

Ulster Town Board  
Public Hearing – Special Permit for “Sawkill Meadow Apartments”  
March 14, 2005 at 7 PM

Public Hearing was called to order by Chairperson, Supervisor Wadnola at 7:00 PM

## **SALUTE TO THE FLAG**

**Town Clerk Cosenza read the public notice:**  
NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a Public Hearing will be held on March 14, 2005 at 7:00 PM at the Ulster Town Hall, Town Hall Drive, Lake Katrine, New York, before the Ulster Town Board on the application of Ed Hill Jr. for a special permit for “Sawkill Meadow Apartments”, a multiple unit dwelling (46 units), on the lands of Charles Roach (9.5 acres) located on parcel lot # 48.14-2-32.420, located at 220 Sawkill Road in an OM Zone.

Date: March 1, 2005

BY ORDER OF THE ULSTER TOWN BOARD  
Jason Cosenza, Ulster Town Clerk

Mr. Shuster explained that the proposed site plan is for 11 buildings with 4 units. Each will be serviced by public water, but will have an on-site disposal system for the sewage. An independent engineer has reviewed the storm water drainage plan and approved it with several minor variations. At the last public hearing, a variety of questions were raised; the location of the flood plain to the project and the distance from Sawkill Rd. There are three types of flood plains: 20 year, 100 year and 500 year flood plains. All the buildings of the project are built away from the 20 year plain zone.

Summary of questions and answers:

Mr. Robert Barton – Sunrise Park – What were the items that the Ulster County Planning Board recommended that were not used? Was the septic system in the flood plain?

Mr. Shuster – One of the recommendations was that sidewalks be brought to Sawkill Road. This idea was dismissed because there are no walkways on Sawkill Road and the sidewalk would lead to nowhere.

Ed Hill Jr. (the developer) – The sidewalks didn’t make sense because it was a pathway that led to a road that has no sidewalks and has no room to walk on. The County Planning Board recommended we narrow the road into the site, and that was incorporated. The sewer system has part of its leach fields in the flood plain but it meets all the standards, regulations and requirements of New York State. The playground is not located over any of the septic system.

Supervisor Wadnola – Stated his concern over where the school buses would pick the children up for school in this project? Why not put sidewalks on the town road?

Ed Hill Jr. – Stated he does not have any control over how the school creates the routes and that he will work to help resolve the problem. He suggested that the bus could come into the project to pick the children up and turn around to get back to the road. At this time, he does not feel the sidewalk is warranted, but he has no objection about putting a sidewalk on Farm to Market Road.

A discussion occurred about whether the school bus would enter private property.

Timothy O'Brien – 55 Brabrant Road – Expressed his concern about the traffic on Sawkill Rd. and the traffic the project would generate in the area. He further expressed his concern about the safety of the school bus picking the children up and turning from Farm to Market Road to Sawkill Rd. He felt the entrance was already unsafe and that the project would worsen it. He spoke about the bridge nearby, that the state was going to raise it a foot or two and that would cut back on the visibility on exiting the site and that should be considered. He favored a traffic study of the area.

Ed Hill Jr. – Stated that he has no control over what the state will do, that the matter was not within his control and that he has to work within the existing conditions. He does not feel that he should pay for a traffic study. He reported that the Sheriff's Department reported only 6 accidents in the area within 8 years and according to those reports, they were driver errors, not road conditions. He suggested that road conditions are exaggerated. He felt confident in the town's decision and the Town Planner's knowledge of the area that his project will add no significant amount of traffic to the area.

Timothy O'Brien – 55 Brabrant Road – Why the SEQRA form was not completed?  
Mr. Shuster – There are three parts to the form. The first part has been finished by the applicant. The second and third parts have to be finished by the lead agency (the Town) which has not yet taken up a SEQRA determination.

Timothy O'Brien – 55 Brabrant Road – This project is continuous with a 303D waterway. Has this been looked into?

Mr. Shuster – He believes that this item has been looked at with the storm water drainage study.  
Scott Lean – Brinnier and Larios, PC.- The project is nowhere near the water way.

Timothy O'Brien – 55 Brabrant Road – He felt the project should have a positive declaration. He spotted Blue Heron nesting in the area and that needs to be reviewed, along with all the other issues that were brought forth. What would be the impact upon the flood plain once the project was built?

Ed Hill, Jr. – Practically no impact, as all the buildings are off the flood plain.

Mr. Brian Cahill – 1106 Dalewood St. – How many County Planning Board recommendations were used? What does the “multi” use recommendation mean?

Mr. Shuster – Quite a few of the recommendations were incorporated into the project. The sidewalk was the major one that was not used.

Ed Hill, Jr. – The “multi” use suggestion was that the apartments vary in the number of bedrooms. They are currently two bedroom apartments. They wanted a mix of single and double. It was not economically feasible to implement.

Mr. Brian Cahill – 1106 Dalewood St. – Suggested that sidewalks and a shelter be added to the site plan for the children that have to wait for the school bus. Felt that area traffic problems should be addressed in some measure to accommodate residents in the area. At the last public

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hearing it was stated that the playground was over a leech field. Is that allowed?

Ed Hill, Jr. – Stated he has no problem in putting sidewalks or the shelter. The children’s playground is in the flood plain, but not over any leech field.

Mr. Vincent Guido – East Chester St. Stated that there is a letter from the County Bridge and Highway Department that says there are grave issues over the site and the bridge. He contacted Barbara Cornel at the DEC Storm Water Management and she stated that area was in a “303c” storm area. Does this project meet or exceed the requirements (NYS storm water drainage) and will it meet the requirements in 2008 when they become the town’s responsibility? It should be answered in the documentation. A positive declaration would address the issues mentioned earlier, such as the traffic and the blue heron. The school board should be contacted to address the school problem and have that problem fixed. He noted that the SEQRA form was missing from the file in the Building Department.

Joe O’Brien – Genesee Ave. - Stated that he knew there had been two traffic deaths that occurred in the area and asked that the Board take a closer look into the matter.

Ed Hill, Jr. – Stated that the Sheriff gave him all the information that was available for the last eight years.

Councilman Brink – Is there an emergency entrance to the project?

Ed Hill, Jr. – Yes, there is an auxiliary entrance near the “Jeto’s” property that, in case of an emergency, the Fire Department can run through. The pathway will be kept clear and will be plowed during the winter months.

Tim O’Brien – How many handicapped accessible apartments will there be?

Ed Hill, Jr. – Scott Dutton, an architect, is working on that, as there is a complex formula that has to be followed.

Councilman Artist motioned to close the public hearing at 7:55 PM

2<sup>nd</sup> by Councilman Brink

Four Ayes – Councilman Van Kleeck was absent

Respectfully Submitted by

Jason Cosenza, RMC

Ulster Town Clerk