be sufficient for the Planning Board. Fondiller-we can do that. The comment regarding grading and water disbursement, there will be no grading or water disbursement from the addition of the building. Beltrani-the Planning Board has the ability to override the UCPB recommendation for re-ferral with a supermajority vote as long as they feel comfortable with the addition of the tree to the west of the entrance sufficient. The application was already referred to the UCPB by the Zoning Board of Appeals. The plans should be updated to include a note with the date of the ZBA variance approval.

A motion was made by Furman, seconded by Tiano, to override the recommendation of the UCPB for re-referral. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Brady-Aye, Kiniry-Aye. Motion carried. A motion was made by Tiano, seconded by Brady, to adopt a negative declaration under SEQ. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Brady-Aye, Kiniry-Aye. Motion carried. A motion was made by Kiniry, seconded by Furman, to approve the site plan amendment for installation of a building over the existing pickle ball court. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Brady-Aye, Kiniry-Aye. Motion carried.

**3. Major Subdivision (5-Lot), Littleton Partners, LLC, Goat Hill Road.** Presented by Darrin Elsom, Kaaterskill Associates. The applicant is proposing a 5-lot subdivision of the 30.1 acre parcel. Topography has been provided and preliminary plans submitted. Littleton Partners, LLC is the applicant, Holtz Surveying is providing the survey and Kaaterskill Associates are the agents. A walk thru with 2 planning board members was done in the fall to look at topography and do tree markings. Post-noted some standing water by the road. Will the applicant have that tested for heavy metals? Just an advisory comment that the applicant may want to think about soil/water testing on the site. There were reports and a case of illegal dumping in that area. Elsom-it did not show up on the NYS DEC database for contamination and spills. Will talk to a professional, Spectrum Environmental. Post-Region 3 is aware of the litigation around this.

Elsom-wetland delineation will be noted, with the date, on the maps. Will be replacing a culvert pipe. Will acquire a blanket water quality certification. Aware that we will need to submit for a jurisdictional determination from the DEC pursuant to the revised NYS Wetlands Regulations or will have to hire a consultant to review the wetlands and 100' buffer area, as required. Not coming into the subdivision at the same point of the existing driveway. Will require a road maintenance agreement for the private rural road that will be created. The site has not been flagged with archeological significance. Beltrani-SHPO not required. NOI will need to be circulated once the updated EAF is received. Elsom-will submit.

A motion was made by Furman, seconded by Brady, to circulate the NOI once the updated EAF is received. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Brady-Aye, Kiniry-Aye. Motion carried.

### **PRE-HEARING CONFERENCE**

**1. Site Plan/SUP, Cellco d/b/a Verizon Wireless, 417 Washington Ave. Extension.** Presented by Scott Olsen, Esq. (Young/Sommer) and Nathan Keenen (Tectoni Engineering & Surveying Consultants, P.C.). Olsen-the applicant has made an agreement with the Town Board to install a telecommunications tower on the Town owned parcel located at 417 Washington Ave. Extension. A resolution has been submitted with the application, approved by the Town Board. Verizon will complete the lease paperwork within the next couple of weeks. The Recreational Business zoning district does not permit cell towers. However, the Town Board used the Monroe Balancing Test to examine the current project. They have determined that the proposed project is immune from the Recreational Business zoning district restriction based on the balancing of public interest. The applicant will not be required to go to the Zoning Board of Appeals for a use variance. The applicant needs to acquire approvals for a Site Plan and Special Use Permit. The proposed site meets all required setbacks. An 80' monopole is proposed to ensure that the deficiency in the current service area between I-87 and the Hudson River is addressed. Page 22 & 23 of the submission packet demonstrates the existing service deficiency in the area. The monopole will be located on the ridge of the property. Emissions compliant with FCC regulations/requirements. The proposed cell tower shall provide no health issues to the surrounding population/general public. The exposure is considered safe with no issues. A computer generated viewshed map was provided with submission. It demonstrates areas surrounding the site that may and may not have visuals of the site. The applicant is able to do a balloon test, which will require notification to surrounding property owners, and a rain date will be provided as well. Post-the Board would like a balloon test with visuals from certain areas with and without vegetation. Olsen-will draft a notice. Furman-concerns with emissions, the public will have them as well. Olsen-using radio signals with electronic pulses. No microwaves are being used. Fiber is being used, it is much faster and reliable. Tiano-concerns regarding how it will affect children and areas, right above a public park of ball fields, soccer fields and tennis

courts. Can the monopole be extended in the future? Olsen-no plan to do that, that has been built into the lease with the Town. The Town retains authority to go higher. The total height will be 84' consisting of the 80' monopole and 4' lightning rod. Brady-ice falling off? Olsen-the engineer to confirm ice projections. The monopole is preferred for this reason as it does not cover a large area. Beltrani-the applicant will be providing a response letter to our comments. The ridge is overlooking recreational fields and the Board would like to know should the pole fail where would that land in comparison to the fields and structures? The Board can provide some locations for the balloon test visuals and email them to Mr. Olsen. Olsen-we will provide simulations made of the monopole and antenna. Furman-how tall can monopoles go? Olsen-Verizon Wireless will only propose up to 150' and anything above that would be lattice. Brady-will a building be proposed at the base of the monopole? Olsen-there will be a steel frame structure to house the backup generator in case of total power failure. The generator will require to be exercised every two weeks and the time that is done can be adjusted. Beltrani-a full Environmental Impact Statement was submitted when only a Short EAF is required. Olsen-just a matter of practice. This is an Unlisted Action under SEQR and the Notice of Intent to Serve as Lead Agency (NOI) can be circulated by the Planning Board at this time. It will need to be referred to the UCPB when the visual renderings are received.

Board discussion regarding locations for simulation visuals. Post-some of the locations to be utilized would be:

- Seamon Park - 5 Malden Avenue
- Intersection of Route 9W and Mike Krout Road
- Intersection of Bob Mosher Drive and Pavilion Street (Little League Concession Stand)
- 32 Partition Street (Converted Church)
- Saugerties Jr/Sr High School - 310 Washington Avenue Extension

A motion was made by Furman, seconded by Tiano, to circulate the NOI. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Brady-Aye, Kiniry-Aye. Motion carried.

### **ADDITIONAL ITEMS**

**1. Minor Subdivision (2-Lot), Haines, 12 Michele Blvd.** The applicant is requesting an extension due to litigation. A motion was made by Tiano, seconded by Brady, to approve an 18-month extension on submission of the final subdivision maps for signatures. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Brady-Aye, Kiniry-Aye. Motion carried.

### **ADJOURNMENT**

Since there was no further business to discuss, a motion was made by Tiano, seconded by Kiniry, to adjourn the meeting. Board vote: Post-Aye, Furman-Aye, Tiano-Aye, Brady-Aye, Kiniry-Aye. Motion carried.

The meeting was closed at 9:21 pm.

Respectfully Submitted by,

Becky Bertorelli  
Planning Board Secretary