



## PLANNING BOARD MINUTES July 19, 2022

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

Present: C. Howard Post (Chair), Mike Tiano, Robert Hlavaty and Kevin Brady

Absent: Carole Furman (Vice-Chair), Len Bouren and William Creen (alternate)

Also Present: Adriana Beltrani (Town Planner, NPV)

The draft minutes of the June 21, 2022 Planning Board meetings were reviewed. Tiano-one error on Page 2, it should be changed from “solvent” to “solvents and waste storage location and quantity”. A motion was made by Tiano, seconded by Hlavaty, to approve with the one change. Board vote: Tiano-Aye, Post-Aye, Hlavaty-Aye, Brady-Aye. Motion carried.

### **PUBLIC HEARINGS**

#### **1. Site Plan/Major Subdivision, Brapas Land Development LLC, Off Tiger Maple Lane/Route 9W.**

Presented by Michael Lockwood, engineer. The applicant is looking to create a 1-lot parcel from the master parcel which will then be divided into an additional 4 parcels (creating a lot for each townhouse), creating a total of 5-parcels. The Building Inspector has determined that the height of the building is based on an average.

The public hearing has been held open since the June meeting. Public comments:

- Denise Clark, 60 Tiger Maple Lane-concerned with the additional traffic on Tiger Maple Lane. The location of the townhouses is not really clear and that is an issue. None of our concerns from last month have been addressed. There are 2 cars per townhouse and where will they be parked? Lockwood-each townhouse will have a 1-car garage and space for a car to park in the driveway. Clark-will the tree line be affected along Tiger Maple Lane?

Tiano-were the plans sent to the Glasco Fire District? The Glasco Fire District only has a 35’ ladder and can only facilitate 2-story rescues. In the case of an emergency the fire department will need access to the back of the building. There is a 2’ concrete retaining wall in the way. Beltrani-plans need to be sent to the Town Engineer for review and comments. Lighting details need to be provided. Lockwood-need to find a spc sheet for the outdoor lighting. Our engineer to contact the Town Engineer in terms of erosion control. Beltrani-waiting for comments from engineer.

A motion was made by Tiano, seconded by Brady, to keep the public hearing open until the August 16, 2022 meeting. Board vote: Hlavaty-Aye, Brady-Aye, Tiano-Aye, Post-Aye. Motion carried.

**2. Site Plan/SUP, Fehr Brothers/Solar Generation, 895 Kings Highway.** Presented by Brendan Boland, Solar Generation. The applicant is looking to install a community solar array on the parcel owned by Fehr Brothers.

The public hearing was opened at 7:53 pm by Post. No public comments were made. A motion was made by Hlavaty, seconded by Tiano, to close the public hearing. Board vote: Hlavaty-Aye, Brady-Aye, Tiano-Aye, Post-Aye. Motion carried. The public hearing was closed at 7:54 pm.

Beltrani-Town Engineer issued comments, a SWPPP will not be required. A decommissioning plan is needed.

A motion was made by Hlavaty, seconded by Post, to approve a negative declaration under SEQRA and a conditional approval to include the Town Engineer's comments. The Town Engineer's comments include providing silt fence detail, show and summarize limits of disturbance and showing better topography with 1' to 2' intervals. Board vote: Hlavaty-Aye, Brady-Aye, Tiano-Aye, Post-Aye. Motion carried.

**3. Site Plan/SUP, Family of Woodstock (FOW)/Solar Generation, 454 Washington Avenue Ext.** Presented by Brendan Boland (Solar Generation). Also present were John O'Connor, Richard Countryman and Michael Berg (FOW). The applicant is looking to install a 295.6 KW ground mounted solar facility that will only be used for FOW at their various locations.

Post opened the public hearing at 8:00 pm. Public comments:

- Mary Leahy, 15 Malden Avenue-where exactly will this array be located on the property and how much disturbance will it cause? Boland-the array is located on the peninsula in the southeastern corner by the bridge on 9W. There will be a small amount of tree removal. The southernmost part of the parcel will be left untouched. The array will be lower than Route 9W and not visible from the road. The eastern side of the trees will not be removed. Substantial tree lines will not be disturbed. Leahy-wasn't there an agreement between HITS and the Army Corps of Engineers regarding protection of the wetlands located on the parcel in this area? Boland- no protected wetlands will be disturbed. When the EAF was completed it did not indicate any protected wetlands where the array will be located. Leahy-indicating how many trees will be taken down would be appreciated.
- Pete Barber, 53 Blue Mountain Church Road-there will be no bare patch of land left in Saugerties will all of these solar arrays being installed. How are the panels disposed of? Boland-they are recycled as much as they can be and the remaining parts are disposed of. The surface of the panels is tempered glass and the structure is mostly aluminum.
- Marilyn Freeburg, 3574 Route 32-how long will this array be active? What is the maintenance, visibility from Sawyerkill Terrace and will they cause water issues? Boland-no visibility from Sawyerkill Terrace. No disturbance of trees on the southern part of the parcel. The panels are guaranteed for 25 years and 80% after. Decommissioning agreement is to guarantee that the money is there to deconstruct the project in the future and ptu the property back to the way it was prior to the solar array.

No further comments were made. A motion was made by Tiano, seconded by Brady, to close the public hearing. Board vote: Hlavaty-Aye, Brady-Aye, Tiano-Aye, Post-Aye. Motion carried. The public hearing was closed at 8:07 pm.

Beltrani-there are engineering questions outstanding. Boland-working on those comments, including topo, clearing, decommissioning agreement and wetlands. Will look into the agreement between HITS and the Army Corps of Engineers as discussed earlier.

**4. Minor Subdivision, Hava and Ehud Eisenstein, 8 Accurso Road.** Presented by Jeff Hogan, *Praetorius & Conrad, P.C.* The applicant is looking to subdivide a 7.6 acre parcel on the north side of Accurso Road. There is a house under construction on the southern side of the parcel. The applicant is looking to subdivide 4 -acres to create a new parcel.

Post opened the public hearing at 8:11 pm. There were no public comments. A motion was made by Post, seconded by Tiano, to approve a negative declaration under SEQRA. Board vote: Hlavaty-Aye, Brady-Aye, Tiano-Aye, Post-Aye. Motion carried. A motion was made by Hlavaty, seconded by Brady, to close the public hearing. Board vote: Hlavaty-Aye, Brady-Aye, Tiano-Aye, Post-Aye. Motion carried.

Beltrani-a conditional approval is warranted with the condition of a basic SWPPP/erosion and sediment control plan. Hogan-Central Hudson has confirmed there is an easement along Bach Road to provide service to the house.

A motion was made by Hlavaty, seconded by Brady, to conditionally approve the minor subdivision with the condition of an Erosion & Sediment Control Plan being submitted.

### **OLD BUSINESS**

**1. Site Plan Amendment, The Middle Way School, 268 W. Saugerties Road.** Presented by Jeff Hogan, Praetorius & Conrad, P.C. Parking during special events was a big concern at the public hearing and the applicant has created additional parking spaces and a plan for events. Centerville Fire Department Chief has approved the fire lane between Amanda Hall and the Terra Building. Emergency parking plan was discussed as well, 28 cars along the right side of the access road. It will be 12' wide and 50' at the intersection to ensure that emergency vehicles can make the turn into the site. Beltrani-add 50' note to site plan.

A motion was made by Post, seconded by Tiano, to conditionally approve the site plan amendment with the condition of adding the note as requested by the Fire Chief. Board vote: Hlavaty-Aye, Brady-Aye, Tiano-Aye, Post-Aye. Motion carried.

**2. Site Plan/SUP, Denier Car Wash/Duncan Properties, LLC.** Presented by Scott Ouiment and John Denier. Agree with recommendations from the planner comment memo. No additional comments with the Board. A motion was made by Tiano, seconded by Hlavaty, to adopt a resolution to the Town Board for change of zoning. Board vote: Hlavaty-Aye, Brady-Aye, Tiano-Aye, Post-Aye. Motion carried.

**3. Site Plan Amendment, Red Onion, 1654 Route 212.** Presented by Michael Wentland, *Lockwood Architecture*. Post-no comments have been received to date from the Ulster County Planning Board. Beltrani-the is a Type II action under SEQRA and therefore requires no further review. Minor comments, no updated plans were received. Fully citing the original survey as a condition.

A motion was made by Post, seconded Hlavaty, to conditionally approve the site plan amendment with the condition that the comments from the town planner be addressed, as noted in her most recent review memo. Board vote: Hlavaty-Aye, Brady-Aye, Tiano-Aye, Post-Aye. Motion carried.

**4. Site Plan/SUP, Terramor Catskills/KOA, Route 212 & Cottontail Lane.** Presented by Jenny McCullough, Director of Relations, Terramor. The applicant is looking to operate a 75-site glamping facility. Terramor currently has one similar facility operating in Bar Harbor with 64 camping sites, lodge and hiking trails. The applicant is proposing 75 canvas style tents which will accommodate 2 people or 5 people. Max capacity of the facility, including employees will be 275. Would be open from May through October with the following approximate occupancy: 40%-May, 70%-June, 82%-July, 80%-August, 75%-September, 68%-October. 1 to 1 vehicle per tent site. Weddings and Corporate retreats will be hosted. However, anyone that is interested in hosting such an event will have to either buyout the entire resort for all guests or anyone attending the event needs to stay on-site, no outside guests will be allowed. The applicant proposes to follow the Dark Sky ordinance with no upward facing beams. Terramor has a strict noise ordinance. Quiet hours begin at 10pm. There will be staff on-site 24-hours a day. Fire features will be located outside each tent with appropriate clearing. Water and a sand bucket will be provided for each one. About 25% of guests will have a fire per night.

Guests do not start the fire, staff will do so and put the fire out. The applicant has hosted three community informational meetings. One in March, June and July and only a limited number attended. Kevin Franke, LA Group-proposing to cluster the total 77-acres that the two parcels consist of. Entrance will be from Route 212, there will be a wetland crossing similar to the previously approved one that was included in the South Peak Subdivision years ago. There will be a cluster of 39 tent sites on the Eastern loop. Each cluster will have dedicated parking lots. There will be paths to tents that will be wood chipped. There is an event lawn proposed with a pavilion. A lodge is also proposed. The northwest loop will be the operations and maintenance center with employee housing and dining hall. Stormwater Management is shown. Water treatment will consist of re-use of existing wells. Those are being tested. General Management housing on-site. Wastewater will flow by gravity to the treatment plant. Emergency access will be provided via a second access on Cottontail Lane. Will speak with Centerville Fire Chief to ensure this is appropriate. Wetland delineation was re-done and submitted to the Army Corps. of Engineers. Will be setting up the pre-application meeting with NYSDEC. Currently working with NYSDOT. A traffic impact study was completed by Mike Wishefsky (GPI) for Glasco Turnpike and Route 212. On average the proposed use would generate 17 am trips and 22 pm trips. There is a 100 trip threshold for requiring a traffic study. There was too insignificant of a change in traffic impact to require any changes. All approaches working at a level "C" or better. Both the existing conditions and the proposed use would be at a level "C". If the applicant was proposing a resort/hotel it would generate more traffic as it would require daily staff to enter and exit the property. With the proposed on-site staff housing it cuts the traffic impact considerably. Travel speeds were 85% at or below 53 mph in the southern direction and 59 mph in the northern direction. The speed zone conditions create the difference between the average speed. The traffic heading north has a significant amount of time prior to the site entrance to reduce speed where the traffic heading south is somewhat restricted due to the location of the reduced speed limit signage. Tree clearing to the south an additional 50' would help with site distance. Clearing 15' off the roadway. Shultis Corners is 45' short of preferred intersection distance so no one would have to slow down on approach. Site distance could lower the northbound speed by 5 mph. Accidents reported at the Glasco Turnpike intersection could be decreased by cutting back trees and brush. Tiano-on page 3 of the traffic impact study it states the annual daily average, what is that? Wishefsky-we use everyday of the year and then take that average to get to a daily. Tiano-on page 4 it states that the data was compiled on a Thursday for 13 hours in February? No one is traveling then, should not have been done at that time of year. Should have been done in the summer. On page 8 it states there has been an historic traffic decline since 2006? The crash rate is 5x higher than statewide average. Wishefsky-exsiting traffic-NYSDOT has data for State roads every month of the year. The study uses seasonal adjustment standards for a traffic study. Tiano-# of vehicles that go through that intersection? Wishefsky-NYSDOT does traffic counts and we look at their data. Those counts have demonstrated a decrease in traffic over time. Tiano-so every time someone leaves and comes back in would that be considered a trip? Wishefsky-traffic looks at peak hours that occur in the am & pm, not just daily trips. On an average there were 17 am and 22 pm trips during peak traffic hours. The historical number was not used; we considered an annual increase when studying the impacts. Hlavaty-data source based on Bar Harbor alone? What is the setting of that resort in relation to this one? McCullough-based on analysis of area and other hospitality groups. The site of the project will be built around the wetland restrictions posed on-site. Proposing to build on 19.25 acres and to be set back into the parcel. The Bar Harbor location is within a residential area with many homes surrounding it. We do not allow any amplified music, even for events. Hlavaty-trip generation on 100% occupancy? Tree removal? Where will the 45 mph sign be moved to? Wishefsky-we based our study off 85 sites to incorporate on-site staff. The sign should be moved by the curve located just south by the vet's office. Brady-walking tails, what are the plans for marking those to eliminate trespassing on neighboring properties? Franke-we are discussing this now, would like to hear the Board and neighbors' preference. Signage has worked well in the past, buffers beyond setbacks. McCollough-we have not used fences at Bar Harbor. No extensions of the trails will be built within the campground. Tiano-the submission states that 35 tents sleep 2 and the others sleep 5. Woodstock Ambulance should be contacted in addition to Diaz Ambulance. McCollough-that is all that will be allowed, we will not offer cots or additional sleeping space. Hlavaty-wastewater? Franke-5 or 6 wells on property. Will re-sue 3 of them. Levels of PFOA will determine if a filtration is needed. NYSHD prep test within the next month to ensure

quantity and quality. Hlavaty-compare w/mas demand. Franke-average daily usage will be 17,000 gallons/day. May be able to meet demand with max producing well. Package plant is proposed on-site with no emission of fumes. Housed in-door with sound buffering. Designed to meet NYSDEC standards. NYSDEC will take lead as opposed to the UCDOH. Site disturbance to be kept to a minimum. Will follow NYSDEC guidelines. Hlavaty-wetlands mitigate off site. Franke-may be new to the region but we will contact Ducks unlimited to purchase property and create wetlands off site to offset them. On-site mitigation is not feasible. Tiano-just so you are aware there is a burn ban between May to June. McCollough-no fires when burn ban or dry spell.

Beltrani-two concurrent reviews are being done by the Planning Board, SEQRA & SUP review. This is the second meeting that the applicant has been before the Planning Board. Notice of Intent to Serve as Lead Agency (NOI) has not been circulated to date. This informs all involved or interested agencies of the project. This will be moved forward. We will have to wait 30-days from distribution, if there are no lead agency disputes then the Planning Board can declare lead agency at which point SEQRA review can be done. A draft NOI was distributed to the Board and the only change is that Woodstock Ambulance be added to the involved/interested agency list. Ulster County Planning Board referral is required. As per SUP review a public hearing is required at which all neighbors within 500' of the parcel boundaries will be notified. It will be noticed on the website and Hudson Valley One. The Town of Woodstock will be notified as they are an abutting municipality. §245.34(d) of the zoning code lists all things the Board should consider, consistent with the intent of zoning. Specific requirements for campgrounds can be found in §245.11(i). Will need a comment letter from the Town Engineer. The Board may want to hire its own traffic consultant. Architectural drawings to be submitted to the Building Department for review.

A motion was made by Post, seconded by Tiano, to circulate the NOI. Board vote: Hlavaty-Aye, Brady-Aye, Tiano-Aye, Post-Aye. Motion carried. A motion was made by Post, seconded by Hlavaty, to refer to Ulster County Planning Board. Board vote: Hlavaty-Aye, Brady-Aye, Tiano-Aye, Post-Aye. Motion carried.

### **PRE-HEARING CONFERENCE**

**1. Site Plan/SUP, Awakening Garden, LLC, 119 Kelly Road.** Presented by Scott Lane, Engineer. The applicant currently has two functional yurts on platforms that she is looking to rent out. There are two cabins located on the parcel as well that will not be used for rentals. Would like to install a 30' x 30' tent for up to 4 people. The application has been sent to UCDOH for review and comment. No water hook-up, sewer or electric is proposed on each site. There is a bathhouse proposed with water/sewer and electricity. Beltrani-Will require hours and time of year the site will be operating. Lane-the applicant would like to operate year around, 8am-8pm. The remainder of the property is to remain forever wild. The applicant owns 3 of the parcels surrounding the proposed site. UCDOH will need to be contacted for portable water spickets. Wood roads show on map but not all used. Beltrani-clarify access and purpose of use. Lane-access will be one way and one way out, using the same access point. Patrons can rent the units for 2 days to 2 weeks. Will show existing to proposed. There are no fire hydrants on site. Will provide required access for fire truck radius. Will contact the Fire Department. Beltrani-NYSDOH considers this a Type I Action under SEQRA. A full EAF will be required. Lane-will be using under 1,000 gallons of water a day. There is a 250' buffer from property lines. No expansion is proposed in the future. The campground limit signs will be installed. There are stone walls marking the boundaries in some areas. There is an additional structure noted by the surveyor. There is no access to that and it is under a separate LLC, Blissful Cabin LLC. It is used 4x a year for disabled children. It was donated by the applicant to be used by the non-profit. Lane-the bathhouse will have water spickets. We are required to have them within 250' radius of the site locations. Lighting plan to be provided. The bathhouse will have lighting, showers and toilet stalls. Dumpster enclosure will be shown on the next sub mission. Parking will be identified. Will not be clearing a lot. Grading only for septic and bathhouse. Fire pit at each site. Two parking spaces will be provided for each site. No events are proposed. No amenities are proposed. Kelly Road traffic will not be increased significantly. Beltrani-note what is being used for this site plan. Cabin of the stone wall "not to be used for campground". NOI will need to be circulated and a long EAF.

A motion was made by Tiano, seconded by Hlavaty, to circulate the Notice of Intent to Service as Lead Agency. Board vote: Hlavaty-Aye, Brady-Aye, Tiano-Aye, Post-Aye. Motion carried.

**ADJOURNMENT**

Since there was no further business to discuss, a motion was made by Tiano, seconded by Brady, to adjourn the meeting. Board vote: Hlavaty-Aye, Brady-Aye, Tiano-Aye, Post-Aye. Motion carried. The meeting was closed at 9:54 pm.

Respectfully Submitted by,

Becky Bertorelli  
Planning Board Secretary