

**TOWN OF ESOPUS PLANNING BOARD MINUTES
JANUARY 9, 2019**

PRESENT: **Roxanne Pecora, Chairperson**
 Fred Zimmer, Vice Chairperson
 Dan Michaud
 Darin Dekoskie
 Greg McCord

EXCUSED: **Melanie Marino**
 Mark Anderson

ALSO PRESENT: **Alan Sorensen, Consultant**

The meeting of the Town of Esopus Planning Board was called to order at 7:35 P.M. Chairperson Pecora commenced roll call and upon determining that a quorum was present, continued with the Pledge of Allegiance.

MINUTES: Chairperson Pecora asked if the Board had read the minutes of the December 12, 2018 Planning Board Meeting and called for a Motion to approve the Minutes. **Upon Motion of Member Darin Dekoskie, seconded by Member Dan Michaud and the affirmative vote of all members, the motion passed 5-0.**

VOUCHERS:

Planning Consultant Alan Sorensen, Planit Main Street - Services provided for the Month of 2018	\$2,300.00
Planning Consultant Alan Sorensen, Planit Main Street – Escrow Voucher for HSC Esopus, LLC Site Plan	\$ 805.00
CHA Engineering Review Escrow Voucher for HSC Esopus, LLC Site Plan	\$3,056.25
Administrative Assistant, Lisa K. Mance	85.5 hours

Chairperson Pecora called for a Motion to approved the submitted vouchers. Upon Motion of Member Darin Dekoskie, seconded by Member Dan Michaud and the affirmative vote of 5 members, the Motion passed with a vote of 5-0.

PUBLIC HEARING:

Pangea East, Inc. - Case #2017-13 – Site Plan & SUP, 1170 Route 213; SBL No. 56.18-2-25

Chairperson Pecora entertained a Motion to Open the Public Hearing. Upon motion of Member Darin Dekoskie, seconded by Member Dan Michaud, and the affirmative vote of all members, the Motion passed 5-0 and Chairperson Pecora thereafter read the Public Hearing Notice into the record at 7:40 p.m.

St. Remy resident George Brown had concerns regarding traffic and noise and asked for an explanation as to what would be taking place on the site.

Scott Dutton, Registered Architect (representing Pangea East, Inc.), together with Dennis Redmond, President of Pangea East, Inc. were called upon to provide information regarding the proposed site plan. Architect Dutton advised that the group formed and purchased the property in 2010 and had been actively using the property since then. In 2016, the applicant had consulted with a local attorney and Mr. Dutton had joined them at that time. The applicant is seeking approval from the Board of a use allowed by right which, if approved, could be rescinded by the Board if the terms of the approval were not complied with. The group of individuals using the site participates in workshops and events such as yoga and meditation. The group is very cognizant of their footprint on the environment and has taken steps to mitigate same regarding traffic. The site has limited parking which doesn't allow for a large volume of traffic and requires participants to carpool or find other means of transportation in certain instances. A clerical error on the plans of David Rider, P.E. had been addressed and corrected to the satisfaction of Planner Sorensen.

Hearing no other persons wishing to address the Board, **Chairperson Pecora called for a motion to close the Public Hearing. Upon Motion of Vice-Chairman Fred Zimmer, seconded by Member Greg McCord and the affirmative vote of all Members, the motion passed 5-0 by the following vote:**

Roxanne Pecora	Aye
Fred Zimmer	Aye
Mark Anderson	Excused
Dan Michaud	Aye
Darin DeKoskie	Aye
Greg McCord	Aye
Melanie Marino	Excused

OLD BUSINESS:

Pangea East, Inc. - Case #2017-13 – Site Plan & SUP, 1170 Route 213; SBL No. 56.18-2-25

Chairperson Pecora provided the Referral Response of the Ulster County Planning Board (hereinafter referred to as “UCPB”) reviewed January 2, 2019, which response contained a required modification that the Esopus Planning Board “asks the New York State Department of Transportation to review the existing driveway and access onto NYS Route 213 to verify its adequacy for the proposed use.”

Planner Sorensen reviewed updates contained in his Project Review Notes. Revisions to the turnaround on the plans and the addition of the bulk table to the plans had been made. He noted that the St. Remy Fire Department had checked access and adequacy of the culvert and had found it acceptable with a request that the width of the driveway not to be decreased. The

Board determined that the request of the Fire Department to require the access driveway and parking be plowed and maintained was not under the purview of the Board. Planner Sorensen recommended that the Board override the required modification of the UCPB.

Upon Motion of Vice-Chairman Fred Zimmer, seconded by Member Dan Michaud and the affirmative vote of all Members, the motion to override the required modifications of the UCPB passed 5-0 by the following vote:

Roxanne Pecora	Aye
Fred Zimmer	Aye
Mark Anderson	Excused
Dan Michaud	Aye
Darin DeKoskie	Aye
Greg McCord	Aye
Melanie Marino	Excused

Chairperson Pecora called for a motion to grant site plan and special use permit approval with the condition that the access driveway not be decreased in width. Upon Motion of Member Greg McCord, seconded by Vice-Chairman Fred Zimmer and the affirmative vote of all Members, the motion passed 5-0 by the following vote:

Roxanne Pecora	Aye
Fred Zimmer	Aye
Mark Anderson	Excused
Dan Michaud	Aye
Darin DeKoskie	Aye
Greg McCord	Aye
Melanie Marino	Excused

OLD BUSINESS:

HSC ESOPUS LLC (Owner, VENDITTI): Case #2018-11 – Subdivision and Site Plan – 1182 Broadway, 174 Hudson Lane, Ulster Park; SBL No. 64.3-3-15

Caryn Mlodzianowski of Boehler Engineering and Bridget Madison , Development Coordinator for Hix Snedeker Companies were present. Ms. Mlodzianowski provided update of the plans for the benefit of the Board. The design of the building footprint had been amended to create a “bump out” at the entrance; landscaping and stormwater modifications had been made pursuant to comments of CHA (Engineer Pete Lilholt, Jr., P.E.). The New York State Department of Transportation (NYSDOT) had provided an e-mail response which raised no objection relative to shift in driveway location, which e-mail needed to be provided for the Planning Board record. Revised building renders had been prepared which provided for black channel lettering and gooseneck lighting which had been requested by the Board.

Planner Sorensen had commented that materials used on base of monument sign should match material used on main structure and that the street number for the address needed to be affixed.

Landscaping and lighting were discussed and plans were found acceptable. Planner Sorensen noted that SEQRA review for site plan and subdivision was to be under one action. The applicant was to follow-up with the New York State Department of Environmental Conservation relative to sensitive species. Member Darin DeKoskie requested that the applicant obtain one final response by Engineer Lilholt to confirm that all issues had been adequately addressed.

Chairperson Pecora called for a motion for applicant to supplement the escrow in the amount of \$3,000.00. Upon Motion of Member Dan Michaud, seconded by Vice-Chairman Fred Zimmer and the affirmative vote of all Members, the motion passed by 5-0 by the following vote:

Roxanne Pecora	Aye
Fred Zimmer	Aye
Mark Anderson	Excused
Dan Michaud	Aye
Darin DeKoskie	Aye
Greg McCord	Aye
Melanie Marino	Excused

Chairperson Pecora called for a motion to waive a public hearing on the preliminary plat and grant preliminary plat approval relative to the subdivision. Upon Motion of Vice-Chairman Fred Zimmer, seconded by Member Darin Dekoskie and the affirmative vote of all Members, the motion passed by 5-0 by the following vote:

Roxanne Pecora	Aye
Fred Zimmer	Aye
Mark Anderson	Excused
Dan Michaud	Aye
Darin DeKoskie	Aye
Greg McCord	Aye
Melanie Marino	Excused

Planner Sorensen stated that the proposed Subdivision was exempt from referral to the UCPB but the proposed Special Use Plan was not. He also recommended that a Public Hearing on both the Minor Subdivision Final Plat and Special Use Permit be scheduled and referred to UCPB for 239 review.

Chairperson Pecora called for a motion to schedule a Public Hearing on February 13, 2019 at 7:40 p.m. for both the proposed Site Plan and Special Use Permit. Upon Motion of Member Dan Michaud, seconded by Member Darin DeKoskie and the affirmative vote of all Members, the motion passed by 5-0 by the following vote:

Roxanne Pecora	Aye
Fred Zimmer	Aye
Mark Anderson	Excused
Dan Michaud	Aye

Darin DeKoskie Aye
Greg McCord Aye
Melanie Marino Excused

Chairperson Pecora called for a motion to deem the application complete and refer the proposed Site Plan and Special Use Permit to the UCPB. Upon Motion of Member Darin DeKoskie, seconded by Member Dan Michaud and the affirmative vote of all Members, the motion passed by 5-0 by the following vote:

Roxanne Pecora Aye
Fred Zimmer Aye
Mark Anderson Excused
Dan Michaud Aye
Darin DeKoskie Aye
Greg McCord Aye
Melanie Marino Excused

Chairperson Pecora requested a complete set of plans from the Applicant for the referral to the UCPB. The \$200.00 Public Hearing fee was to be taken out of escrow.

NEW BUSINESS:

Nina Nichols - Case #2018-16 – Site Plan & SUP, 138 Second Street, Connelly; SBL No. 56.50-3-38

Applicant Nina Nichols and Dave Curtis were present and provided copies of the existing floor plan for the Board. All changes being proposed were to take place within the structure. Issue of parking was addressed as well as the size of the lot. Pursuant to the review of Planner Sorensen, it was determined, after discussion with the Board, that an application to the Zoning Board of Appeals for an area variance pursuant to Article IV §123-13(A)(1) was needed. Vice-Chairman Zimmer noted that Applicant may be able to commence application for a building permit to start the work while going through the Board approval process. Ms. Nichols noted that she had been in contact with Building Inspector Morello and had obtained a demo permit to take out the chimneys and an architect engineer had been retained to draw up plans for the roof and were waiting on those plans to be complete. Vice-Chairman Zimmer advised that obtaining a survey was also recommended. Ms. Nichols discussed the discrepancies in the classification of the property noting that for tax purposes, the property had been classified as a multi-family and sold to her as a multi-family residence but the records of the Town had classified the property as a single-family residence and somehow, the multi-family use had been created without prior approval. Ms. Nichols stated the easiest remedy to the illegal use currently existing was to apply for a two-family dwelling. According to the Ulster County Parcel Viewer, sometime between 2000 and 2012, classification went from a single-family residence to a three-family residence.

Planner Sorensen recommended referral to the ZBA take place as soon as possible to address the lack of required acreage for a two-family residence pursuant to the Town Code. **Chairperson Pecora called for a motion to refer the application to the ZBA to request an area variance**

pursuant to Article IV§123-13A(1). Upon Motion of Member Darin DeKoskie, seconded by Member Greg McCord and the affirmative vote of all Members, the motion passed by 5-0 by the following vote:

Roxanne Pecora	Aye
Fred Zimmer	Aye
Mark Anderson	Excused
Dan Michaud	Aye
Darin DeKoskie	Aye
Greg McCord	Aye
Melanie Marino	Excused

Ms. Nichols discussed with the Board what changes to the Site Plan would be required for it to be determined to be acceptable. The Board indicated that obtaining an updated survey with a signature block for the Board, bulk table, variance approval reference, location of structures and property line setbacks should suffice and would then exist to be used for both Boards and to provide to financial institution if ever needed in the future.

ZBA REFERRALS

There were no comments with regard to the Hammond referral for an area variance for the shed placement regarding property located at 1803 Route 213, Rifton, NY; SBL No. 71.1-1-14.

PLANNING BOARD LIAISON TO BUILDING DEPARTMENT: REPORT – FRED ZIMMER

Vice-Chairman Zimmer provided updates with regard to issues with the Murphy property and the Staccio property. Mr. Murphy had been dealing with the Army Corp. of Engineers, the fill on the property and the restoration of the wetlands.

UPON MOTION OF MEMBER DAN MICHAUD, SECONDED BY MEMBER DARIN DEKOSKIE, AND THE AFFIRMATIVE VOTE OF ALL MEMBERS, THE MEETING WAS ADJOURNED AT 9:37 P.M.

NEXT MONTHLY MEETING: FEBRUARY 13, 2019

DEADLINE DATE: JANUARY 30, 2019

NEXT PRE-SUBMISSION: JANUARY 16, 2019

Respectfully submitted:
Lisa K. Mance, Administrative Assistant
Date prepared: January 15, 2019
Date approved: February 13, 2019