

TOWN OF ROSENDALE PLANNING BOARD

MINUTES

THURSDAY, MAY 14TH, 2020
RONDOUT MUNICIPAL CENTER
1915 LUCAS AVE.
COTTEKILL, NY 12419

*This virtual meeting was held by using a conference system called BlueJeans and broadcasted on Facebook Live.

Chairman Billy Liggan called the meeting to order with the Pledge of Allegiance at 7:04 pm.

ROLL CALL

Billy Liggan, Chairman	Present
Joseph Havranek, Vice Chairman	Present
Jere Brown	Present
John Ivankovic	Present
Nick Mercurio	Present
Randi Morf	Present
Jim Luckner	Present
Andrew Casey (Alternate)	Present
Dave Plante, Bergmann Associates Consultant	Present
Councilman John Hughes, Town Board Liaison	Present
Brisa Casas, Clerk	Present

There is no representative from the Rosendale Environmental Commission present.

MINUTES:

Motion made by Jere Brown, seconded by Randi Morf, to accept the minutes from February 13th, 2020

Roll Vote: Chairman Billy Liggan – Yes, Vice Chairman Joseph Havranek – Yes, Jere Brown – Yes, John Ivankovic – Yes, Nick Mercurio – Yes, Randi Morf – Yes, Jim Luckner – Yes

Motion carried.

PUBLIC HEARING:

Application: #2020-1-Site Plan Review

SBL: 62.16-1-4

Location: Route 32

Applicant: JH Construction

John Hornbeck and Tyler Brown are present on behalf of this application.

Chair Billy Liggan reads out loud, reviews and deliberates with the board Part II & III of the Environmental Assessment Form (EAF)

Motion made by John Ivankovic, seconded by Jere Brown, for a negative declaration of SEQRA determination of significance.

Roll Vote: Chairman Billy Liggan – Yes, Vice Chairman Joseph Havranek – Yes, Jere Brown – Yes, John Ivankovic – Yes, Nick Mercurio – Yes, Randi Morf – Yes, Jim Luckner – Yes

Motion carried.

Motion made by Nick Mercurio, seconded by John Ivankovic, to open the public hearing at 7:11pm.

Roll Vote: Chairman Billy Liggan – Yes, Vice Chairman Joseph Havranek – Yes, Jere Brown – Yes, John Ivankovic – Yes, Nick Mercurio – Yes, Randi Morf – Yes, Jim Luckner – Yes

Motion carried.

John Hornbeck tells the public that he would like to use this vacant land for an office, storage and parking for his existing construction business.

Tyler Brown informs the board that they sent a mailer and personally spoke to multiple neighbors about this Site Plan and the proposed use of the lot.

Public Comment:

Doris Hines – What is W2 lighting and will the lights be on all the time specifically throughout the night? Will there be landscaping done to help keep lighting from spilling onto neighboring properties?

Dave Plante – W2 lighting is verified as meeting the criteria for dark sky compliance. The lighting cut sheets submitted indicate that the lighting will also be shielded. The shielding prevents the light from directing outwards toward other neighboring properties.

John Hornbeck and Tyler Brown – The goal is to make the overall property appealing, the lighting will be located on the buildings for safety. All lighting, including signage lighting, will

be on a timer and will not be on all night. Landscaping may be tricky in the rear of the lot because there is a significant grade difference from the front of the property but the entire lot will be surrounded with a secure fence and some plantings will be done to make the property look nice.

Councilman John Hughes – Was the curb cut reviewed and approved by the NYSDOT?

John Hornbeck and Tyler Brown – Yes, the permit for an access driveway was permitted by the NYSDOT.

Motion made by Randi Morf, seconded by Vice Chairman Joseph Havranek, to close the public hearing at 7:28pm.

Roll Vote: Chairman Billy Liggan – Yes, Vice Chairman Joseph Havranek – Yes, Jere Brown – Yes, John Ivankovic – Yes, Nick Mercurio – Yes, Randi Morf – Yes, Jim Luckner – Yes

Motion carried.

Review of Bergmann Memo:

- Access - The applicant will be utilizing an existing, but not-improved curb cut to access NYS Route 32. The proposed curb cut aligns with the existing curb cut directly opposite on the eastern side of NYS Route 32. Required Modifications Review and approval of the proposed access to the State route by NYSDOT will be required. The Applicant should provide a copy of the NYSDOT Driveway Access Permit to the Planning Board for the proposed driveway access off of NYS Route 32.
- Comment addressed: The applicant submitted a copy of his permit for the driveway access from the NYSDOT
- Health Department - The applicant is proposing to install a sewage disposal system (SDS) and well to serve the site. Required Modification - The applicant will need to obtain the necessary permits from the County Health Department for the proposed SDS.
- Comment still needs to be addressed by the applicant.
- Tyler informs the board that the Ulster County Health Department is not working in full capacity due to the COVID pandemic but he will obtain the permits for the water/sewer as soon as their offices begin to issue them again.
- Lighting - The applicant is proposing four LED wall-pack fixtures and recessed

property. Lighting cut sheets and levels have not been provided. Required Modification - Site/ International Dark-Sky Association (IDSA) Area Recommended Illuminance Levels (see attached). All luminaires are required to be LED and will need to meet the "fully shielded" definition adopted by the International Dark-Sky Association (IDSA) or be an approved fixture of IDSA with cut sheets provided. Forward throw lighting is to be avoided.

- Comment addressed: The applicant provided lighting cut sheets showing the fixtures are dark sky compliant with shielding facing down. He also provided lighting locations on the building. Other lighting will be located on signage. No freestanding lighting units in the parking lot is proposed.

Review of Ulster County Planning Board Comments:

Access

The applicant will be utilizing an existing, but not-improved curb cut to access NYS Route 32. The proposed curb cut aligns with the existing curb cut directly opposite on the eastern side of NYS Route 32.

Required Modifications

Review and approval of the proposed access to the State route by NYSDOT will be required.

Comment addressed: The applicant submitted a copy of his permit for the driveway access from the NYSDOT

Health Department

The applicant is proposing to install a sewage disposal system (SDS) and well to serve the site.

Required Modification

The applicant will need to obtain the necessary permits from the County Health Department for the proposed SDS. <https://ulstercountyny.gov/health/permits-applications>

Comment in the process of being addressed: The applicant submitted a permit application for the sewage disposal system (SDS) and well to the County Health Department and is awaiting approval.

Lighting

The applicant is proposing four LED wall-pack fixtures and recessed canopy lighting in the front of the property. Lighting cut sheets and levels have not been provided.

Required Modification

Site/ International Dark-Sky Association (IDSA) Area Recommended Illuminance Levels (see attached). All luminaires are required to be LED and will need to meet the "fully shielded" definition adopted by the International Dark-Sky Association (IDSA) or be an approved fixture

of IDSA with cut sheets provided. Forward throw lighting is to be avoided.

Comment addressed: The applicant provided lighting cut sheets showing the fixtures are dark sky compliant with shielding facing down. He also provided lighting locations on the building. Other lighting will be located on signage. No freestanding lighting units in the parking lot is proposed.

Motion made by Randi Morf, seconded by Jim Luckner, to accept the Ulster County Planning Board comments.

Roll Vote: Chairman Billy Liggan – Yes, Vice Chairman Joseph Havranek – Yes, Jere Brown – Yes, John Ivankovic – Yes, Nick Mercurio – Yes, Randi Morf – Yes, Jim Luckner – Yes

Motion carried.

Motion made by Vice Chairman Joseph Havranek, seconded by Jere Brown, to approve application #2020-1-Site Plan Review with the following conditions:

1. All fees are paid in full
2. The applicant must obtain and submit an approved permit to install a sewage disposal system (SDS) and well from the Ulster County Health Department.

Roll Vote: Chairman Billy Liggan – Yes, Vice Chairman Joseph Havranek – Yes, Jere Brown – Yes, John Ivankovic – Yes, Nick Mercurio – Yes, Randi Morf – Yes, Jim Luckner – Yes

Motion carried.

OLD BUSINESS:

Application: #2019-7-Site Plan Amendment-Pine Crest Self Storage

SBL: 71.1-1-29.100

Location: 658 Route 32

Applicant: Charles Wortmann

Charles “Buddy” Wortmann is present on behalf of this application.

Bergmann Memo: All comments have been addressed by the applicant.

Review of Ulster County Planning Board Comments:

Landscaping

While the proposed new structure is located directly behind the existing 6,200 square foot self-storage building reviewed in 2016, it does not appear that a note on the plan that ensured it would be preserved and not be cleared was provided.

Required Modification

A limit of clearance should be indicated on the site plan concerning the visibility of I-87, a note indicating that any existing vegetation along the site's eastern boundary should be preserved.

- Buddy does not propose to remove any existing vegetation on the eastern boundary but he agrees to limit clearing and preserve vegetation on the eastern boundary.

Building Elevations

Building elevations/architectural renderings have not been provided for review.

Required modifications

Building elevations will need to be submitted for review to the Town's Planning Board. The use of earth tone and similar colors that help blend the structure into the existing vegetation and any proposed landscaping should be required.

- Buddy tells the board the new proposed building will be the same colors/building style as the most recent existing storage building on site.

Lighting

Lighting details have not been provided.

Required Modifications – Lighting levels will need to be calculated for the plan with levels not to exceed the Illuminating Engineering Society (IES) Outdoor Site/ International Dark-Sky Association (IDSA) Area Recommended Illuminance Levels (see attached). All luminaires, existing or proposed, are required to be LED and will need to meet the "fully shielded" definition adopted by the International Dark-Sky Association (IDSA) or be an approved fixture of IDSA with cut sheets provided.

- Buddy informs the board that he will be using the appropriate lighting that he already has on his existing building but he agrees to submit lighting cut sheets for the lights on the new building.

Motion made by Randi Morf, seconded by John Ivankovic, to override the Ulster County Planning Board Planning Board comment regarding Building Elevations.

Roll Vote: Chairman Billy Liggan – Yes, Vice Chairman Joseph Havranek – Yes, Jere Brown – Yes, John Ivankovic – Yes, Nick Mercurio – Yes, Randi Morf – Yes, Jim Luckner – Yes

Motion carried.

Motion made by Vice Chairman Joseph Havranek, seconded by John Ivankovic, to accept the Ulster County Planning Board comments regarding Lighting and Landscaping.

Roll Vote: Chairman Billy Liggan – Yes, Vice Chairman Joseph Havranek – Yes, Jere Brown – Yes, John Ivankovic – Yes, Nick Mercurio – Yes, Randi Morf – Yes, Jim Luckner – Yes

Motion carried.

Motion made by John Ivankovic, seconded by Nick Mercurio, to approve application #2019-7-Site Plan Amendment Review with the following conditions:

1. All fees are paid in full
2. A signed SWPPP NOI and an MS4 acceptance form is submitted
3. Final Site Plan is revised to show limit of clearing on the eastern boundary of site

Roll Vote: Chairman Billy Liggan – Yes, Vice Chairman Joseph Havranek – Yes, Jere Brown – Yes, John Ivankovic – Yes, Nick Mercurio – Yes, Randi Morf – Yes, Jim Luckner – Yes

Motion carried.

NEW BUSINESS:

Application: #2020-2-Major Subdivision

SBL: 62.2-7-9.71

Location: 290 Hickory Bush Road

Applicant: Stone Ridge Country Properties

Nadine Carney is present on behalf of this application

The proposal is a four lot residential subdivision of the lands of Stone Ridge Country Properties Corporation located at 290 Hickory Bush Road. The overall parcel is approximately 170 acres in size, is mainly wooded and surrounds a 26.6 acre lake, known as Hidden Valley Lake. The subdivision will create three (3) new home sites ranging between 2.3 and 9.6 acres in size, all located at the southeasterly portion of the site (east of the lake), leaving approximately 156 acres of undisturbed land. All three lots will be access by an existing private gravel road (Fawn Meadow Road), limiting the site disturbance related to road construction. The Lake (bed and banks) will remain undisturbed.

Review of Bergmann Memo:

The plat appears to be in general conformance with the elements outlined in §60-9 and §60-20 of the Rosendale Town Code. It is recommended that the following comments be addressed in finalizing the "Final Plat:"

- a. The map notes on Sheet S-1 indicate that the FEMA floodplain is depicted on the drawing, however the Zone A floodplain boundary does not appear to be mapped. This should be added to the final plat in accordance with §60-20(A)(1)(f) of the Rosendale Town Code.

b. While Fawn Meadow Road is primarily an existing road, it is recommended that a road profile detail be added to the detail sheets in the drawing set for the final plat to document compliance with Town of Rosendale roadway standards, in accordance with §60-20(A)(3) of the Rosendale Town Code.

Copies of the deed descriptions of each of the new lots should be provided to the Planning Board when the Final Plat is submitted, in accordance with §60-20(C) of the Rosendale Town Code.

- Copies of received Ulster County Health Department permits for water and wastewater should be provided to the Planning Board when received, in accordance with §60-20(E) of the Rosendale Town Code.
- The Applicant proposed to disturb 1.80 acres of land, and as such, has prepared a Stormwater Pollution Prevention Plan (SWPPP) for the proposed project. To facilitate review of the SWPPP by our engineer, it is recommended that the Planning Board request that the Applicant establish an escrow account with the Town in the amount of \$3,000, in accordance with §60-16.1(C) of the Rosendale Town Code. Comments on the SWPPP can be provided for the June 11, 2020 Rosendale Planning Board meeting.

The following is discussed about the application:

- Applications were submitted to the Ulster County Health Department however they are still waiting for permits to be issued.
- The existing Road Maintenance Agreement for the road is currently being revised to include the proposed lots.
- The applicant should submit a drawing with a section showing the proposed improvements to the road
- An escrow account should be established for further review of the engineering plans/SWPPP by Bergmann Associates
- Reminder that any clearing of trees for the lots should be scheduled around the NYDEC guidelines regarding the endangered bats in the area.

Motion made by Jere Brown, seconded by Randi Morf, to classify this application as an “Unlisted Action” pursuant to SEQRA, to declare its intent to serve as SEQRA Lead Agency and to conduct an uncoordinated SEQRA review of the project.

Roll Vote: Chairman Billy Liggan – Yes, Vice Chairman Joseph Havranek – Yes, Jere Brown – Yes, John Ivankovic – Yes, Nick Mercurio – Yes, Randi Morf – Yes, Jim Luckner – Yes

Motion carried.

Motion made by Vice Chairman Joseph Havranek, seconded by Nick Mercurio, to waive the requirement for Preliminary Plat review and proceed directly into Final Plat review as allowed for under §60-10(B) of the Rosendale Town Code.

Roll Vote: Chairman Billy Liggan – Yes, Vice Chairman Joseph Havranek – Yes, Jere Brown – Yes, John Ivankovic – Yes, Nick Mercurio – Yes, Randi Morf – Yes, Jim Luckner – Yes

Motion carried.

Motion made by Jere Brown, seconded by John Ivankovic, to establish a \$3,000 escrow fund for further review of the application.

Roll Vote: Chairman Billy Liggan – Yes, Vice Chairman Joseph Havranek – Yes, Jere Brown – Yes, John Ivankovic – Yes, Nick Mercurio – Yes, Randi Morf – Yes, Jim Luckner – Yes

Motion carried.

Motion made by Vice Chairman Joseph Havranek, seconded by Nick Mercurio, to accept the request to waive a mapping of Lot 4 (remaining lands) in its full surveyed metes and bounds.

Roll Vote: Chairman Billy Liggan – Yes, Vice Chairman Joseph Havranek – Yes, Jere Brown – Yes, John Ivankovic – Yes, Nick Mercurio – Yes, Randi Morf – Yes, Jim Luckner – Yes

Motion carried.

Motion made by Randi Morf, seconded by John Ivankovic, to refer this application to the Ulster County Planning Board for review and comments.

Roll Vote: Chairman Billy Liggan – Yes, Vice Chairman Joseph Havranek – Yes, Jere Brown – Yes, John Ivankovic – Yes, Nick Mercurio – Yes, Randi Morf – Yes, Jim Luckner – Yes

Motion carried.

Motion made by Jim Luckner, seconded by Randi Morf, to set a public hearing for June 11th 2020 at 7:00 pm

Roll Vote: Chairman Billy Liggan – Yes, Vice Chairman Joseph Havranek – Yes, Jere Brown – Yes, John Ivankovic – Yes, Nick Mercurio – Yes, Randi Morf – Yes, Jim Luckner – Yes

Motion carried.

MISC:

ADJOURNMENT:

Motion made by Randi Morf, seconded by Jere Brown, to adjourn at 8:19 pm.

Roll Vote: Chairman Billy Liggan – Yes, Vice Chairman Joseph Havranek – Yes, Jere Brown – Yes, John Ivankovic – Yes, Nick Mercurio – Yes, Randi Morf – Yes, Jim Luckner – Yes

Motion carried

Respectfully submitted,
Brisa Casas
Planning Board Clerk