



## PLANNING BOARD MINUTES October 18, 2022

C. Howard Post, Chair, opened the meeting at 7:29 p.m. Pledge.

Present: C. Howard Post (Chair), Carole Furman (Vice-Chair), Mike Tiano, Robert Hlavaty, Len Bouren, Kevin Brady, Al Riozzi and Gina Kiniry (alternate).

Also Present: Adriana Beltrani (Town Planner, NPV)

The draft minutes of the September 20, 2022 Planning Board meetings were reviewed. A motion was made by Tiano, seconded by Hlavaty, to approve as written. Board vote: Tiano-Aye, Furman-Aye, Hlavaty-Aye, Brady-Abstain, Post-Abstain, Bouren-Aye, Riozzi-Aye, Kiniry-Aye. Motion carried.

### PUBLIC HEARINGS

NONE

### OLD BUSINESS

**1. Lot Line Revision, Lynn & Morris Almeleh, 921 & 925 Glasco Turnpike.** Presented by Dan McCarthy, Praetorius and Conrad, P.C. The applicant was previously before the Board for a lot line revision but required a 2' side yard area variance. The applicant was referred to the Zoning Board of Appeals (ZBA) on May 17, 2022 for review. Approval was received for the 2' side yard area variance on September 6, 2022 from the ZBA. The applicant is back for approval of the lot line revision. A motion was made by Tiano, seconded by Bouren, to waive sketch plan approval, waive a public hearing and approve the lot line revision with the ZBA's approval of the requested 2' side yard area variance. Board vote: Tiano-Aye, Furman-Aye, Hlavaty-Aye, Brady-Aye, Post-Abstain, Bouren-Aye, Riozzi-Aye. Motion carried.

**2. Site Plan/Major Subdivision, Brapas Land Development LLC, Route 9W/Off Tiger Maple Lane.** No one was present.

**3. Site Plan (Senior Housing), The Villas Residences, 49 Spaulding Lane.** Presented by Matt Wexler (National Development Council), Sister Irene Ellis (Dominican Sisters of Sparkill), Rachel Erlich (Dattner Architects), Emily Gardener (Landscaping Architect) and Aaron Warner (AKRF Environmental Planner). Sister Ellis gave a brief background of the property and how it has been used in previous years. The property was purchased in 1931 as a vacation/retreat for members and used for many years for that purpose. The Villa was used for a conference center and various functions. There were 90+ sisters onsite at any one time. The Mulford Estate was purchased in 1932. In 2010 a conservation easement was turned over to Scenic Hudson for expansion of trails. In 2015 150 acres were sold to Scenic Hudson, which is now the "Falling Waters" preserve. The Sisters of Sparkill are no longer able to use and enjoy the property the same way or to the same extent. Looking to serve the needs of the residents of Saugerties by creating affordable senior housing.

Wexler-NDC is a non-profit organization that is a National organization to help with varying projects to create affordable housing. Looking to create 122 units at this location for senior housing and one superintendent unit.

The process will require a zoning change from low density residential (LDR) to moderate density residential (MDR). Looking to pursue the mission of the Sisters.

Erlich-a presentation was created to walk through the expectations. The presentation that was reviewed last month was done again for those that were not present at the September 20, 2022 meeting. The parcel is 29 acres with areas that have been dedicated to trail construction for Scenic Hudson. A one lane asphalt driveway is proposed with a 3-story building. The road will become gravel towards the south of the property. The topography is challenging. There is a ridge that runs north-south. The parcel is bisected by a ravine and stream east-west. There are steep slopes down to the Hudson River. There is a limited buildable area on the parcel. The applicant would like to conserve as much as possible. Proposing 121 Independent Housing units within two buildings with 1-superintendent unit. The proposed buildings are 3-story, 2-story step down to follow topography. Troupe around a shared lobby. Each apartment is a flat without stairs and has its own balcony. There will be walking trails. There is a two way loop proposed around each building for ease of access.

Gardener-the proposed landscaping will keep distance from the existing cemetery, which is not on this parcel. There is an oval shaped community lawn space with views towards the river. A pavilion is proposed in the common space. There is a utility corridor. Lighting will be LED dark sky compliant and aimed towards the interior of the site. Will maintain the treeline and supplement where necessary. The light polls will be lower.

Warner-submitted the EAF part I The rezoning and size are what trigger a Type I Action. The Comprehensive Plan is being considered with creating affordable housing. The proposed building areas are well above the 100 year floodplain. Indiana Bat and the Monarch Butterfly did show up as being on-site. Plan to mitigate those impacts including clearing within the timeframes required, which are January 1-March 1. There are 2.47 acres of waters on site that are monitored by the Army Corps of Engineers, not the town. 0.07 acres is proposed to be disturbed for access to the lower level. The nationwide permit is required and preliminary talks have started. A SWPPP will be provided. The water/sewer usage proposed is approximately 14,000 gallons a day of demand. There is a new water main that was installed on Spaulding Lane. There are no known SHPO impacts. There is an old cemetery that is NOT on the parcel and will NOT be disturbed. Currently the existing 3-story structure can be seen from Tivoli, with the proposed building the visual impact will be less as the proposed building will be moved further north. A traffic impact study was done in September 2021 on 130 units (over what is being proposed) and the total not to exceed 39 trips per day. This does not meet the threshold to require a traffic study.

Ehrlich-when a zoning analysis was completed this proposed action complies with the High-Density Residential (HDR) requirements. HDR allows up to 30% of the area to be developed, this proposal is for 4%. The applicant can add a deed restriction indicating that this is the most the parcel can be developed. The 50' setbacks are met around the entire site. The average height of the building is 36' above grade which is well under the 42' height restriction.

Beltrani-SEQR is being completed on the entirety of the action, the site plan and the change of zoning. The deed restriction is proposed to limit the maximum development on site, which will bind with the land itself. The zoning petition will occur at the Town Board level. The Planning Board will complete the Notice of Intent (NOI), assess impacts of the zoning petition and coordinate with the Town Board throughout the entire process. The Planning Board will declare Lead Agency and distribute the NOI to all involved and interested agencies. No decisions can be made for 30-days from that distribution. The Planning Board may wish to hire their own traffic consultant to review the study submitted. A better understanding of the operation of the facility needs to be addressed. Degree of this project for active seniors. Will the tenants be accessing shuttle services, buses or driving independently? Wexler-parking count was gauged on the fact that not everyone that lives on site will have a car. This is proposed as an independent living facility and that will be a requirement of tenants, that they can live independently. There will be a shuttle van to town, shopping venues and appointments. Beltrani-The Town Engineer to receive the site plan as soon as possible. The Parking layout and how the number was

determined. The number of trees over 6" at breast height on site. Existing trees over 12" in diameter noted. No clear cutting of trees, listed within the Waterfront Overlay (WO) restrictions. Wish trees to be removed on site plan or in a table format. Not eligible for historic by NYS but refer to the Town Historical Preservation Committee (HPC) to see if there is any local historic significance. How does the proposed action meet the owners new zoning vx. current zoning. What is necessary to meet their needs. Will the facility be tax-exempt upon build out? Impacts on community. Medical and safety services provided on-site?

Post-the NOI should be distributed. A motion was made by Hlavaty, seconded by Furman, to distribute the NOI for the Planning Board to declare Lead Agency. Board vote: Tiano-Aye, Furman-Aye, Hlavaty-Aye, Brady-Aye, Post-Abstain, Bouren-Aye, Riozzi-Aye. Motion carried.

Tiano-there has already been tree clearing in the area of the property that meets Spaulding Lane. Ellis-trees were overhanging neighbor's property-requested by adjacent neighbor. Removal was done by a professional tree service company which determined which trees needed to be removed and which needed to be pruned. Those removed were necessary. The removal was requested by the two families closest to the property. Beltrani-the removed trees need to be reflected on the site plan.

Tiano-elevators and stairs? Ehrlich-both are being proposed for ease of access for the target population. Tiano-what will be done with the existing dump areas on site? Ellis-they were remediated as part of the Scenic Hudson take over of those areas. Tiano-will Veterans be offered a percentage discount? WExler-will work with community Veteran organizations to make sure they are ahead of the general public. Bouren-green roofs? Geothermal or solar panels? Ehrlich-each set of buildings has at least one green roof proposed. Possible proposed solar panels. No fossil fuels will be used on site. Furman-the traffic study indicates that there will be an additional 39 trips in the am peak hours? What are the current counts? Are these in addition? Tiano-what hours were these taken? Warner-done all day. Post-our own traffic engineer will look at the information provided and give us an evaluation. A motion was made by Tiano, seconded by Furman, to have Colliers Engineering (Independent Traffic Consultant) review the submitted materials and give the Planning Board a review. Board vote: Tiano-Aye, Furman-Aye, Hlavaty-Aye, Brady-Aye, Post-Abstain, Bouren-Aye, Riozzi-Aye. Motion carried. Hlavaty-what was used as the peak month on an annual basis? Warner-the independent traffic consultant can advise us when that may be for the area. Hlavaty-there are conflicting numbers in the bedroom counts. Ehrlich-will update the EAF before the distribution of the NOI. Hlavaty-did the applicant look at other viewpoints? Warner-picked based on riding around and looking for impact. Tivoli-is a public use space. The Lighthouse-it can not be seen. Scenic Hudson trails-limited to pool area. Wexler-the applicant is eager to respond to any concerns and move forward.

**4. Minor 2-Lot Subdivision, Gerald Bornschein, 157 Mount Airy Road.** Presented by Bruce Utter, Praetorius & Conrad, P.C. Met with the fire chief and the 14' height request met and a 500' turnaround. There will be restrictions on building in the future, if that is to happen the roadway will be required to be updated to Privat Rural Road Standards. The Planning Board attorney's review indicated that a section of the roadway be brought up to Private Rural Road Standards for the proposed minor subdivision. A new Road Maintenance Agreement (RMA) will be require for Lot #2. Beltrani-most of the planning comments were about the road, which have been addressed at this time. Utter-Time Warner has the current RMA. Beltrani-RMA between Lot #2 and parent parcel need to be updated and referenced back to the original RMA. Utter- Mt. Airy to turnaround is 1,100' to the "T" intersection then 150' to Lot #2. Beltrani-2 points of access. Utter-no, the road ends. There is a Right of Way (ROW) through the parent parcel. There is an existing well, septic to be added. The driveway is along the existing woods road. The topography will be added. Less than an acre proposed for turnarounds, no SWPPP required. Furman-what is the impact not bringing the lot lines to the centerline of the road? Utter-if they are not moved the RMA's will not be affected. Cleaner. Furman-1,200' rule? Utter-Town regulation, more for emergency vehicles access.

A motion was made by Furman, seconded by Hlavaty, to set the public hearing for the November 15, 2022 meeting. Board vote: Tiano-Aye, Furman-Aye, Hlavaty-Aye, Brady-Aye, Post-Abstain, Bouren-Aye, Riozzi-Aye. Motion carried. A motion was made by Hlavaty, seconded by Brady, to declare this an Unlisted Action under SEQRA. Board vote: Tiano-Aye, Furman-Aye, Hlavaty-Aye, Brady-Aye, Post-Abstain, Bouren-Aye, Riozzi-Aye. Motion carried.

**5. Minor (2-Lot) Subdivision, Michael Greco, Route 32.** Adjourned at the request of the applicant.

### **PRE-HEARING CONFERENCE**

**1. Lot Line Revision, Jennifer & Clifford Sauer, 3899 Route 9W & 300 Mike Krout Road.** Presented by Michael Vetere III, Vetere Land Surveying, PLLC. The applicant is looking to reconfigure the lot lines of the two lots so they are two perpendicular lots and conserve mountain views from each existing building. This would create an unobstructed view of the mountains for each parcel. The lot line revision would make each parcel more contiguous. Beltrani-the size of the exchange of land is larger than allowed in the zoning district and will require a supermajority vote by the Planning Board to override that requirement. A motion was made by Tiano, seconded by Riozzi, to waive sketch plan requirement, waive a public hearing and approve the lot line revision. Board vote: Tiano-Aye, Furman-Aye, Hlavaty-Aye, Brady-Aye, Post-Abstain, Bouren-Aye, Riozzi-Aye. Motion carried by supermajority.

**2. Lot Line Revision, Frank Torok & Toni Berzal, 85 & 97 High Falls Road.** Presented by Dan McCarthy, Praetorius & Conrad, P.C. The applicant is proposing to transfer land from one parcel to another to serve as a buffer. The applicant owns both parcels. Both lots meet zoning and setbacks with the proposed lot line revisions. Resolves a problem with a driveway encroachment through Parcel A. A motion was made by Brady, seconded by Tiano, to waive the sketch plan requirement, waive the public hearing and approve the lot line revision. Board vote: Tiano-Aye, Furman-Aye, Hlavaty-Aye, Brady-Aye, Post-Abstain, Bouren-Aye, Riozzi-Aye. Motion carried.

**3. Lot Line Revision, Town of Saugerties/Stephen & America Adamczyk/Cinmon LLC.** The application was submitted by the Town Engineer, Brinnier & Larios on behalf of the Town Highway Department. The lot line revisions are proposed to eliminate encroachments from the Highway Department building. No new building lots are proposed. The area of transfer is less than the minimum lot requirement for the zoning. No impacts. A motion was made by Riozzi, seconded by Hlavaty, to waive the sketch plan requirement, waive a public hearing and approve the lot line revisions. Board vote: Tiano-Aye, Furman-Aye, Hlavaty-Aye, Brady-Aye, Post-Abstain, Bouren-Aye, Riozzi-Aye. Motion carried.

**4. Minor Subdivision, 1026 Kings Highway LLC, 1026 Kings Highway.** Presented by Dan McCarthy, Praetorius & Conrad, P.C. The applicant is looking to subdivide the parcel. Parcel 1, 9.5 acres, will remain with existing buildings and Parcel 2, 6.1 acres, will be sold. Correct setbacks for the I district will be shown on the map. Beltrani-this is an Unlisted Action under SEQR. A motion was made by Tiano, seconded by Furman, to declare this an Unlisted Action under SEQR and approve a negative declaration. Board vote: Tiano-Aye, Furman-Aye, Hlavaty-Aye, Brady-Aye, Post-Abstain, Bouren-Aye, Riozzi-Aye. Motion carried. A motion was made by Bouren, seconded by Brady, to set the public hearing for the November 15, 2022 meeting. Board vote: Tiano-Aye, Furman-Aye, Hlavaty-Aye, Brady-Aye, Post-Abstain, Bouren-Aye, Riozzi-Aye. Motion carried.

### **ADDITIONAL ITEMS**

**1. Zoning Amendment - Sawmills.** An amendment draft was created and the Planning Board was asked for their input. Beltrani-there is a net lot area equation to understand density and the impacts. The location of any development on site. Setback requirements on streams as well. Reasonably expected at the property line noise would be 60 decibels or less. Several comments were made regarding decibel restrictions and how they could be read/enforced. Furman-how many sawmills exist now in the Town? Are they problematic? Beltrani-there are a

few. It has been brought to the Town's attention that sawmills need to be addressed better in the zoning. Bouren-is there a difference between portable and permanent in the requirements? Beltrani-no all considered the same, the primary use of a building or parcel of land is a sawmill. Kiniry-are there provisions for where the wood that will be milled comes from? Beltrani-processing untreated lumber from off site locations. Distinctly not harvesting. Storage will be dictated. Hlavaty-will there be a time associated with how long milled lumber or the harvested lumber can be on site? Beltrani-put together a list of concerns and possible changes to submit to the Town Board for discussion and review. Very helpful.

### **ADJOURNMENT**

Since there was no further business to discuss, a motion was made by Tiano, seconded by Bouren, to adjourn the meeting. Board vote: Tiano-Aye, Furman-Aye, Hlavaty-Aye, Brady-Aye, Post-Abstain, Bouren-Aye, Riozzi-Aye. Motion carried. The meeting was closed at 9:37 pm.

Respectfully Submitted by,

Becky Bertorelli  
Planning Board Secretary