

TOWN OF ESOPUS PLANNING BOARD MINUTES
March 11, 2020

PRESENT: **Roxanne Pecora, Chairperson**
 Darin DeKoskie, Vice Chairperson
 Greg McCord
 Dan Michaud
 Mark Anderson
 Brian Cournoyer
 David Mastny

ALSO PRESENT: **Town Board Liaison, Councilman Chris Farrell and Planning Board Consultant, Alan Sorensen.**

The meeting of the Town of Esopus Planning Board was called to order at 7:42 P.M.

Chairperson Pecora commenced the meeting with the Pledge of Allegiance and the emergency exit advisory.

MINUTES: Chairperson Pecora asked if the Board had read the minutes of the February 12, 2020 meeting and **called for a Motion to approve the Minutes as presented.** Upon Motion of Member Mark Anderson, seconded by Vice-Chairman Darin DeKoskie the motion passed 7-0.

VOUCHERS:

Planning Consultant Alan Sorensen, Planit Main Street - Contractual services provided for February 2020	\$2,700.00
Escrow Voucher for Hasbrouck Hills for CHA Review	\$2,410.00
Administrative Assistant, Lisa K. Mance	81.5 hours

Chairperson Pecora called for a Motion to approve the submitted vouchers. Upon Motion of Member Dan Michaud, seconded by Member Brian Cournoyer and the affirmative vote of all members, the Motion passed 7-0.

PUBLIC HEARING:

Shultis Minor Subdivision – Case No. 2019-18; 135 Ulster Avenue; SBL No. 63.2-2-12.100; R40 Zoning District

Chairperson Pecora called for a Motion to open the Public Hearing. Upon Motion of Vice-Chairman Darin Dekoskie, seconded by Member Dan Michaud and the affirmative vote of all members, the Motion passed 7-0.

The Public Hearing Notice was read into the record. Hearing no person present wishing to speak, **Chairperson Pecora entertained a Motion to close the Public Hearing.** Upon Motion of Member Mark Anderson, seconded by Member Brian Cournoyer and the affirmative vote of all members, the Motion to close the Public Hearing at 7:46 p.m. passed 7-0.

OLD BUSINESS:

Shultis Minor Subdivision – Case No. 2019-18; 135 Ulster Avenue; SBL No. 63.2-2-12.100; R40 Zoning District

Chairperson Pecora entertained a Motion to grant approval of the minor 2-lot subdivision conditioned on securing Ulster County Board of Health approval for Lot “AB.” Upon Motion of Member Greg McCord, seconded by Member Mark Anderson and the affirmative vote of all members, the Motion passed 7-0.

SCP Metal Fabrication Site Plan/Special Use Permit – Case No. 2019-19; SBL No. 63.4-4-12, LI Zoning District

Applicant Steve Pasqua and Architect Robert Dupont were present. Architect Dupont provided an update as to what had been accomplished thus far and indicated that all requests made by the Planning Board had been addressed with the exception of an opinion from CEO Salvatore Morello, III. There was a 15% grade for a short segment of the driveway entrance which required a waiver (or recommendation) from the CEO.

Planner Sorensen reviewed content of his recommendations and concurred that all previous requirements had been met and necessary information had been provided. The Applicant was able to provide documentation to the Planning Board that the primary trucking company used for delivery of the materials (Fall Fittings) indicating they had no issue with maneuvering in and out of the site.

Member DeKoskie stated that he did not see anything on site that would qualify it as a stormwater pollution prevention plan (SWPPP) “hot spot” under the revised New York State Department of Environmental Conservation regulations.

Chairperson Pecora called for a Motion to refer the application to the Ulster County Planning Board and schedule a Public Hearing to be held at 7:40 p.m. at the April meeting. Upon Motion of Member Greg McCord, seconded by Member Mark Anderson and the affirmative vote of all members, the Motion passed 7-0.

Hasbrouck Hill (Edward Aleo) Site Plan & Special Use Permit - Case #2019-17; Hasbrouck Avenue and Spring Street; SBL No. 56.59-4-4.110

Engineer John Stinemire was present for application review. Chairperson Pecora deferred to Vice-Chairman DeKoskie to address the Town Designated Engineer Peter Lilholt’s comments and whether the Applicant had adequately addressed them. Vice-Chairman DeKoskie and Planner Sorensen concurred that many of the issues raised by the TDE had been adequately

addressed with Planner Sorensen indicating that any items left were minor and it was his opinion that the application was sufficiently complete and a Public Hearing could be scheduled. The Applicant was advised that a set of plans for additional water and sewer lines needed to be provided to Superintendent Kiernan of the Town of Esopus Water/Sewer District to which Engineer Stinemire stated they had been provided. The Planning Board asked that he contact Supt. Kiernan to obtain written confirmation that the plans were acceptable.

Chairperson Pecora called for a Motion to classify the action as a Type II action under SEQRA and to schedule a public hearing to be held on April 8, 2020 at 7:50 p.m. Upon Motion of Vice-Chairman Darin DeKoskie, seconded by Member David Mastny and the affirmative vote of all members, the Motion passed 7-0.

Vice-Chairman DeKoskie wanted to insure that the necessary easements would need to be obtained in the future but weren't necessary for the next meeting.

F&E Shooters (Travis Hermance – owner) – Case No. 2020-1; SBL No. 64.3-5-22.120; GC Zoning District

Jeff Zenzel, Property Manager for Travis Hermance, was present. Mr. Zenzel stated that previous tenants F & E Shooters had decided not to pursue their application. A possible new tenant planning to conduct a micro- brewery on the site had come forward. Chairman Pecora notified Mr. Zenzel that, at the advice of the Attorney for the Planning Board, the property owner needed to obtain professional representation. New York State Town Law supersedes Town Code and requires plans to be prepared by a New York State licensed professional. A detailed plan with a narrative as to what was being proposed needed to be provided and the process for review was required. The Planning Board extended the opportunity for Mr. Hermance to speak with the Planning Attorney and a motion could be made to establish escrow if that was an option he would like to pursue. Mr. Zenzel chose to take the information back to Mr. Hermance to decide what he would like to do.

The proposed tenants asked if they would be able to work with the owner to use the structure as storage since their current lease would be expiring. The Planning Board stated that the Owner had already indicated the structure was being used as storage and there was not issue but that business could not be conducted until the proper review had taken place.

Betar Site Plan/Special Use Permit – Case No. 2019-9; SBL No. 56.51-4-1; R12 Zoning District

Khattar Elmassalemah, P.E. of Praetorius & Conrad was present to represent the applicant. Planner Sorensen reviewed the content of his comments and recommendations. Engineer Elmassalemah confirmed that the proposed efficiency units had been revised to be one (1) bedroom units and provided a blowup of the plans. A letter would be needed from the Connelly Fire Department and written confirmation from Supt. Kiernan that the sewer and water were acceptable. Chairperson Pecora requested that the maps include a notation reflecting the November 19, 2019 Decision of the ZBA stating that the density calculation for §123.22 average

density calculations didn't apply to multi-family dwellings which were subject to §123-13B(2) for density calculations. The Applicant was requested to place a map note stating "trees shall only be cut, removed or lopped during the time period after October 31st through March 31st to avoid any potential impact to roosting Indiana Bats and Northern Long-eared Bats."

Chairperson Pecora called for a Motion to schedule a public hearing to be held on April 8, 2020 at 8:00 p.m. Upon Motion of Member Dan Michaud, seconded by Member Greg McCord and the affirmative vote of all members, the Motion passed 7-0.

NEW BUSINESS:

Langworth/Jones Lot Line Adjustment – Case No. 2020- 3; SBL Nos. 80.1-5-6.100 & 7; R-40 Zoning District

Applicant/owners Joe Langworth and James Jones were present. Planner Sorensen reviewed the content of his recommendations to the Planning Board, noting specifically that the driveway for lot identified by SBL No. 80.1-5-7 would cross over the lot identified as SBL No. 80.1-5-6.1 and, either a driveway should be reconfigured to avoid the cross access or, an easement with a shared driveway maintenance agreement should be developed. The Applicants indicated that the best course of action for them would be to have an easement reference on the maps by a map note (prepared by their surveyor) with a shared driveway maintenance agreement (to be prepared by an attorney) and could be a condition of approval.

Chairperson Pecora called for a Motion to classify the action as a Type II action under SEQRA, a finding that the plan meets the requirements to classify as a lot-line adjustment, and waive the requirement to hold a public hearing. Upon Motion of Member Dan Michaud, seconded by Member Mark Anderson and the affirmative vote of all members, the Motion passed 7-0.

Chairperson Pecora called for a Motion to grant the lot-line adjustment conditioned upon submission of maps noting the easement and a driveway maintenance agreement. Upon Motion of Vice-Chairman Darin DeKoskie, seconded by Member Mark Anderson and the affirmative vote of all members, the Motion passed 7-0.

Cuney Ranch Holdings LLC Site Plan – Case No. 2020- 4; SBL No. 56.2-2-34.200; GC Zoning District

Applicant George Cuney and Barry Medenbach, P.E. were present.

Planner Sorensen provided a review of his project notes and recommendations. The site had existing water and sewer but the location of the pipes would need to be determined. The plans will also need to have the bat protocol note placed on them, stating "trees shall only be cut, removed or lopped during the time period after October 31st through March 31st to avoid any potential impact to roosting Indiana Bats and Northern Long-eared Bats."

In addition to referring to the ZBA to make a determination relative to the area variance, referral to the Ulster County Planning Board (when the application was deemed complete), New York State Historic Preservation Office referral, written comment from the Fire Department, sign details and a basic drainage study were all needed.

The Administrative Assistant was directed to provide a letter from the Planning Board to the ZBA that it was in favor of the proposal and to move as expeditiously as possible on rendering a decision.

Upon Motion of Member Mark Anderson, seconded by Member David Mastny, the meeting of the Planning Board was adjourned at 9:13 p.m.

NEXT MONTHLY MEETING: April 8, 2020

DEADLINE DATE: March 25, 2020

NEXT PRE-SUBMISSION: March 18, 2020

Respectfully submitted:

Lisa K. Mance, Administrative Assistant

Date prepared: April 14, 2020

Date approved: May 11, 2020