



PLANNING BOARD MINUTES
VIRTUAL -WebEX
March 16, 2021

C. Howard Post, Chairperson, opened the meeting at 7:31 p.m.

Present: C. Howard Post, Carole Furman, Len Bouren, Kevin Brady, Mike Tiano, Robert Hlavaty, William Creen (alternate), Adriana Beltrani (Town Planner, NPV).

Absent: Ken Goldberg

The draft minutes of the February 16, 2021 Planning Board meetings were reviewed. A motion was made by Tiano, seconded by Furman, to approve. Board vote: Furman-Aye, Tiano-Aye, Brady-Aye, Creen-Aye, Post-Aye, Hlavaty-Aye, Bouren-abstained. Motion carried.

PUBLIC HEARINGS

1. Minor Subdivision, Peter & Theresa Levin, 598 Schoolhouse Road. Presented by Jeff Hogan, Praetorius & Conrad, P.C., for the owner/applicant. The public hearing was opened at 7:32pm. The applicant would like to subdivide a 24.4 acre lot on the east side of Schoolhouse Road into two lots. The existing single family residence and barn will remain on a 18 acre parcel and the applicant would like to sell that. They would then build a new home on the remaining 6.5-acres. There is a utility easement which runs through the parcel with overhead power lines. Contacted Central Hudson, no written restrictions have been found but if any building is to be done Central Hudson will be notified for permission. A note can be placed on the map to that regard. The applicant does not propose any construction within that easement at this time. Some investigation has been done to find specific language related to the easement but nothing can be found on record.

Post-is anyone present for the public hearing for concerns/comments? No one was present. A motion was made by Furman, seconded by Brady to close the public hearing. Board vote: Furman-Aye, Tiano-Aye, Brady-Aye, Bouren-Aye, Post-Aye, Creen-Aye, Hlavaty-Aye. Motion carried. The public hearing was closed at 7:36pm.

Beltrani-a note regarding the pre-existing non-conforming conditions of Lot 2 will need to be noted on the map. A note regarding the easement needs to be added to the map confirming metes and bounds of the easement once a sale takes place. Isn't it a de facto policy of Central Hudson that no permanent structures can be placed within an easement? Consultation done with Central Hudson prior to building and the Planning Board and Building Department are to be notified. Highway Department permit and Department of Health permit must be obtained prior to construction. Post polled the Board for questions/comments: Furman-none, Tiano-none, Brady-none, Bouren-none, Creen-none, Hlavaty-none. A motion was made by Hlavaty, seconded by Furman, to conditionally approve the subdivision application with the conditions that notes will be added as expressed. Board vote: Furman-Aye, Tiano-Aye, Brady-Aye, Bouren-Aye, Post-Aye, Creen-Aye, Hlavaty-Aye. Motion carried.

OLD BUSINESS

1. Site Plan, Jeffrey Court Properties, LLC, Jeffrey Court. Presented by Khattar Elmassalmah, Praetorius & Conrad, P.C. It has been noted that the buildings will not exceed 42' in height, we have provided a general dimension and description of the building just as a reference. The final building design will be determined once all comments and contributing factors are discussed. Exact scaled plans will be given on the final building plan when submitted to the Building Department for permitting purposes. The shed that is located on site will be a maintenance shed and the same idea, dimensions can be given but the exact design has not been finalized. Have been able to create 48 parking spaces, 2 per unit. Due to the restriction of the area of disturbance the applicant would like to adhere to there will be 38 standard parking spaces and 10 compact car spaces that are only 8' wide. The area between the parking spots along the buildings has been widened to 28', along with the hammerhead, to address some of the issues that the Fire Department had with emergency access. Have submitted a drawing demonstrating the maneuverability of emergency vehicles in case of emergency. Proposed 6' fence around the dumpster, ramps are not needed as the grade will be gradual from the parking area to the sidewalks to the ground floor, which is where handicapped accessible apartments will be located. A letter was received from SHPO with no concerns addressed. So far have not received a response from the water/sewer department, and will follow up. There should be no problem to tie into the system. A letter was received from Diaz Memorial Ambulance Services regarding the ability to access the third building and address emergencies in a timely manner. According to NYS code a building does not require an elevator unless it is 4 or more floors. The difference between two floors and three floors for emergency response seems minimal. They currently have to respond to existing buildings in the village that are three stories, it is not undoable, just a little more challenging. Even if we did install an elevator there is not enough room to accommodate the elevator size/dimensions to accommodate a stretcher so anyone that is in need of emergency services would still have to be taken down the stairwell. Furan-not a bad idea as a Board to address the Town Board regarding the emergency access requirements for buildings like this. Post-absolutely. Poll the Board for additional questions: Brady-none, Bouren-none, Creen-none, Hlavaty-none. Post-Furman had asked, at the last meeting, about EV hook-up? Elmassalmah-did speak to the applicant and have included in the updated site plan, by the shed area. Tiano-there are no buildings in the Glasco Fire District that are 3-stories high and allowing this will set a precedent all over the township that we are ok to allow these larger buildings while not having the proper equipment in case of emergency. The drawing provided does not show the fire trucks with their stabilizing platforms extended, which sit out an additional 4'-6'. Elmassalmah-presented a residential building in Glasco that is 2-stories. Tiano-we have been there many times, the difference is the hallway/staircase in this building is much wider than what is proposed here. The Fire Department is comparing the proposed apartment complex to that at Farmhouse Commons. There are always issues with getting the trucks in and out of that complex because of the width and location of parking. It takes too long for the FD to get in and out of there, trying to stop that from happening here. We get calls to lift and assist Diaz often and the concerns regarding emergency access are real. Our firefighters have to respond to each one of these calls in full gear, as required by law. 12 out of 30 of the Glasco volunteer firefighters are over 60 years old. We constantly have complaints when we have to park in front of parked cars, people wanting to get out while we are trying to answer an emergency call. What will happen here, no one will be able to move, it will be a nightmare. These are concerns brought forward by the Fire Department and the Commissioners. Emergency access has to be addressed and considered when projects of this scale are proposed. The NYS code can be followed but there are items that have to be addressed when looking at each individual project to ensure emergency response/accessibility. There are screening issues, not enough between the site and the neighbors on Jeffrey Court. The applicant has the ability to put in a second access location into Bishop's Gate but doesn't want to because they do not want to go over the 1-acre threshold of disturbance to avoid doing a SWPPP. The

Comprehensive Plan from 2013 states that the southwestern area of the town is especially vulnerable to intensive development because it is not protected by the sensitive area overlay, yet there are many sensitive resources in the area, the future build out of the MDR and LDR districts significant impact on the town's natural resources agricultural resources, scenic views, biodiversity and rural historic character. It could also result in the economic impact due to increased cost of services to town taxpayers. That is something that the Planning Board needs to consider. Elmassalmah-understand the concern but the width provided on the updated site plan for the access drive is wider than 9W. We are following the zoning code and NYS Building Code. Concerns are noted but we are doing what is required by law. The ladder truck can extend to 32', the site plan is proposing the distance to the third story window bottom to be 24'. This would be the access point in case of fire. The owners purchased the property knowing the limitations outlined in the zoning district and are abiding by those, which allows a building to a height of 42'. Beltrani-the board can request/require building details for the site plan review, with elevations. Window elevation should be shown as well. Post-if this is 42' to the peak the ladder can only go up 32' and not to the roof line, just window access. Beltrani-Part II was completed and there are still things to be discussed. The emergency access is still being discussed and what will be done with the remaining land on the parcel to the East of the complex development. This is an 8-acre property with under an acre being developed. Who will maintain those remaining lands, how will they be maintained and who has the legal access to those lands? Elmassalmah-a possibility would be a fence and then maintain the property only around the apartment buildings, leaving the remainder untouched. Furman-may consider developing trails and other ways for people to enjoy that land will have to be maintained by the owner. Elmasslamah-applicant will be concerned with safety, liability and upkeep of trails, but will ask. Will try and submit an updated drawing showing the stabilizing equipment extended on the fire apparatuses. Tiano-would like that with another ladder truck passing. Post-board comments/questions: Furman-no additional, Brady-none, Bouren-agree with Furman on walking trails or a playground, Creen-no, Hlavaty-Part II #8 is checked as "Moderate to large impact may occur", is this correct? Beltrani-once the letter from SHPO is submitted from the applicant we can change that to "No, or small impact may occur".

A motion was made by Furman, seconded by Hlavaty, to declare this an Unlisted Action under SEQR. Board vote: Furman-Aye, Tiano-Aye, Brady-Aye, Bouren-Aye, Post-Aye, Creen-Aye, Hlavaty-Aye. Motion carried. A motion was made by Hlavaty, seconded by Brady, to approve Part 2 of the Short Form with the change to #8 when a copy of the SHPO letter is received, and send out NOI. Board vote: Furman-Aye, Tiano-Aye, Brady-Aye, Bouren-Aye, Post-Aye, Creen-Aye, Hlavaty-Aye. Motions carried. Tiano-why would question #3 not be answered as "Moderate to large impact may occur"? Beltrani-this question is regarding the effect on the characteristics of the surrounding neighborhood. It was answered as "No, or small impact may occur" because of the location of the property, it is located in the HDR district, it is an allowable use and is set back and not visible from the roadway. Elmassalmah-is a public hearing necessary as it is not required. Furman-would like one. Post-would be a disservice to the neighborhood if we did not have one. We can hold it open if necessary if we schedule for next month and items still need to be addressed. Tiano-would like to see elevations and more information.. Post-concur regarding more details are needed. Poll the board about having a public hearing next month: Furman-yes, Brady-yes, Bouren-yes, Post-yes, Creen-yes, Hlavaty-yes. A motion was made by Hlavaty, seconded by Furman, to set the public hearing for the April Planning Board meeting. Board vote: Furman-Aye, Tiano-Nay, Brady-Aye, Bouren-Aye, Post-Aye, Creen-Nay, Hlavaty-Aye. Motion carried on a vote of 5-2. Beltrani-a referral will be necessary to the UCPB, but will be done when the lighting plan is received.

2. Major Subdivision, Catskill Terraces/HV Contemporary Homes, LLC, Ralph Vedder Road/Manorville Road. Presented by Jeff Hogan, Praetorius & Conrad, P.C. The applicant is requesting to develop a 10-lot subdivision which will be created using the total acreage of three existing lots combined for a total of approx. 89-acres located off Ralph Vedder and Manorville Road. A conservation analysis was requested because the parcels are located within the Sensitive Area Overlay district and more than 5 lots are being proposed, which is required by the zoning code. One was submitted for the Board's review. With the conventional subdivision there would be only 10 large lots with less area disturbance than with a conservation subdivision which would be 16 smaller lots clustered into one section of 8 lots and two sections of 4 lots, creating more area of disturbance. The conventional would create 17.2 acres of disturbance and the conservation subdivision would create 20.6 acres of disturbance. With the conservative subdivision the applicant proposes setting up conservation easements throughout the property, including the wetlands. Beltrani-the engineer has submitted a complete analysis at this time and it is at the board's discretion which subdivision they would like to move forward with. The Board will have to determine which of the three criteria they will base their decision on, found in §245-23.B(2)(g) of the Conservation of Subdivision regulations of the Town Code. If the Board decides to go with the Conventional Subdivision they will have to provide guidance to the applicant regarding the conservation easements that will be required so that they can be noted. The purpose would be to conserve as much of the site as possible over the sensitive areas. The board should decide on which option and move forward with SEQR. Post-pollled the Board to see which subdivision they would like to see. Furman-Conventional, there is less disturbance in general but would like to ensure that buffers are set up between the new lots and easements are noted. Tiano-Conventional, for privacy. Brady-Conventional, preserve the views. Bouren-Conventional, more space per lot, requires buffers between lots. Creen-Conventional. Hlavaty-Conventional, the analysis was thorough. The cluster presentation on the bottom lot would not necessarily propose a bad view. Post-Conventional, fits the area much better.

A motion was made by Furman, seconded by Tiano, to approve the applicant to move forward with a Conventional Subdivision due to the fact that "the lot configuration is unique and precludes preservation of a substantial amount of land with conservation value" and the applicant will include conservation easements on the property to conserve as much of the site as possible over the sensitive areas. Board vote: Furman-Aye, Tiano-Aye, Brady-Aye, Bouren-Aye, Post-Aye, Creen-Aye, Hlavaty-Aye. Motion carried. A motion was made by Furman, seconded by Hlavaty, to declare as an Unlisted Action under SEQR and distribute the "Notice of Intent". Board vote: Furman-Aye, Tiano-Aye, Brady-Aye, Bouren-Aye, Post-Aye, Creen-Aye, Hlavaty-Aye. Motion carried. A motion was made by Furman, seconded by Bouren, to approve the sketch plan for the 10-lot Conventional Subdivision. Board vote: Furman-Aye, Tiano-Aye, Brady-Aye, Bouren-Aye, Post-Aye, Creen-Aye, Hlavaty-Aye. Motion carried.

A preliminary sketch must be provided for the next meeting and the Board would like to ensure that buffers are shown between the lots, conservation easements for the wetlands and steep slopes, along with a note that no further subdivision will take place.

3. Major Subdivision, Robert Gelb & Norma Hill, 269 Wilhelm Road. Presented by Chris DiChiaro. The applicant is looking to do a 5-lot subdivision on the parcel located at 269 Wilhelm Road. In the process of working with a new surveyor to get metes and bounds. Will be providing the Board with an AG statement. The major concern is with the road. A road maintenance agreement was found that dates back to the 70's or 80's and provided to the Planning Board for their reference. This particular lot was never part of that original road maintenance agreement. The applicant is aware that

legal agreements will have to be filed for the part of the road that access the proposed parcels. Post-would like the existing agreement to be sent to the Planning Board's attorney to review. DiChiaro-have walked the road with the Fire Department to see if the roadway is feasible and will be accessible by fire apparatus. Will request official written feedback from the Fire Chief with the roadway as proposed on the current sketch map. Beltrani-suggest that the proposed road be sent to the Town Engineer and Fire Chief for review and comment. Part of the road is maintained by the town that runs through Lot 1, would like to see the ROW or other arrangement, if there is one, indicated. All easements and agreements should be noted. Any road maintenance agreement arrangements that have been in place should be sent to the Town Attorney for review and comment. DiChiaro-the main concern is that the current road maintenance agreement has not been upheld and the private part of the road has not been maintained and the applicant's concern lies with the idea that they will have to upgrade that section of the road when it should have been maintained all along. At this point we will send the road information to the Town Engineer for review and comment, the existing documentation regarding the road will be forwarded to the Town Attorney for comment and the Fire Chief will be contacted for comment.

A motion was made by Post, seconded by Hlavaty, to send the road specs as proposed to the Town Engineer for review. Board vote: Furman-Aye, Tiano-Aye, Bouren-Aye, Brady-Aye, Creen-Aye, Post-Aye, Hlavaty-Aye. Motion carried.

4. Site Plan, Embassy Holding LLC, 334 Route 212. Presented by Khattar Elmassalamah, Praetorius & Conrad, P.C. The applicant was previously before the board with a different commercial site plan for the same parcel. The current site plan is for a 2,000 square foot Starbucks with a 500 square foot patio and a drive-thru. There are 25 parking spaces proposed. This parcel previously received approval for a lot line adjustment. A 3D rendering of the proposed building was provided on the current site plan. The drive-thru will be located on the side of the building closest to the plaza creating a circulation path around the building for cars waiting to order and pick-up. One entrance/exit has been proposed into the plaza, eliminating the current curb cut onto Route 212. This will eliminate the build up of cars that are in line for the drive-thru backing up on to Route 212. Beltrani-will need an updated EAF and application as the commercial space use has changed since the initial submission. There are two issues that stick out. The queue for the drive-thru and the need for an additional exit to ensure the circulation is adequate. Ideally the circulation pattern should be one way all around. The way the circulation is proposed is that the cars waiting in queue will block the cars parking in front of the building, with the proposed parking. Elmassalamah-would the Board be willing to waive the parking spot requirements considering the majority of the customers for this particular business are drive-thru. This way we can rearrange the parking somewhat to eliminate some of those spots in the front of the building. Post-it may be a consideration but the board will be concerned with the traffic circulation and there being only one entrance/exit. The location in Kingston constantly has an issue with traffic from the drive-thru line building up on the street. A suggestion would be to look for an additional entrance/exit into the plaza to help with the circulation. Elmassalamah-a shared entrance agreement will be necessary by eliminating the direct access via Route 212. Will request parking data from Starbucks to see what is needed for their proposed use. Lighting will be shown and landscaping will be done, this will be a challenge as sight distance needs to be kept in mind when figuring out what works in the front of the building on the Route 212 side. Beltrani-take a look around at the other businesses to see what they use, keeping it low profile and attractive. Elmassalamah-will a public hearing be required, I know that it is up to the discretion of the Planning Board for a site plan. Post-may be a little early to definitively decide but will poll the Board to see their thoughts if a public hearing will be required: Furman-no, Tiano-no, Bouren-no, Brady-no, Creen-no, Hlavaty-no, Post-no.

Hlavaty-would just like to comment that a sidewalk would be preferred, make it pedestrian friendly. It is located in the Gateway Overlay district.

PRE-HEARING CONFERENCE

1. Site Plan Amendment, HITS, Mike Krout Road/Washington Avenue Ext. Presented by John Eickman, HITS. The applicant is looking to do a minor site plan amendment and add 10 bungalows/cabins in the third row of approved RV parking spaces. The cabins will take place of RV spaces, two for each to accommodate parking for each cabin. The cabins will be 2-bedroom with a full kitchen, bathroom and air conditioning. They will provide temporary housing for those participating/attending events. The cabins are pre-fabricated and have been used for temporary housing for subjects of natural disasters, they are easy to assemble and dis-assemble. The proposed cabins will provide temporary/seasonal housing (5/1-9/30), the lot is used for parking during the Garlic Festival and is vacant the remainder of the year. Brady-will the cabins be set on a foundation? Eickman/Struzzi- they are placed on leveled item #4. They are 20.9' x 19'. Tiano-who would be using the cabins? Eickman-people involved with the horse show, trainers and barn staff. Furman-will there be landscaping? What is the height of each cabin? Eickman-a sample was shown and there will be landscaping around each unit. Struzzi- each unit will be insulated and 8' in height, with a steel floor. Beltrani-the site plan should be updated to show that there will be only 5 RV sites left in this particular row and the cabins will occupy, what was previously, 2-RV sites, one for the cabin and one for the parking of that cabin. Struzzi-there definitely will not be RVs parking in between the cabins and those spots will be marked as cabin parking. The cabins connect to utilities the same as a RV would so no additional hook-ups will be needed. They do require slightly more electricity. Trash is picked up daily for each site by staff. Post-poll the Board for additional comments/questions: Furman-no, Tiano-no, Brady-no, Bouren-no, Creen-no, Hlavaty-no, Post-just to comment that these are for seasonal use only.

A motion was made by Hlavaty, seconded by Tiano, to declare this a Type II Action under SEQR. Board vote: Furman-Aye, Tiano-Aye, Brady-Aye, Bouren-Aye, Post-Aye, Creen-Aye, Hlavaty-Aye. Motion carried. A motion was made by Hlavaty, seconded by Tiano, to approve the site plan amendment with the change of the site plan to reflect only 5 remaining RV sites in the row containing the cabins. Board vote: Furman-Aye, Tiano-Aye, Brady-Aye, Bouren-Aye, Post-Aye, Creen-Aye, Hlavaty-Aye. Motion carried.

2. Minor Subdivision, Edward Kovac & Judith Bentley, 1869 Route 32. Presented by Tom Conrad, Praetorius & Conrad. P.C. The large lot was owned by the mother and to comply with her will they are trying to divide it equally as required. No proposed development at this time. There is access shown if needed in the future. Beltrani-Lot 2 has a large wetland area, just ensure that setbacks can be met if ever developed. Post-a maintenance agreement would be required, for the shared portion of the driveway, with future development and a condition could be set on the approval that no building permits for Lot 1 or Lot 2 will be issued until access is clarified/approved and a Maintenance Agreement reached. A flag comment will be made on the Building Department's program to ensure this condition is met. Poll the Board to see if in agreement with this condition: Furman-Aye, Tiano-Aye, Brady-Aye, Bouren-Aye, Post-Aye, Creen-Aye, Hlavaty-Aye.

A motion was made by Furman, seconded by Tiano to declare this an Unlisted Action under SEQR. Board vote: Furman-Aye, Tiano-Aye, Brady-Aye, Bouren-Aye, Post-Aye, Creen-Aye, Hlavaty-Aye. A motion was made by Furman, seconded by Hlavaty, to approve a Negative Declaration. Board vote: Furman-Aye, Tiano-Aye, Brady-Aye, Bouren-Aye, Post-Aye, Creen-Aye, Hlavaty-Aye. A motion was

made by Post, seconded by Brady to set the public hearing for April 20, 2001. Board vote: Furman-Aye, Tiano-Aye, Brady-Aye, Bouren-Aye, Post-Aye, Creen-Aye, Hlavaty-Aye.

ADDITIONAL ITEMS

EV Charging Stations-Apartments/Developments. A presentation was given by Steve Wehr, Climate Smart Task Force, regarding the addition of electric vehicle charging receptacles/stations being added as a requirement for certain apartment complexes and developments. There would be a percentage calculator used to determine the number required depending on the number of apartments, units, ect. CAC has approved to move forward. The need is pretty clear and seems to be the way the future is moving. It would provide the developer an incentive to attract more residents. Would like to see Saugerties take the lead in ensuring that we are moving forward with technology. Post-the CSTF is looking for the Planning Board's recommendation to the Town Board to revise the zoning on such developments to provide ECF stations. It is a great idea, by 2025 40% of General Motors vehicles will be EV. The Federal Government is hoping by 2025 they will have a fleet of electric vehicles. Brady-who is responsible for the electric cost? Wehr-the average cost to charge an electric vehicle overnight is \$3-\$5. It would be up to the developer if they would take the cost on or if they would install units that allow the user to pay at the charger. The idea is that if there are at least 10 parking spaces, two EV charging stations will be required and anything over 10 would be a 10% calculation of the total parking spaces provided. Post-poll the Board to see if a letter of recommendation should be sent in support of requiring EV stations with new residential developments providing 10 or more parking spaces: Post-agree, Furman-agree, Tiano-no comment, Brady-agree, Bouren-agree, Creen-agree, Hlavaty-agree. A recommendation letter will be drafted by Beltrani and sent to the Town Board.

ADJOURNMENT

Since there was no further business to discuss, a motion was made by Furman, seconded by Hlavaty, to adjourn the meeting. Board vote: Furman-Aye, Tiano-Aye, Brady-Aye, Bouren-Aye, Post-Aye, Creen-Aye, Hlavaty-Aye. Motion carried The meeting was closed at 10:45 pm.

Respectfully Submitted by,

Becky Bertorelli
Planning Board Secretary