

**TOWN OF ESOPUS
PLANNING BOARD MEETING
MARCH 13, 2013**

BOARD MEMBERS PRESENT: Roxanne Pecora
Michael Manicone
Fred Zimmer
Margaret Yost
Michael Minor
Darin DeKoskie
Rich Williams

ALSO PRESENT: Myles Putman , M.L. Putman Consulting
Joseph Eriole, Esq.

Chairperson Pecora called the meeting of the Town of Esopus Planning Board to order at 7:00 PM. 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: Board members were asked if there were any changes or corrections to the minutes of the February 13, 2013 meeting. Margaret stated that page 7 paragraph 2 should be hay bales.

RICH MADE A MOTION TO APPROVE THE MINUTES OF FEBRUARY 13, 2013 AS AMENDED SECONDED BY DARIN. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:

Fred.....yes
Margaret.....yes
Michael Manicone.....yes
Michael Michael.....yes
Darin.....yes
Rich Williams.....yes
Roxanne.....yes

VOUCHERS:

M.L.Putman Consulting (Month of February, 2013).....	\$2,250.00
Joseph Eriole, Esq. (Ferguson).....	\$1,330.00
Joseph Eriole, Esq. (Ferguson).....	\$ 350.00
Joseph Eriole, Esq. (Review Minutes Jan., Feb., 2013).....	\$ 196.00
April Oneto (secretarial services).....	58 hours

MICHAEL MINOR MADE A MOTION TO APPROVE THE VOUCHERS AS READ, SECONDED BY FRED. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0.

DARIN MADE A MOTION TO GO INTO EXECUTIVE SESSION TO DISCUSS PERSONNEL ISSUES WITH THE TOWN SUPERVISOR SECONDED BY RICH. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0.

BOARD WENT INTO EXECUTIVE SESSION AT 7:05 PM.

MICHAEL MINOR MADE A MOTION TO RETURN FROM EXECUTIVE SESSION SECONDED BY FRED. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0.

DARIN MADE A MOTION TO GO INTO EXECUTIVE SESSION FOR DISCUSSION WITH LEGAL COUNSEL SECONDED BY RICH. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 6-0. ROXANNE RECUSED HERSELF.

BOARD WENT INTO EXECUTIVE SESSION AT 7:15 PM.

MICHAEL MINOR MADE A MOTION TO RETURN FROM EXECUTIVE SESSION SECONDED BY MARGARET. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 6-0.

BOARD RETURNED FROM EXECUTIVE SESSION AT 7:42 PM.

Roxanne returned to the Board.

PUBLIC HEARING:

LAFFIN & BAKTER – Case #2013-01 – Minor Re-subdivision – 120 Soper Road, West Esopus; SBL: 71.001-4-52.13

MICHAEL MINOR MADE A MOTION TO OPEN THE PUBLIC HEARING FOR LAFFIN & BAKTER, CASE #2013-01, MINOR RE-SUBDIVISION SECONDED BY RICH. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0.

Roxanne read the Public Hearing Notice placed in the Daily Freeman. Copy of notice placed in the file.

Roxanne asked if there was anyone present who wished to speak regarding this application. There was no one present who wished to speak.

MICHAEL MINOR MADE A MOTION TO CLOSE THE PUBLIC HEARING FOR LAFFIN & BAKTER, CASE #2013-01, SECONDED BY MARGARET. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0.

OLD BUSINESS:

CITIVISION: Case 2011-12 – Re-subdivision – 60 Carney Rd., Rifton; SBL: 63.003-3-18 & 22.1

Roxanne explained to the Board that Citivision is here this evening because they are past their 6 month extension that expired 2/8/13. Joseph Pisani, Esq. brought in a check today for the \$4,000.00 recreation fee. They still owe us final prints and a letter from the DEC regarding endangered species and plants. They ARE requesting another 6 month extension. They are only entitled to two extensions. This will be the last extension for this application. We have an official letter from Citivision, Joseph Pisani, Esq., requesting the extension.

MARGARET MADE A MOTION TO GRANT A SIX MONTH EXTENSION FOR CITIVISION, CASE # 2011-12, RE-SUBDIVISION SECONDED BY DARIN. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:

Michael Manicone.....yes
Fredyes
Margaret.....yes
Michael Minor.....yes
Rich.....yes
Darin.....yes
Roxanne.....yes

Joseph Pisani, Esq. stated that the maps and the letter from DEC will be forthcoming from Meddenbach & Eggers.

LAFFIN & BAKTER: Case #2013-01 – Minor Re-subdivision – 120 Soper Road, West Esopus; SBL: 71.001-4-52.13

Chris Zell, Brinnier & Larios, was present to represent this application.

Roxanne stated that we have a letter from the Town Highway Superintendent dated 2/22/13 approving the driveway curb cut. Letter was placed in the file.

Michael Minor asked about the Health Department approval and Chris stated that they have the approval and the Board should have a copy. Chris stated that Mr. Clark, abutting property owner would like to buy this lot but as a separate lot at this point. Myles stated that everything that was requested last month has been completed.

MICHAEL MINOR MADE A MOTION TO DECLARE A NEGATIVE DECLARATION UNDER SEQR FOR LAFFIN & BAKTER, CASE #2013-01, MINOR RE-SUBDIVISION, SECONDED BY FRED. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:

Fred.....yes
Michael Manicone.....yes
Margaret.....yes
Michael Minor.....yes
Rich.....yes
Darin.....yes
Roxanne.....yes

MICHAEL MINOR MADE A MOTION TO GRANT CONDITIONAL FINAL PLAT APPROVAL FOR LAFFIN & BAKTER, CASE #2013-01, MINOR RE-SUBDIVISION, SECONDED BY DARIN. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:

Fred.....yes
Michael Manicone.....yes
Margaret.....yes
Michael Minor.....yes
Rich.....yes
Darin.....yes
Roxanne.....yes

Roxanne recused herself as of 7:47 PM. Fred took over as chair.

FERGUSON (ABERDEEN ON THE HUDSON INC.): Case #2012-10 – Special Use Permit: Operate Outdoor Event Hosting in the R-40 District 1723 Broadway (US Route 9W), West Park; SBL: 80.001.3.23.1

Fred stated that at the last meeting the Board submitted a Resolution listing eight items. At that time, applicant requested time to review the resolution and return to the next meeting.

Maria Ferguson was present along with her attorney, John C. Cappello, Jacobowitz and Gubits, LLP . Mr. Cappello submitted a letter dated 2/12/13 listing their response to the resolution.

Mr. Cappello stated that the great majority of the conditions they did not have an issue with. They really just wanted to clarify and focus on the two main ones. The first one is regarding the set-up time and the taking down time for the tents. The taking down of the tent on Monday morning is not a problem except in the event of inclement weather. They would like an acknowledgement that if it was pouring rain on Monday morning they be

allowed to wait for it to stop in order to take the tent down in an orderly manner.

Mr. Cappello stated that regarding the putting up of the tent Ms. Ferguson spoke to several people who would be organizing these events and they stated that traditionally they would put the tent up Thursday evening to allow Friday for the bridal party or relatives to come in and do some decorating of the tents. If possible, they would like to request relief on this condition.

Mr. Cappello stated that there was a condition that the amplified noise cease at 8:00 PM but there are other conditions in there that whether the noise is amplified or not that the noise not be raised above 65 decibels at the property line which is what the Town ordinance states which they are willing to live by. There are also requirements that a sound expert take measurements and do a report to the Town. He stated that if the decibels do not go above 65 decibels at the property line what would the difference be if they are amplified or not? There was a condition regarding recreation facilities. The whole purpose of a PA system is to bring the children in so by definition it almost has to go beyond the property line. Here we are required to take several precautions to reduce noise to make sure that it meets the code so whether it is someone sitting on their back porch with a boom box or a band inside of the tent if the noise level is above the noise level we are not in compliance whether it is amplified or not. We would like to say that if we are within noise level whether the music inside the tent is amplified or not as long as it is meeting the Town's noise level that they would be allowed.

Michael Minor stated that the 65 decibel level was submitted by the applicant. He stated that the amplified noise is in the Town Code. There is no Town decibel level ordinance and it is only there because it was proposed by the applicant.

Mr. Cappello stated that the point is that 65 decibel level is conversational level at the property line so if their noise is not amplified at 66 decibel levels they are not in compliance. They have agreed to this. They will have the testing done and if the Town wishes to witness the noise testing they can do so. If they have to come in to renew their Special Permit they can do that. The issue is that these are weddings and weddings have bands and whether it is a piano with plugged in sound that may not be offensive but it is important to the applicant that on Fridays and Saturdays that the 65 decibel level be the level and that everything end at 10:00 PM and even before 5:00 PM or 8:00 PM that the level not go above 65. What you would be looking at for those two evenings which at the maximum would be 20 events for the first year and they are 99% sure that there will not be events every Friday and Saturday of those 10 weeks and in the coming years probably 75% sure that there will not be out of those 10 weeks 2 events every week and that you are not looking at a lot of additional time and you can always after you get the noise report after you live with this for a year and they need to come back for the Special Permit and it is a problem they can adjust it. He thinks in the first year as a test they would like that level to be 65 decibels and keep the time to 10:00 PM.

They have agreed to the shed exterior for the finish. They have agreed to the sound system, 10 weekends per year but they would like to let the Board know that if it does

turn out that after two years and there are not a lot of problems that the applicant may ask for a few more events and that will be up to the Board. Hopefully once it becomes a known quantity and the Board will be analyzing this based upon the known and not the unknown this can be adjusted accordingly one way or the other.

Michael Minor stated that last month we were considering the acceptance of a Special Use Permit given the criteria and we asked you if you would be willing to follow those. He does not think that the applicant has answered that question. They have attempted to negotiate some issues. Michael stated that these conditions are what they want what they read last month and would the applicant be willing to agree to this. Mr. Cappello disagreed with Michael's premise and he stated that what he said last month is that they would like to review them an offer some opinion as to what they can and can't and they provided a letter stating what they thought about those conditions and what they can and can't live with. He further stated that the Planning Board can adopt what conditions they want and then it will be up to him to advise his client and to proceed accordingly. Whether they will accept the conditions or whether they won't accept them will be her decision and they will proceed appropriately. He further stated that they responded with a letter regarding what they can live with and what they would like to see.

Michael Minor stated that the reason he asked the question is because in the previous letter Mr. Cappello indicated that the Planning Board had no jurisdiction in this case and then you said that with that being said you would be willing to abide by reasonable limitations. Michel Minor's question to them is who decides what is reasonable. Does the Planning Board decide what is reasonable or does the applicant decide what is reasonable? Mr. Cappello stated that the Board makes a decision as to what they think is reasonable and they have advised the Board as to what they think is reasonable and what they can live with and ultimately eventually if one party thinks one is reasonable and the other is not reasonable the court will decide. This is not what they are looking for and he is not here to threaten. The question was asked and he is here to give an answer. He is not going to give up on any position. He stated that he is a land use attorney and he does litigation but he feels like it is a loss if he has to go to court. His job is to have his client open her business and do it in a manner that everyone can live with. He does not know what the decision would be and he would have to consult with his client. He feels that they are not being unreasonable. The issue regarding the time for the tent to be taken down and their request that if it is raining it becomes impossible and he would rather not have something in there that when they don't comply it becomes an issue. They were up front about it and this a little relief that they would ask for. The amplified noise and he understands that this is a big concern and that is why they agree to the noise testing and the review in the coming years would be something that the Board can then after they have had a few events they will be basing their opinions on real evidence.

Michael Minor stated that he agrees with Mr. Cappello but in the first letter he references two meetings that he attended as the representative of the Planning Board along with Myles Putman and in the first one they agreed to a single wedding. Mr. Cappello stated that what he was replying to in that letter was a written determination by the Town's Code Enforcement Officer. It made no representations. He does not know what was said

at the meeting or how it was said. He saw what he read in the letter and the letter did not say one event but it was his determination and this is his job to make that determination. It said weddings with an “s”. He does not know what was said there but he does know what that determination said and this is what he commented on.

Michael Minor stated that his other concern is that in a previous submission and in order to get some zoning variances that were required by our zoning regulations regarding parking setbacks and trees, etc. the applicant pledges to never run another business other than a school business at this site. Michael questioned if they believe that this is the same business as the school. Mr. Cappello stated that it is accessory to the school and in fact he has not been made aware of or seen anything regarding what is in the language of the variance and whether or not that would have to have been modified. The issue is that they are here for a Special Use Permit and the Building Inspector and Code Enforcement sent them here for an eating and drinking establishment that is an accessory to the school. Michael stated that his concern is that we are talking about agreements that will be made with this Board for this Special Use Permit and yet we can reference because of the pledge for no new businesses on this site things that were agreed that are now different. His concern is what will keep this from somewhere down the road being different? Mr. Cappello stated that what will keep it different is the written conditions in the resolution and the Town’s Code Enforcement Officer. He does not think that people lie or make pledges. People are asked questions at the meeting and they answer based upon what is in their mind on that day and things change. He stated that he has never seen a President who has run for presidency that if they were asked four years before if they were going to run that has ever said that they are going to run because at the moment you asked them they have not decided. He stated that he does not know what was said and that is why you put it in writing. This is why you try to be as particular as you can. That is why when he sees conditions that state that the tent has to be down by 10 AM Monday he sees a red flag because there are times when that tent can not be taken down by 10 AM Monday so address it now and you put it in writing and you do the best you can. He feels that based upon the record that the Code Enforcement Officer will hear about it if Ms. Ferguson violates any conditions. Michael Minor stated that he has asked his questions, he has heard the answers and he appreciates Mr. Cappello’s honesty.

Discussion took place regarding the timeframe for putting up the tent and taking down the tent. Michael Minor stated that we don’t want to put anyone in danger by having them taking down a tent in bad weather. He is not sure that we need to put this in the acceptance agreement Darin stated that he does not have a problem with putting that into the agreement. He feels that we should protect the applicant as much as the Board. Myles stated that he thinks that the Board really needs to take a motion and put it on the floor and then start working at it. Margaret asked that if we are going to change anything then we should change everything at one time. Myles believes this is the case.

DARIN MADE A MOTION FOR FERGUSON “ABERDEEN ON THE HUDSON”, CASE #2012-10, SPECIAL USE PERMIT THAT WE GRANT SPECIAL USE PERMIT WITH THE CONDITIONS THAT MYLES HAD ORIGINALLY DRAFTED ALONG WITH THE POTENTIAL ALTERATIONS OF THE TENT

BEING SET UP EARLIER FOR DECORATION PURPOSES AND TAKE DOWN LATER DUE TO WEATHER AND CONSISTENT AMPLIFIED NOISE TO 10 PM.

MYLES PUTMAN READ THE RESOLUTION WITH CONDITIONS TO BECOME PART OF THE PERMANENT RECORD.

DARIN STATED THAT THE ONLY MODIFICATION TO THE RESOLUTION WOULD BE TO ALLOW THE TENT TO BE SET UP ON THURSDAY AT 10 AM FOR DECORATION PURPOSES AND CAN BE TAKEN DOWN A DAY LATER DUE TO INCLEMENT WEATHER.

FRED STATED THAT WE NEED A SECOND ON THE AMENDMENT. RICH SECONDED THE AMMENDMENT.

Fred requested a vote on the amendment only:

Michael Manicone.....yes
Margaret.....yes
Michael Minor.....abstained
Rich.....yes
Darin.....yes
Fred.....yes

AMENDMENT TO RESOLUTION APPROVED WITH A VOTE OF 5-1.

Myles stated that the language he is going to use is that the reception tent and other portable structures (enclosures) may be allowed to be set up as early as 10 AM on Thursday for decorations and removed no later than 10 AM on Monday following the event, but this time limit may be extended for 24 hours due to inclement weather.

Fred stated that the other request is to extend the amplified noise to later than 8 PM. Fred asked if there was anyone who would care to make a motion regarding this. Margaret stated that the only motion she would make is keeping the limits as is. Margaret stated that the only she sees is in paragraph 4.e. where is says that the applicant be allowed to request an increase in the number of weekends in which events can be held. This was their request. Fred stated that he would entertain a motion on that if someone would like to make it. Margaret stated that she would not. Events are limited to 10 weekends.

Fred stated that basically we have an amendment to the resolution which is going to allow you to erect your tent on Thursday at 10 AM for decoration purposes and the time to take it down will be extended due to inclement weather to Tuesday.

DARIN MADE A MOTION TO VOTE ON THE RESOLUTION FOR SPECIAL USE PERMIT WITH CONDITIONS AS PREVIOUSLY STATED WITH THE AMENDMENT SECONDED BY RICH.

Darin.....yes
Rich.....yes
Michael Minor.....no
Michael Manicone.....no
Margaret.....no
Fred.....yes

Fred stated that the motion did not pass. The option is to make the resolution to deny.

MYLES READ THE RESOLUTION TO DENY THE SPECIAL USE PERMIT FOR FERGUSON “ABERDEEN ON THE HUDSON”

MICHAEL MINOR MADE A MOTION TO DENY APPROVAL OF THE SPECIAL USE PERMIT FOR FERGUSON “ABERDEEN ON THE HUDSON” CASE #2012-10 AS PER RESOLUTION REVISED THROUGH FEBRUARY 14, 2013 READ INTO THE RECORD BY MYLES PUTMAN, SECONDED BY MARGARET.

Michael Minor reminded everyone that this is a negative motion, therefore, a positive vote on this motion endorses the negative motion which is a vote to turn down the project. If you vote no, you are disagreeing with this action.

Michael Manicone.....yes
Margaret.....yes
Darin.....yes
Rich.....no
Michael Minor.....yes
Fred.....no

APPLICATION FOR SPECIAL USE PERMIT FOR FERGUSON “ABERDEEN ON THE HUDSON” IS DENIED BY A VOTE OF 4-2.

Mr. Cappello stated that for the record he was only asked to talk to the conditions the whereas that mischaracterizes the determination of the Code Enforcement Officer as preliminary when the word preliminary does not include there and it also adds language that it was one single person from this Board when it was one single event when one of the Board members was there and there is absolutely no evidence whatsoever anywhere that this was one single event so those are both false statements within that resolution. Mr. Cappello stated that it is clear that at the last two meetings the Board has discussed these resolutions and discussed the substance of his client’s application in Executive Session which is illegal and in violation of the Open Meetings Law.

Michael Minor stated that in reference to his comments he was the Board member at the meetings and he takes umbrage at being told that there is no evidence. The evidence is that he was at the meeting and that is what was said. Mr. Cappello asked if he was the

Code Enforcement Officer and did he write the letter. Mike stated that he is not. Mr. Cappello stated that this was the decision and that decision did no say preliminary. Mr. Cappello stated that he is not this Board. He has his position and now taxpayers of this Town will pay to defend this position. The Courts will see if there is any evidence whatsoever for this position and the people at the meeting will be deposed and the truth will come out. If you are telling the truth it will be there but it is a shame that it came to this. Michael Minor stated that meetings that were held in Executive Session were held because of possible legal actions and this is permissible under state law. We would not have had those meetings if not for your first letter and second letter. Mr. Cappello stated that his letters were sent to characterize it and it was clear. Once again it will be clear what was discussed at that meeting and if discussion was the wording in the language of that resolution that was an illegal meeting. The court will decide. He thanked the Board for their time.

Roxanne returned to the Board at 9:10 PM.

NEW BUSINESS:

**SEFF/CHURCH COMMUNITIES: Case #2013-03 – Lot Line Adjustments –
40 Hellbrook Lane, Ulster Park; SBL: 63.04-
5-43, 63.04-2-8, 63.04-2-07 & 63.04-3-33.11**

Myles reviewed M.L. Putman Consultant Report dated 3/8/13. A copy of this report was given to the applicant and placed in the file.

Richard Riseley, Esq., Leslie Seff, Hans Boller and Chris Zell were present to represent this application.

Letter requesting waiver of full boundary survey, letter requesting waiver of Public Hearing and letter of representation for this application are on file.

Fred stated that he would like to see at least a view plot. Myles stated that there is a big inset on the left hand corner of the map. Fred accepts this. Chris explained what they were planning on doing. They want to combine everything into the 33.11 parcel. Richard Riseley explained that they had to do this because the other piece would not be connected.

Darin questioned if they had anything in mind for use of the property. Chris stated that it is just going to be open space at this time. Richard Riseley stated that there are no plans to develop the property at this time.

MICHAEL MINOR MADE A MOTION TO DECLARE THIS AN UNLISTED ACTION UNDER SEQR FOR SEFF/CHURCH COMMUNITIES, CASE #2013 - 03, LOT LINE ADJUSTMENTS SECONDED BY FRED. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:

Michael Manicone.....yes
Margaret.....yes
Fred.....yes
Michael Minor.....yes
Rich.....yes
Darin.....yes
Roxanne.....yes

MIKE MADE A MOTION TO GRANT SKETCH PLAN APPROVAL FOR SEFF/CHURCH COMMUNITIES, CASE #2013-03, LOT LINE ADJUSTMENT, SECONDED BY MARGARET. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:

Michael Manicone.....yes
Margaret.....yes
Fred.....yes
Michael Minor.....yes
Rich.....yes
Darin.....yes
Roxanne.....yes

MICHAEL MINOR MADE A MOTION TO WAIVE THE PUBLIC HEARING PER SECTION 107.16.A AND WAIVER OF THE FULL BOUNDARY SURVEY FOR SEFF/CHURCH COMMUNITIES, CASE #2013-03, LOT LINE ADJUSTMENT, SECONDED BY RICH. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:

Michael Minor.....yes
Darin.....yes
Rich.....yes
Margaret.....yes
Michael Manicone.....yes
Fred.....yes
Roxanne.....yes

MICHAEL MINOR MADE A MOTION TO GRANT CONDITIONAL FINAL PLAT APPROVAL FOR SEFF/CHURCH COMMUNITIES, CASE #2013-03, LOT LINE ADJUSTMENTS, CONDITIONED UPON RECEIPT OF 6 PAPER COPIES AND 1 REPRODUCEABLE MYLAR SECONDED BY MARGARET. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:

Michael Minor.....yes
Darin.....yes
Rich.....yes

Margaret.....yes
Michael Minor.....yes
Fred.....yes
Roxanne.....yes

ADEL (LAMIRAGE): Case #2013-04 – Special Use Permit/Site Plan Review – 423 Broadway, Ulster Park; SBL: 56.20-3-28.2

Myles wants the record to reflect that new information was presented to the Board after the submission deadline.

Michael Lockwood and Sam Adel were present to represent this application.

Myles reviewed M.L. Putman Report dated 3/8/13. Copy was given to applicant and copy was placed in the file.

Darin questioned the 100 foot setback for parking for the motel. Discussion took place regarding the parking. The 100 feet are required for motel parking but restaurant parking is 3 feet. They will need 100 feet from the Spinnenweber property. Darin would rather seem them bank the parking and have the access road and more landscaping. Darin’s opinion is that they have a little bit more of the building in front and dress it up so that it hides the back of the building a little. They will have to talk to DOT. Storm water will need to be looked at. They will have to show a grading, utility plan, utility connections. He would like to see a lighting plan for the whole site. He likes Fred’s idea of leaving the grass area on the outside. Myles stated that he will need to add one more handicapped parking space by code. Sam stated that there is no plan for this to be advertised it is just for guests who are booking weddings. Roxanne stated that this would have to be one of our conditions and a note on the map. Myles stated that we have 140 parking spaces for the restaurant and will need 12 for the motel. The total needed will be 152. Applicant was informed that he will have to see the Zoning Board for a variance to the parking spaces. We will need lighting shown for the entire site. Applicant was told that he can run concurrently with the Planning Board and the Zoning Board.

Applicant received the form for the Agricultural Data Statement which is required. Applicant was told to contact the Port Ewen Fire Department to review their plans and see if the fire trucks can get around the property. Applicant was told that they will need to obtain the ZBA application by contacting the Building Department secretary.

ZONING BOARD REFERRALS:

None.

MISCELLANEOUS:

MICHAEL MINOR MADE A MOTION TO ADJOURN SECONDED BY RICH.

ALL MEMBERS WERE IN FAVOR. MEETING ADJOURNED AT 9:56 PM.

NEXT MONTHLY MEETING: APRIL 10, 2013

DEADLINE DATE: MARCH 27, 2013

NEXT PRE-SUBMISSION: APRIL 2, 2013

Respectfully submitted:

April Oneto
Planning Board Secretary