

**TOWN OF ESOPUS  
PLANNING BOARD MEETING  
MAY 8, 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

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 March 13, 2013 meeting. Margaret stated that page 5 paragraph 4 should be 10 week and not years.

**MIKE MADE A MOTION TO APPROVE THE MINUTES OF MARCH 13, 2013 AS AMENDED SECONDED BY RICH. 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 Minor.....yes  
Darin.....yes  
Rich .....yes  
Roxanne.....yes

**VOUCHERS:**

M.L.Putman Consulting (Month of April, 2013).....	\$1,750.00
Myles Putman Consulting (Month of May, 2013).....	\$2,250.00
Joseph Eriole, Esq. (Ferguson).....	\$ 854.00
Joseph Eriole, Esq. (Review of Minutes).....	\$ 336.00
Clough Harbour (Esopus Farms).....	\$3,065.00
Clough Harbour (Esopus Farms).....	\$2,041.50
April Oneto (secretarial services – 3/19-5/8).....	81 hours

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

**OLD BUSINESS:**

**CITIVISION: Case #2011-12 – Re-subdivision: Re-Approval of Final Plat – 60 Carney Road, Rifton; SBL: 63.003-3-18 & 22.1**

Joseph Pisani, Esq., was present to represent Citivision.

Myles reviewed M.L. Putman Consulting Report dated 4/4/13, copy was given to applicant and copy was placed in the file.

The Planning Board is correcting their procedural error of February, 2013.

**MICHAEL MINOR MADE A MOTION TO GRANT FINAL PLAT APPROVAL FOR CITIVISION, CASE #2011-12 IN THAT THERE ARE NO SUBSTANTIVE CHANGES TO THE PROJECT DESIGN, LAYOUT, ENGINEERING PLANS OR THE SUPPORTING DOCUMENTATION AND THAT THE FINAL PLAT REMAINS CONSISTENT AND SUBSTANTIAL AGREEMENT WITH THE PREVIOUSLY APPROVED PRELIMINARY PLAT AND A PUBLIC HEARING WILL NOT BE HELD ON THE FINAL PLAT. THE DETERMINATION OF NON-SIGNIFICANCE (NEGATIVE DECLARATION) PURSUANT TO SEQR REMAINS VALID. THE INFORMATION RECEIVED FROM NYSDEC ALONG WITH PAYMENT OF RECREATION FEE SATISFIES THE CONDITIONS ESTABLISHED AS PART OF THE ORIGINAL FINAL PLAT APPROVAL AND FINAL PLAT APPROVAL IS GRANTED IN ACCORDANCE WITH SECTION 107.18.D OF THE TOWN’S ZONING CODE AND E CONDITIONED UPON RECEIPT OF 6 PAPER COPIES AND A REPRUCIBLE MASTER PLAT SIGNED BY AUTHORIZED OFFICER OF CITIVISION, INC. MOTION SECONDED BY RICH. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:**

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

**SCHULTZ/PAPLIN d/b/a “STONEWALL FARMS LLC”: Case #2012-19 – Special Use Permits: Farm “Retreat” Center – 219 Hardenburgh Rd., Esopus; SBL: 71.001-3-25**

Trevor Schultz was present to represent this application.

Myles reviewed M.L. Putman Reports dated 4/6/13 and 5/3/13. Copies were given to applicant and copies were placed in the file.

Roxanne stated that the Board needs to keep in mind that the Rifton Fire Department letter received 3/21/13 did not really sign off on this project at this point. They reserved their final approval pending recommendations that they made. They stated that there shall be no sharp turns in the new driveway. There shall be clearing of trees (widening) at identified points on the access road. They want gravel placed on the access road to the cabins making for safe access of fire apparatus. The fire department is withholding their final approval until these recommendations are taken care of. Roxanne stated that we will need a letter from the Rifton Fire Department stating that they are happy and that everything has been taken care of.

We received a letter from Michael Cafaldo, Highway Superintendent dated 3/21/13 with access requirements. Applicant is to clear brush 20 feet on either side, around existing entry way, 10 feet wide on Hardenburgh near Suominens Lane. They should create an entrance/exit at approximately 250 feet west of existing entrance for traffic and emergency vehicles. The entrance needs to show a total width of 50 feet, which shall be maintained for 30 feet and continue with a minimum width of 12 feet. The road needs to be maintained street level for 25 feet. The onsite road slope thereafter shall not exceed 2%. The overall traffic pattern for the site, the 2<sup>nd</sup> entrance shall function as an exit only to guarantee safe traffic for all vehicles/passengers

Roxanne asked Fred if he would like to speak with the Highway Superintendent regarding the requirements stated in his letter of 3/21/13. Discussion took place regarding the 50 foot requirement in the letter. Fred stated that when you look at the contour you can not drive on it. Trevor stated that the problem he is having is that nobody can tell him what law this is based on.

Darin stated that he has an issue with some of the roads on the site being two way travel. He also feels that the area of disturbance once there is grading will be over an acre. Fred has an issue with the 2% grade.

Michael Minor stated that his view of this project is that they are trying to do things which are not the easy standard way. They are trying to demonstrate different approaches to the problems. He feels that Trevor has been very responsive to our requests and he thinks at this point we need to be responsive. Fred agreed to speak with the Highway Superintendent on behalf of this application.

Margaret questioned the maximum amount of staff and guests will be 32 adults or 10 adults and 50 children but then you state that you are going to have 4

cabins with 4 adults and 12 children per cabin and then you are going to have camping grounds with 12 tents with 16 adults and 24 children maximum. Trevor stated that he was thinking with the cabins that only 3 of the cabins would have children and 1 cabin would only be counselors. He is giving numbers that he will respect. Once he hits the numbers then they will be full. He stated that the parking is based on the numbers. Margaret feels that there will be a parking discrepancy. Trevor stated that he is not assuming that everything will be filled. He also stated that they have a bus to shuttle and he is going to encourage carpooling. He is saying that at the max he will have 32 adults.

Margaret asked how will it be safe for them to swim in the pond? How will they filter the gray water? Trevor stated that the gray water comes into the pond already filtered through a plant filtration. The pond will be tested by Department of Health. The wells will be wind powered hopefully the old fashioned way with windmills. Margaret is concerned about the smell from the pigs and the chickens in the summertime. Trevor is planning on doing the cleanup frequently and they are planning on having chicken tractors where you basically move the coops around. Trevor stated that they are like a 40 foot drop to the neighbors. Trevor stated that he is not having a rooster unless the neighbors agree.

They will be growing mushrooms in the slope area in the back behind the parking area. Most of the things that they are growing and will have will be used for the kitchen they will have on site. The scale of the growth will dictate whether they sell some of these items in the local markets. They will not have a farm market on the premises.

Roxanne questioned if he had correspondence with DEC. Trevor stated that he has. He was told that he needs to provide us with copies of all correspondence with DEC regarding environment permits, composting pits, etc. He stated that someone from DEC has inspected the location so in order to get permits he needs to present his final plans. Trevor stated that he has agreed to be 200 feet away from wetland areas. They will provide the Board with copies of correspondence. Darin feels that they should get a preliminary review memo. Following some discussion it was agreed that Myles will work with Trevor regarding DEC if clarification is needed.

Rich questioned the emergency access road being 10 feet and also serving as a hiking path. He is concerned regarding the ability of an emergency vehicle getting in and out of there. It looks like it is narrow and there is no turning area. Trevor stated that it is all open space. Trevor stated that Steve Peterson, Chief, Rifton Fire Department, stated that they want a gravel place on the access road to the cabins making it safe for access to the cabins. Rich questioned the main access area going in and out co-mingles with the parking area and the loading area and compost area. Trevor stated that the times where these things are happening are completely different. The traffic will only happen on Friday evenings and Sunday afternoons. The compost will be coming in somewhere

between Monday and Thursday. The days will be separate.

Darin feels that the one way road should be at least 12 feet wide and the two way should be at least 18 feet. He really thinks they will be over 1 acre of disturbance and he should think about appropriating space for extra stormwater. Darin is concerned that if something happens you can not pass two vehicles. Trevor stated that this is the requirement in the code. They need to think about some sort of a pull off area.

**MICHAEL MINOR MADE A MOTION TO DECLARE THIS A TYPE II ACTION UNDER SEQR SECONDED BY MARGARET. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:**

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

**MICHAEL MINOR MADE A MOTION TO SCHEDULE A PUBLIC HEARING FOR STONEWALL FARM CASE #2012-19 FOR JUNE 12, 2013 AT 7:10 PM SECONDED BY MARGARET. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:**

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

Applicant was advised of \$200 Public Hearing Fee.

**MICHAEL MINOR MADE A MOTION TO REFER STONEWALL FARMS CASE #2012-19 TO THE ULSTER COUNTY PLANNING BOARD FOR REVIEW AND COMMENTS SECONDED BY RICH. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:**

Michael Manicone.....yes  
Fred.....yes  
Margaret.....yes  
Darin.....yes

Rich.....yes  
Michael Minor.....yes  
Roxanne.....yes

**ESOPUS FARMS, LLC: Case #2012-22 – Resort Development: Revised Lot Line Adjustment -1398 & 1466 Broadway, Esopus; SBL: 71.004-4-26 & 31.11**

Joseph Pisani, Esq., Jim Connors, Chazen Associates and Chanachai Pantanin, Executive Assistant, Stefanos Economou were present to represent the applicant.

**DARIN MADE A MOTION TO INCREASE THE ESCROW ACCOUNT FOR ESOPUS FARMS, LLC CASE #2012-22 BY \$10,000 SECONDED BY MICHAEL MINOR. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH VOTE OF 7-0.**

Myles reviewed M.L. Putman Consulting Reports dated 4/9/13, 4/17/13, and 5/7/13. A copy was given to applicants and a copy placed in the file.

Myles stated that the plan has been changed to delineate the property upland from the railroad which has all the wetlands and the frontage on Floyd Ackert Road as Lot #2 and the project developed portion of the site as Lot #1. We will end up with two lots as the result of the revision to the lot line adjustment application.

Myles stated that he just received the approval of the Town Board to initiate the paper-work to get the property rezoned to General/Commercial.

Roxanne stated that we are in receipt of a letter from Esopus Fire Department dated 3/16/13 stating that the redevelopment of this property will not impact the ability of this department to serve the community. Copy of letter placed in file.

Darin questioned the floodplain. Jim stated that all structures are outside of the flood plain. Darin would like to see more screening in front of the garden area along Route 9W to break up the parking area. Jim stated that there are buildings and the farm area is all existing vegetation and it is supplemented with plants. Jim stated that the plants are full blown trees. Darin asked if they could mix in some pines.

Michael Minor asked if they received a letter from NYSDOT regarding the access. Jim stated that there was e-mail correspondence submitted in the last package from Mr. Corrigan approving the entrance location general configuration and the left hand turn as well as the re-striping of Route 9W. He is waiting for final design so that they can issue permits. Jim stated once SEQR is completed they can move forward with getting everyone their documents.

Margaret asked how many parking spaces there are. Jim stated that they were required to provide 341 and that they have provided 357. The majority of these spaces are associated

with the conference center, restaurant and bar. Margaret asked about the spa. Jim stated that at the present time the spa will be open to patrons of the hotel until such time as the zoning changes take effect.

Michael Minor stated that this project is going to change the perception of this Town for future developers.

Darin asked about how much of the parking lot is going to be paved. Jim stated that the entire conference center parking will be porous paving (gravel surface). Margaret asked if the walkways are lighted. Jim stated that they will be lit. Jim stated that the trails through the site will have low level lighting for safety reasons. There will be low level lighting along the stairs and general path but they are not high lighting. Jim stated that Pete Lilholt asked that they include the design and specifications of all the lighting on their design. They have done the lighting for the parking lot which is the one that has the most potential to adversely affect the environment. He had a discussion with Pete and Pete acknowledged that typically that design detail is not done as part of the Site Plan Review and it is done as part of the actual Building Department application. Jim asked if that could not include that at this time and include it when they apply for the Building Permit Application. Jim stated that on their next submission they would like to indicate that design level. They need to get the subdivision plat done so that they can go through financing so they can get everything in order so they can commence construction.

Margaret asked about the hostel. Jim stated that there are five bunks. There may be two bunks in two rooms and another in another area but it is a total of five. Margaret asked if the hostel will have a communal kitchen. Jim stated that he thinks it will be just sleeping arrangements. The kitchen on the map will be in the office and central area and will be shared. You will check in at this area and the rooms will be in an upper level. There will not be a kitchen in area where the rooms are.

Fred referred to the deed to the pump house. Fred stated that there is actually a mortgage on that pump house. The property actually belongs to the apartments across the street.

Jim stated that in Myles and Pete Lilholt's reports there were a number of items specific to the Geotechnical Investigation. Jim asked Pete what he was specifically referring to. He mentioned rock. Jim stated that they have done enough testing on the site to know that they are not going to encounter rock and it will not be adversely affecting anything and to go to the expense of the Geotechnical Investigation until they get their architects on board and finalize the designs it really is a moot point to have that test done with that detail until they get into preparing the construction documents. He agreed that as long as we reference that this report be prepared and submitted with the Building Permit Applications and design he said he would be fine with that at this point.

The Planning Board is in agreement that we do not need a detailed Geotechnical Report and it can be submitted to the Building Department along with the construction drawings at the time of application for building permit.

Discussion took place regarding the lighting needed on the plans at this time. They did provide a lighting plan that gives the illumination levels with the maximums for the parking lots. The main entrance is only going to have low level lighting to guide you softly through the site.

The Planning Board is in agreement with the low level lighting being handled through the Building Department as recommended by the engineer and agreed to with the engineer as per his letter of April 5, 2013. Fred felt that it should follow the lighting in the hamlet. Jim stated that they are going to use solar lighting so the parking lot lighting will be LED solar panels.

It was recommended that a street light be at every entrance. This is not their intent or the desire of Esopus Farms to put a street light at every entrance. The identifier signs that they are going to put up will be by the stone walls that will be illuminated softly. If NYSDOT requires a street light then they will put up a street light. At this point, DOT has not indicated anything. DOT has stated that they will not allow any identifying signs to be placed anywhere except for on your property. Jim stated that the identifying signs will be the two arched stone walls that flank each side of the entrance both north and south and they will face illuminated. He suspects they will be ground lit or something mounted to the wall but not back lit.

The Planning Board is in agreement that street lights will not be required unless NYSDOT requires it at the two entrances to the site.

Jim stated that Pete recommended that the easements be shown on the subdivision plat as a condition of subdivision approval which means that they cannot file the subdivision plat until the easements are on it. They can not put the easements on until the utilities are installed so they can not file the subdivision until after they go to construction which means they will be here for the next couple of years extending the subdivision approval. He is requesting that the Board make this conditioned upon the Certificate of Occupancy that the document be provided to show the easements. It is the gas line and the telephone lines. The communications line will be the difficult one since it is overhead and they will be burying it. Myles stated that we could grant subdivision approval and request that they give us a copy of the As-Built Easement. The Board is in agreement with the easements being presented shown in an As-Built.

Jim stated that as soon as they get subdivision approval they would like to come in and apply for building permits for renovating the buildings. It is at their risk and they understand that if they sink all of this money into renovating this building and the Army Corp of Engineers does not give your approval for the permits that you need or DEC does not give you a wastewater treatment permit it is their problem. DEC can not complete their process until SEQR is completed. Roxanne stated that we need a copy of all the correspondence they have with the Army Corp of Engineers and DEC.

**MICHAEL MINOR MADE A MOTION TO SCHEDULE A PUBLIC HEARING FOR ESOPUS FARMS LLC CASE #2012-22 FOR JUNE 12, 2013 AT 7:20 PM**

**SECONDED BY RICH. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:**

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

Public Hearing fee will be taken out of the Escrow Account.

Jim stated that with the next submittal prior to the Public Hearing he will have all of the letters responded to and revised plans submitted to this Board so that we will have everything we will need for the Public Hearing. Joe Pisani stated that if there are no real issues raised at the Public Hearing he was hoping that the Board would consider making a decision that night. Joe is asking for the Board to consider this.

**MICHAEL MINOR MADE A MOTION THAT THIS APPLICATION IS COMPLETE AND TO REFER ESOPUS FARMS LLC TO THE ULSTER COUNTY PLANNING BOARD FOR THEIR REVIEW AND COMMENTS SECONDED BY RICH. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:**

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

**MISCELLANEOUS:**

Following some discussion it was agreed that the Pre-submission Meeting would be changed to the first Wednesday of the month starting with June. Darin will be present at the June 5<sup>th</sup> meeting starting at 10:00 AM.

Roxanne asked the Board if there were any upcoming Planning Board Meetings that Board members will not be able to attend.

Margaret will not be at the August meeting and Michael Manicone will not be at the September meeting.

**DARIN MADE A MOTION TO ADJOURN AT 8:48 PM SECONDED BY RICH.**

**ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0.**

**NEXT MONTHLY MEETING: JUNE 12, 2013**

**DEADLINE DATE: MAY 29, 2013**

**NEXT PRE-SUBMISSION DATE: JUNE 5, 2013**

Respectfully submitted,

April Oneto  
Planning Board Secretary