

**PLANNING BOARD MEETING
FEBRUARY 8, 2017**

PRESENT: **Roxanne Pecora
Mark Anderson
Margaret Yost
Darin Dekoskie
Dan Michaud
Fred Zimmer**

ALSO PRESENT: **Myles Putman, Consultant**

Chairperson Pecora called the meeting of the Town of Esopus Planning Board to order at 7:30 P.M. beginning with the Pledge of Allegiance to the Flag. Roxanne advised the public of the building's fire exits and roll call was taken.

MINUTES: Chairperson Pecora asked if the Board read the minutes from the Planning Board Meeting held on January 11, 2017 meeting and if there were any changes or corrections. There were no changes.

MARGARET MADE A MOTION TO APPROVE THE JANUARY 11, 2017 MINUTES SECONDED BY DAN. MOTION PASSED WITH A VOTE OF 6-0. VOTE WAS AS FOLLOWS:

Mark.....yes
Margaret.....yes
Darin.....yes
Dan.....yes
Fred.....yes
Roxanne.....yes

VOUCHERS:

M.L.Putman Consulting (Month of January).....\$2,500.00
April Oneto (secretarial services).....90 hours

DAN MADE A MOTION TO APPROVE THE VOUCHERS AS READ SECONDED BY MARGARET. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 6-0.

NEW BUSINESS:

**WHITTAKER: Case #2017-02 – Lot Line Adjustment – 15 & 16 Florence St.
(private road), Ulster Park; SBL: 63.002-4-32.1 & 32.2**

Rodney & Susan Whittaker were present for this application.

Myles reviewed ML Putman Consulting Report dated 2/2/17. A copy of the report was given to applicants and copy placed in the file.

MARK MADE A MOTION TO CLASSIFY WHITTAKER, CASE #2017-02, LOT LINE ADJUSTMENT AS AN UNLISTED ACTION PRUSUANT TO SEQR AND GRANT SKETCH PLAN APPROVAL, SECONDED BY FRED. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 6-0. VOTE WAS AS FOLLOWS:

Darin.....yes
Dan.....yes
Mark.....yes
Fred.....yes
Margaret.....yes
Roxanne.....yes

MARK MADE A MOTION TO WAIVE THE PUBLIC HEARING AS PER SECTION 107-16.A(1) THROUGH (4) OF THE TOWN CODE, FOR WHITTAKER, CASE #2017-02, LOT LINE ADJUSTMENT, SECONDED BY FRED. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 6-0. VOTE WAS AS FOLLOWS:

Darin.....yes
Dan.....yes
Mark.....yes
Fred.....yes
Margaret.....yes
Roxanne.....yes

Fred questioned the easements on the property. Applicants stated that everybody has an easement on the road and this is not being changed. Susan stated that it is actually going to be specified in the new deed.

FRED MADE A MOTION TO MAKE A DETERMINATION OF NON-SIGNIFICANCE (NEGATIVE DECLARATION) PURSUANT TO SEQR FOR WHITTAKER, CASE #2017-02, LOT LINE ADJUSTMENT, SECONDED BY ROXANNE. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 6-0. VOTE WAS AS FOLLOWS:

Darin.....yes
Dan.....yes
Mark.....yes
Fred.....yes
Margaret.....yes
Roxanne.....yes

MARGARET MADE A MOTION TO GRANT CONDITIONAL FINAL APPROVAL CONDITIONED UPON RECEIPT OF SIX PAPER MAPS AND ONE MYLAR WITH THE CONSENT TO FILE BLOCK EXPANDED FOR FOUR SIGNATURES AND ALL SIGNATURES ON THE MAPS, SECONDED BY FRED. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 6-0. VOTE WAS AS FOLLOWS:

Mark.....yes
Fred.....yes
Margaret.....yes
Darin.....yes
Dan.....yes
Roxanne.....yes

OLD BUSINESS:

OLD STOCKADE DEVELOPMENT: Case #2016-02 – Special Use Permit/Site Plan – 564 Broadway (US Route 9W; State Hwy 310) @ 210-214 Ulster Ave. & Cross St., Ulster Park; SBL: 63.002-3-10

Dennis Larios, Paul Larios and Charles Wesley were present for this application. Dennis handed out some material and explained that he thought this was going to be a pre-submission meeting. Roxanne explained to Dennis that we would accept the submittal but not review this material until the next meeting.

Dennis stated that they were prepared to address some of Myles comments from the initial site plan review regarding the drainage. He stated that Michael Vetere was hired to do the topographic survey and that he had done the property line survey. Michael Vetere was present in the audience at this meeting. Dennis stated that in doing the surveys it was discovered that there was no drainage discharge anywhere near the site. There were no drainage facilities in the County road or the State highway. The site soils are classed as Hydrologic Soil Group D with high ground water. Dennis stated that it was very challenging to do a storm water plan on this site. Dennis stated that they met with the County and the County is agreeable in general to allow the applicant to install drainage along Ulster Avenue southerly about 800 feet to a course of natural drainage. He stated that in doing this a lot of offsite work will need to be done with respect to surveying, establishing the County road boundary and designing a system within the County road right-of-way. Before the applicant started to do all that they want to make sure that this didn't raise any red flags with the Planning Board the project would require the installation of an offsite conveyance system and it would become Ulster Counties after completion.

Myles reviewed ML Putman Consulting Report dated 2/3/17. A copy of this report was given to applicant and filed in the record.

Myles stated that the applicants were asked to contact Ulster County Department of Public Works to discuss the best location for the access to this site. They were also requested to contact New York State Department of Environmental Conservation Natural Heritage Unit in Albany regarding endangered or threatened species on the site.

Applicants received the use variance from the Zoning Board of Appeals for use of an undersized lot in a light industrial area. TEVAS has some concerns about site distance in terms of the ambulances getting out. Myles entered information into the State Historic Preservation Office Cultural Resource Information System (SHPO – CRIS) last April and they got back to him saying that there are no issues regarding cultural impacts on this site.

Dennis stated that normally you can manage the drainage on site and release it to the course of pre-existing discharge point. This site is a bowl with no apparent discharge. They spoke to the State and the County. The County was open to putting drainage in the County right-of-way. We wanted to get the Boards' opinion prior to going ahead since this would be an expensive endeavor. There is a course of natural drainage about 800 feet south of the site on Ulster Avenue which crosses under Ulster Avenue and drains near Rodman Lane. The idea is to design a system to manage stormwater on site but then establish a conveying system to define ports of drainage. We did not want to come in with that as a surprise and have the Board have a problem with the approach of an off site conveyance. Dennis stated that the County will let them pipe down past the ambulance squad and from that point they would prefer to have an open swale. They would be working in the right-of-way and if there is not a firm clear right of way that the County has then that option is off the table. The County is pretty sure but they are not positive.

Dan questioned if there was already a culvert where they want to divert the drainage to. Dennis stated that there is culvert on Ulster Avenue near Rodman Lane. Dennis stated that here is a nice course of drainage and they will just be bleeding a small amount. Dennis stated that what it boils down to is if the Planning Board has no objection to this approach then the applicant will start the work that the County has asked for.

Roxanne asked each Board member their opinion. Darin thinks this is the only option. Dan has no problem with this approach assuming they run the calculations and they all support this.

Fred stated that he would like to see the area around the buildings paved. He felt that they would have to put some sort of internal drainage system on site to carry the drainage down the road. Dennis stated that there will be an internal drainage system and an attenuation system subsurface. Fred questioned the lot lines to be deleted. Charlie stated that this will be taken care of pending Planning Board approval of the project. They are planning on completing the purchase of the property and filing it with the County once they receive approval. Fred stated that the site distance problem is not north it is south when you come out of Cross Street. He feels if the County will allow them to do the drainage on Ulster Avenue it is okay with him. They discussed paving and Fred stated that he does not want to see Item 4. He wants to see blacktop probably about 10 feet and

the runoff numbers will be the same. Fred suggested that they touch base with the Fire Department and give us a letter.

Mark stated that the Fire Department suggestion is a good point. Roxanne stated that they should get a letter from the County Department of Public Works and she recommends that they do a Gateway Meeting with the County.

Myles would like to see lighting details, standard design. He would like to see details of the sign, proposed finish of the buildings. He understands that there is really going to be no fencing except for the gate. This is correct.

Margaret questioned if they are going to fence the entire area. Charlie stated that they are only going to be screening. The fencing will only be at the access area. Charlie stated that the way it is going to be screened you would not be able to drive a car in. Margaret stated that it is only one way. Charlie stated that initially they had their entrance between the two buildings and then they moved it to the north. Charlie stated that they could easily move it between the two buildings and he thinks it would be better access and it would be farther away from the turn. Margaret stated that the way it is now you can only go one way and in some areas you will have to back up. If the entrance is moved, you will be able to get completely around. They will review this with the County.

FEENEY SHIPYARD (Callanan): Case #2017-01 – Site Plan/Special Use Permit – 389 New Salem Rd. (Co. rd. 57), Kingston; SBL: 56.015-1-28

Tim Feeney, Shawn Feeney and Rodney Aldich were present for this application.

Myles reviewed M.L. Putman Consulting Report dated 2/7/17. Copy of report given to applicant and copy placed in file.

Myles noted that this property is within the 100 flood year area and he noted that applicant stated that they will be storing hazardous materials at a location that is beyond the 100 year flood hazard. In looking at the map, he cannot find where they have the 100 year flood hazard zone marked.

Shawn stated that where they have the trailer there is a natural division of property. All of this will be stored in this area. Everything at the lower level, even the electrical shed is already built up 4 ½ feet above. Myles stated that they need to talk to the Building Inspector regarding whether they need a Flood Plane Development Permit or not. Fred stated that the grid line indicates the size of the entire property but this is the size of the mine not the property they are leasing. He asked last meeting to have the property lines that they will be leasing shown on the map. He asked for the whole map and the area where the actual site plan is located.

Discussion took place between Michael Vetere, Surveyor, and Fred regarding the problems he has encountered attempting to provide what was requested. Myles stated

just for the record that his office prepared such maps showing the tax parcels, zoning and the site. He asked if Fred can accept those in lieu of making the map. Fred stated that he wants to see on the overall site map where the separate parcels are and where this parcel in question is. Following further discussion Fred stated that they can do a deed plot and this will be acceptable for him. Margaret and Fred explained what Fred is asking for by reviewing the maps that were previously submitted.

Dan mentioned that they talked about 15+ employees and it looks like there are 38 parking spaces provided. He thinks that was an error. They don't foresee having more than 15 employees on this site. Darin questioned the portable toilets. Roxanne informed the Board that there will be a Gateway Meeting at the Ulster County Planning Board on Friday and Fred will be attending. Fred will question the portable bathroom. The Board would like something in writing from the Health Department regarding this.

MARGARET MADE A MOTION TO REFER FEENEY SHIPYARD, CASE #2017-01, SPECIAL USE PERMIT/SITE PLAN TO THE COUNTY PLANNING BOARD, WATERFRONT ADVISORY BOARD AND A COURTESY REFERRAL TO THE CITY OF KINGTON, SECONDED BY DARIN. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 6-0. VOTE WAS AS FOLLOWS:

Fred.....yes
Mark.....yes
Margaret.....yes
Darin.....yes
Dan.....yes
Roxanne.....yes

MARGARET MADE A MOTION TO SCHEDULE A PUBLIC HEARING FOR WEDNESDAY, MARCH 8, 2017 AT 7:40 PM FOR FEENEY SHIPYARD, CASE #2017-01, SPECIAL USE PERMIT/SITE PLAN, SECONDED BY FRED. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 6-0. VOTE WAS AS FOLLOWS:

Darin.....yes
Dan.....yes
Mark.....yes
Fred.....yes
Margaret.....yes
Roxanne.....yes

Applicant was informed that there will be a \$200 Public Hearing fee due by 2/22/17.

Mark reminded the applicant that we need a letter from the Ulster County Health Department regarding the use of the porta-pots as a permanent use as well as the water supply. Applicant was requested to speak with Building Inspector regarding the Flood

Plain Development Plan.

ZBA REFERRALS

NONE

MISCELLANEOUS:

Issue: Parking on Broadway for businesses.

ZBA received a referral for a Pizzeria that is going in where the Allstate Insurance Business was located. Discussion took place regarding parking in the municipal lot or in the areas on the street that provide for parking. This is a take-out only. Myles stated that this is permitted by right in the Broadway commercial district. The question is this a lateral shift between two uses allowed by site plan and is the shift of such significance that it really needs to come to the Planning Board? The issue is that this property has no on-site parking and past uses have used on street parking. We now have a parking lot and there is some existing spaces on Broadway. Myles stated that in the past years a lot of businesses have gone without ZBA approval or Planning Board approval because the feeling is that we want to encourage business.

Fred stated that if they are not going to make any physical changes and they think they can run a business there he is all for it. They will not be doing anything other than changes inside the building but not change the footprint.

The Board felt that they did not need to go for a ZBA Variance or come before this Board for a Special Use Permit/Site Plan.

Pre-Submission – Fred will be unable to do Pre-submission on 2/15/17. Mark may not be able to cover this meeting. He will let the Planning Board Secretary know and Roxanne will cover if Mark cannot do the meeting.

MARGARET MADE A MOTION TO ADJOURN, SECONDED BY DAN. ALL MEMBERS WERE IN FAVOR. MEETING ADJOURNED AT 9:00 PM.

NEXT MONTHLY MEETING: MARCH 8, 2017

DEADLINE DATE: FEBRUARY 22, 2017

NEXT PRE-SUBMISSION: MARCH 15, 2017

Respectfully submitted,

April Oneto
Planning Board Secretary

