



PLANNING BOARD MINUTES November 21, 2023

C. Howard Post, Chair, was absent and Carole Furman assumed the position of Chair for this meeting. Furman opened the meeting at 7:32 p.m. Pledge.

Present: Carole Furman (Vice-Chair), Mike Tiano, Bob Hlavaty, Kevin Brady, Al Riozzi and Gina Kiniry.

Absent: C. Howard Post (Chair)

Also Present: Max Stach (Town Planner, NPV)

Gina Kiniry joined the Board as a full member.

The draft minutes of the October 17, 2023 Planning Board meeting were reviewed. A motion was made by Riozzi, seconded by Kiniry to approve. Board vote: Furman-Aye, Tiano-Aye, Hlavaty-Aye, Riozzi-Aye, Kiniry-Aye, Brady-Aye. Motion carried.

PUBLIC HEARINGS

1. Minor Subdivision, Jamie Cohen, 55 Fishcreek Road. Presented by Dan McCarthy, Praetorius & Conrad, P.C. The applicant is proposing to subdivide a 20-acre parcel into two parcels. Access to parcel 2 is via a proposed 15' right-of-way (ROW) gravel drive. Parcel 1 contains the existing single family residence, two barns and two sheds. The edges of the gravel drive are wooded, which runs east to west and terminates in the north side of the parcel. There is an existing 30' Central Hudson ROW which runs through the beginning of the Cohen parcel and ends at the Central Hudson owned parcel to the south of that ROW, which has direct access to Fishcreek Road. The proposed ROW runs along the existing driveway. Parcel 2 will be 6.8 acres and Parcel 1 will be 13.2 acres.

Furman opened the public hearing at 7:32pm. No one from the public was present. A motion was made by Tiano, seconded by Hlavaty, to close the public hearing. Board vote: Kiniry-Aye, Riozzi-Aye, Brady-Aye, Hlavaty-Aye, Tiano-Aye, Furman-Aye. Motion carried. The public hearing was closed at 7:38pm.

Stach-the proposed ROW is less than the private rural road standards requirement, this will have to be waived by the Board if they choose to do so. The Board may want to require written approval from the Fire Chief for emergency access on the proposed ROW as a condition of approval. Cohen- have spoken with the Chief of Centerville previously and can get something in writing. Furman-does the Board have any comments? No further comments.

A motion was made by Riozzi, seconded by Tiano, to conditionally approve the minor subdivision pending receipt of written approval of the proposed ROW from the Chief of Centerville that it is adequate for emergency vehicular access. Board vote: Kiniry-Aye, Riozzi-Aye, Brady-Aye, Hlavaty-Aye, Tiano-Aye, Furman-Aye. Motion carried.

2. Major Subdivision (3-Lot)/Lot Line Revision, Kenneth & Mary Alice Lindquist/Gilton & Megan Mercado. Presented by Patricia Brooks L.S., Control Point Associates, Inc. The applicant is looking to revise a

lot line with a neighboring parcel and create two parcels from another. The applicant is looking to subdivide a 7-acre vacant lot into two parcels. Lot #1 (2.19 acres) contains an existing house and applicant does not propose to build anything on the proposed Lot #2 (4.9 acres).

Furman opened the public hearing at 7:44 pm.

- David Giangano, 679 Schoolhouse Road-the run-off from this parcel runs down to the Plattekill. Three lots are proposed? Access to the new lots? Brooks-only one new additional lot is proposed. The applicant is adjusting lot lines on three parcels but two are existing. No development is proposed on the new lot. The access has been reviewed and there is adequate site distance.

No further comments were made. A motion was made by Tiano, seconded by Kiniry, to close the public hearing. Board vote: Kiniry-Aye, Riozzi-Aye, Brady-Aye, Hlavaty-Aye, Tiano-Aye, Furman-Aye. Motion carried. The public hearing was closed at 7:47pm.

Stach-all comments have been addressed from our review. The only outstanding item is the access easement, which will need to be submitted to the Planning Board Attorney for approval prior to the signing of the final maps.

A motion was made by Brady, seconded by Tiano, to conditionally approve the major subdivision pending submission of the proposed access easement for the Planning Board attorney's review and approval prior to signing of the final maps. Board vote: Kiniry-Aye, Riozzi-Aye, Brady-Aye, Hlavaty-Aye, Tiano-Aye, Furman-Aye. Motion carried.

OLD BUSINESS

None

PRE-HEARING CONFERENCE

1. Lot Line Revision/Minor Subdivision, 9W Car Wash, 3101/3099/3085/3087 Route 9W & 13 Arthur Lane. Presented by Tom Conrad, Praetorius & Conrad, P.C. The applicant is looking to complete several lot line revisions and a minor subdivision on the lot located at 3099 Route 9W. Six lots will be affected by this application. Stach-suggest that the lot line revisions be done separately from the minor subdivision so that this will not be considered a major subdivision, which technically it is not but if they are done together it will present as such since 6 parcel lot lines will be adjusted. Conrad-there are two parcels that do not touch, creating a gore. There are three parcels, each containing an existing house, that will be joined with a larger parcel. Stach-would ensure with the building department that this is allowed. Tiano-one of the parcels that is being joined to the larger lot contains a house that has been burned down and is unlivable. The Fire Department has been using it for training purposes. How will this affect the application review? Stach-the applicant will have a legal right to rebuild but there's a time constraint. That will have to be reviewed by the Building Department.

Conrad-submit one set of maps for the lot line changes and then submit the minor subdivision, once those lot lines are approved we can move forward with the minor subdivision.

A motion was made by Tiano, seconded by Kiniry, to declare this an Unlisted Action under SEQR and set the public hearing for the minor subdivision for the December 19, 2023 Planning Board meeting. Board vote: Kiniry-Aye, Riozzi-Aye, Brady-Aye, Hlavaty-Aye, Tiano-Aye, Furman-Aye. Motion carried.

2. Lot Line Revision, James King & Lara Eurodolian, 383 West Saugerties Road. Presented by Dan McCarthy, Praetorius & Conrad, P.C. The applicant is proposing a lot line adjustment to alleviate a dangerous access drive. The sight distance to the North of the current access is short and there are many accidents. Proposing to change to share a driveway with Parcel 2 indicated on the map. The two existing parcels are existing non-conforming, undersized lots. The proposal is to create a wide driveway to eliminate the sight distance issue. Furman-are you adding to the current access? If a new access is required a curb cut approval is

necessary. McCarthy-no new curb cut just widening the existing. Stach-both lots shall conform to the requirements of §245-41 for Existing Undersized lots as the lot has an area of less than 20,000 feet, has an area of at least 5,000 feet and a minimum width of at least 50 feet at the required setback line, and all other bulk and yard requirements are complied with to the maximum extent feasible, to be determined by the Planning Board. Ulster County Planning Board referral is not required. This is a Type II Action under SEQR. The garage meets the 6' setback requirement, this proposed lot line adjustment is not making the non-conformance worse. Kiniry-this is to improve the line of sight for safety purposes. Riozzi-this is an Ulster County road, will the applicant need to contact UCDPW? Stach-the Building Department ensures that they have the correct permit, if needed for the access.

A motion was made by Tiano, seconded by Hlavaty, to approve the lot line revision as proposed. Board vote: Kiniry-Aye, Riozzi-Aye, Brady-Aye, Hlavaty-Aye, Tiano-Aye, Furman-Aye. Motion carried.

3. Site Plan, Charles & Jennifer Gassenheimer, Hudson River Road. Presented by the architect, Chris Ruel. The applicant is before the Board for a site plan approval because the parcel is located in the Waterfront Overlay district. The owners are looking to construct a net zero single family residence. All electric will be contained and energy efficient. The proposed structure will have a low impact on the environment. The bulk of the parcel is quite wet and the applicant is proposing to construct the home on the higher elevation of the site that is most dry. The applicant proposes to take some of the hill top down to alleviate some of the visual impact on the river. The house is not located close to the river's edge. The material that will be removed will be used to create the connection of the driveway, keeping the material on site. This will be a single story home. Renderings were provided to show the visual impact on the river during the day and at night, which was minimal. The siding proposed will be a natural wood that will weather with time.

Stach-this is a Type II Action under SEQR. UCPB referral is not required. The site plan proposed meets all requirements and intents, except for no modification of topography. However, the result of the modification is less visual impact on the river. This is a much more sensitive way of developing this parcel. The modification does not result in a significant impact to the Waterfront Overlay district. Ruel-the proposed clearing site is .36 acres. There is an existing drive that provides access to the river. Hlavaty-is there a way that the Planning Board can protect the Waterfront Overlay in that area from clear cutting in the future? Stach-the site plan can be modified, at the Planning Board's request, to identify the area in the front, on the riverside, will not be clear cut and will remain naturally wooded, with selective pruning or removals as permitted only. This can be approved by the building inspector and written into the resolution as such. Furman-the site plan is very thoughtful and takes the Waterfront Overlay protections under consideration. Tiano-will the windows be non-reflective? Will the gate remain on the beginning of the driveway? How will emergency personnel access the driveway? Ruel-the windows will be non-reflective and the plan is to replace the gate and provide a key or key code to the necessary emergency departments. Riozzi-is there an easement for the other parcel that has access through this one? Ruel-yes, it is a deeded easement.

A motion was made by Riozzi, seconded by Kiniry, to approve the site plan. Board vote: Kiniry-Aye, Riozzi-Aye, Brady-Aye, Hlavaty-Aye, Tiano-Aye, Furman-Aye. Motion carried.

4. Lot Line Revisions, Janet Marazita/Devin Ribosh/Kevin Woods/Woodstock Land Conservancy, 236 Dutchtown Road/56 Bueno Vienes Lane/196 Dutchtown Road/99 Old Sawmill Road. Presented by Paul Mueller, Bethlehem Land Surveying PLLC. Mrs. Marazita was also present. The applicant is looking to split off sections of an 88 acre parcel to be absorbed by adjacent parcels as identified on the map submitted. No new parcels are to be created. A section will be absorbed by Mr. Woods to the North. A section will be absorbed by Mr. Ribosh to the South and a large section to go to the Woodstock Land Conservancy to the West.

Stach-this application meets all standards, is a Type II Action under SEQR and will require a supermajority vote because of the size of land being shifted.

A motion was made by Kiniry, seconded by Hlavaty, to approve the lot line revisions as proposed. Board vote: Kiniry-Aye, Riozzi-Aye, Brady-Aye, Hlavaty-Aye, Tiano-Aye, Furman-Aye. Motion carried by a supermajority vote.

5. Site Plan Amendment, HITS LLC, 454 Washington Ave. Ext./Mike Krout Road. Presented by Rian Beals, HITS. The applicant is looking to add temporary tent pads in the area that is currently paddocks on the parcel located on Mike Krout Road. They will be new white tents. They will look like the existing ones located across from Puttin Plus. The paddocks do not get the use that they should and this would be a better use of the property. Would have to do re-adjustment to make everything look level. The tents will consist of vinyl with metal frames. There are also wash racks identified around the facility, which spans multiple parcels. Stach-will have to identify every lot that is impacted with this proposed amendment in the application and EAF. What is a lounging pad? Does it have a surface/roof? Biels-that is a show arena, sand area with no roof. Used for exercising the horses. Stach-what is the circulation road composed of? Is there a second access being shown? Circulation arrows will need to be shown for both ways and exit/entrance markers. Biels-the road surface is stone dust/decomposed granite. Will update the circulation pattern. Stach-if these are temporary tents will they come down? If so will require a determination from the Building Inspector to see if they constitute floor area/structure, and the same will go for the wash racks. The Board will request this. More clarification is needed regarding the curb cut for the second exit/entrance off Mike Krout Road.

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

ADDITIONAL ITEMS

None

ADJOURNMENT

Since there was no further business to discuss, a motion was made by Hlavaty, seconded by Tiano, to adjourn the meeting. Board vote: Kiniry-Aye, Riozzi-Aye, Brady-Aye, Hlavaty-Aye, Tiano-Aye, Furman-Aye. Motion carried. The meeting was closed at 8:56 pm.

Respectfully Submitted by,

Becky Bertorelli
Planning Board Secretary