

**PLANNING BOARD MEETING  
MAY 9, 2018**

**PRESENT:**           **Roxanne Pecora  
Fred Zimmer  
Melanie Marino  
Darin Dekoskie  
Dan Michaud  
Greg McCord**

**EXCUSED:**           **Mark Anderson**

**ALSO PRESENT:**   **Myles Putman, Consultant**

Chairperson Pecora called the meeting of the Town of Esopus Planning Board to order at 7:35 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 April 11, 2018 meeting and if there were any changes or corrections.

**DAN MADE A MOTION TO APPROVE THE APRIL 11, 2018 MINUTES  
SECONDED BY MELANIE. MOTION PASSED WITH A VOTE OF 6-0.**

**VOUCHERS:**

M.L. Putman Consulting (April, 2018).....\$ 880.00  
April Oneto (secretarial services ).....81 ½ hours

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

**OLD BUSINESS:**

**STAR ESTATE DEVELOPMENT GROUP LLC: Case 2018-01 – Site Plan  
Amendment – SBL 80.01-4-5.2**

Neil Alexander, Esq., Alan Dumas, Engineer and Paul Seres, owner were present for this application.

Neil stated that they took very seriously all of the comments made at the last meeting. Neil stated that they went back to revisit everything and tried to figure out how to get counter-clockwise. They visited the visitor experience and the service side of this project and they cannot engineer anything different and stay within the 1 acre threshold.

Alan stated that he went through all of his notes from the last meeting and he came up with four issues:

1. They were asked to add some one-way signs which they can do.
2. They are willing to do the wall repair but they would like to start out doing 25 feet in either direction of exit and entrance and as more time goes by and more revenue flows they will do additional wall repairs where feasible.
3. They can add the drainage swale as requested.
4. Traffic Routing was the main thrust of last month's meeting.

### Traffic Routing

Alan showed a draft for the traffic that the Board has not seen. They tried to rework several options. Option one was keeping the routing as it was. Another option was making it two-way. You would have a two-way exit and entrance so the traffic could flow down and flow back up and go back out to 9W. We ran into a couple of issues. One reason that they liked the site so much is because it is a nice one-way country road going down hill. When they started to work with the grades to make it acceptable for the way back out as far as DOT is concerned they ended up regrading almost to where the driveway ends up by the hotel. It ruins the open meadow to the facility as they had wanted. They end up with quite a bit of disturbance. The biggest issue with doing the two-way is that they have no way to get the trucks to the service court. The facility has been designed around a service court. They do not have enough space to bring a truck in and turn around down there. All they have room for is one way in for the vehicles. They pull past for deliveries and they back into the loading dock. These are the issues with the two-way traffic options. If they had to handle the truck traffic differently, then they would have to put in the other entrance and exit and they would be well up over the 1 acre. The other option was to make it one way clockwise. You would be coming in at the rear of the facility. One of the appeals to site is that you are coming in and looking at the facility. We will have the same issue regarding the trucks with this option. Another option was have two way traffic but end the two way traffic half way in and drop people off. It is basically one way in to drop people off and go back to the area just for parking.

Alan reviewed the options on the map with the Board. They tried to take a good look from a model perspective in the office and then Neil, Paul, Charles and Alan went out and walked the site to look at the options. The only way it works for now is one way in and one way out. It keeps the entrance the way the client and the architect would like it. It allows for the trucks to back into the loading dock, keeps disturbance under an acre and it is also affordable from the perspective of the facility starting out with a short term, medium term and long range business plan.

Paul explained to the Board how the project will be phased. One of the reasons they structured their business the way they did is because they want a smaller investment pool. They did not want larger groups of investors. They did not want venture capital. They did not want people who wanted to take control away from them. They are just about done with the financing. They think that they will probably close in four weeks so it is around the right timing for this. They are going to do the project in phases. What will start to show the quickest return will be the distillery and event venue. It will not be the finished event scenario that they would like to entail with the finished back deck, etc. There will be a patio, a ballroom and it is going to be very nice. The restaurant and the hotel will come later. We want it to be more of an organic growth. The hotel will be only 25 rooms so when they talk about the buses they are an important part of their business model. He stated that if you have a 150-175 person event and if it is a destination for the bride and grooms family not everybody can stay at the property. So they will be staying at other hotels and they don't want their guests to drive so they arrange for buses to shuttle people.

The loading dock is a very big part of what they do. If you take a look at all successful hospitality ventures, you have a strong backup house the front of the house runs smoother. When we designed the service court we designed it with basically three functionalities in mind. They wanted to bring in raw materials for the distillery. They want to remove their product as it is manufactured and get it out to market. There was the hotel element and the restaurant element. It became a very important part of how they were going to run the business thinking that they would have maybe one or two weddings a weekend.

Paul said that from a business model perspective they wanted to walk before they ran. They wanted to make sure that they could get a couple of these things going and to prove to themselves, the investors and the bank that this is the right business model for them. He stated that as they grow and other businesses come on line they would be happy to take a look at any concerns that come up and if there are traffic patterns that need to be addressed. Paul stated that at this time he just does not see the amount of traffic that might cause a little bit of a scare for the Board happening right away because it is going to take a while for the business to get up and running.

Alan stated that they scaled back the exit to make it more affordable and more serviceable. Paul stated that when they took a look at this after the last Planning Board Meeting and feels that with the proposed plans the site lines for Route 9W are so much better than walking up to where it is now.

Discussion continued regarding traffic, disturbance and the phasing plan. They stated that they are almost at an acre of disturbance now and that they will probably not be fully operational until 2021. Neil stated that they are willing to have a discussion regarding the traffic at that time. Fully operational means the hotel and the restaurant will be completed. They do not feel that there will be a problem now since this project will be done in phases. They will be at about 30% in the beginning with the distillery and some events. Paul stated that they are not booking corporate junkets from the city, they are not

doing retreats. They are not trying to market the business to stay open 7 days a week. They will have a tasting area, a nice little patio that will stay open on the weekends so people can try their drinks and tour the distillery. If they get rented out for a wedding, it will be a much smaller affair than it will be when they are up and running 100%.

Neil stated that if needed for events they can enforce a valet. They can have two walkie talkies and actually make it two-way by using a valet. They can direct all traffic and parking for events.

Dan stated that the Board is not crazy about the fact that cars will need to go back on the road to park your car and the other thing is that when the event ends everybody attacks both exits whether there are signs or not. We don't want to create a problem there for the neighbors and for the community.

Paul stated that for all weddings there will be a valet. Paul stated that visitors will either park their cars and be transported by valet service to the event or they will drop their cars off and one of the valet drivers will do an internal turnaround. All of the events will be valet. Paul stated that if he has to put DOT vests on his staff he will do that. They will also make use of golf carts.

Neil stated that they hear the concerns and that the Board has come up with several ways to ameliorate that concern both near and far term. They are saying that if this is really a problem as they go down the proverbial line and then there is a new clock that becomes available and there are solutions that they can come up with that further enhance the on-site circulation. Paul stated that he is happy to say that he will come back for the record. Paul stated that at the end of the day he is not interested in having a business that fails because his traffic pattern is not working. Myles stated that we can approve the site plan amendment with a condition that they come back and set a threshold. Paul stated that he would be happy to.

Neil stated that this is an adaptive reuse of a structure. This is the first problem. There are patterns and sites the way they are. Neil stated that this is why the government gives you a 20% bump if you do historic tax credits because they know it is a lot harder to reuse then to just get rid of. They are working within this confine to begin with. The original approval was for a certain pattern. They did a cost estimate from a construction standpoint and they had a budget problem. They found a better solution that was not only better for site lines and safety but also came in on budget helping them to cross the finished line. Neil stated that if they are being really successful they are willing to agree to large scale events they will use internal valet and golf carts.

Fred questioned the distillery tasting. Paul stated that their tasting room will probably be open Thursday, Friday and Saturday. Paul stated that they will park in the lot and walk down to the building.

Roxanne stated that we need to end this discussion because she is looking at the letter from Dave Corrigan, New York State Department of Transportation, from July, 2016.

They looked at calculations and peak times of traffic and they had no issue. It is pretty detailed. Letter read by Chairperson Pecora. Dave Corrigan's, NYSDOT, statement is that the Department of Transportation has reviewed their traffic generation statement as well as the conceptual plan and they concur that there will be no significant impact to the State Highway System resulting from this project.

Roxanne stated that she thinks the Board should move on. We approved the project in 2016 and if there is an issue with the amendment they are willing to come back and this can be part of the site plan approval. She feels that they did their due diligence. She stated that we discussed it at length at the last meeting and most of the liability will be on the applicant's part having people going in one way, pull out and come back onto Route 9W and turn back in to park. She stated that we understand from an aesthetic and business plan that it is better to come in that way because it is the front and this is what they are trying to promote as the entrance. We can make a condition for them to come back as part of the site plan approval.

We did referrals to the Ulster County Planning Board and received a response dated 5/2/18 with a required modification that final approval by the New York State Department of Transportation will be necessary. Applicant will comply with this.

Waterfront Advisory referral made. Letter received from that Board stating that they reviewed the application and have no comments regarding this amendment.

Myles stated that he prepared Part 2 & 3 of the FEAF and Part 3 Determination of Significance and Resolution of Determination of Environmental Significance pursuant to SEQR dated 5/9/18.

Chairperson Pecora read the Resolution dated 5/9/18. Copy given to applicant and copy placed in the file.

**DARIN MADE A MOTION TO MAKE A DETERMINATION OF NON-SIGNIFICANCE , NEGATIVE DECLARATION, PURSUANT TO SEQR FOR STAR ESTATE DEVELOPMENT GROUP LLC, AMENDMENT TO SPECIAL USE PERMIT, CASE #2018-01, SECONDED BY DAN. MOTION PASSED WITH VOTE OF 6-0. VOTE WAS AS FOLLOWS:**

Mark.....excused/absent  
Darin.....yes  
Melanie.....yes  
Greg.....yes  
Dan.....yes  
Fred.....yes  
Roxanne.....yes

Fred questioned the Special Use Permit. Myles stated that the only thing that would

change the Special Use Permit is if applicant decided to change the use of the building or the occupancies of the buildings. Any conditions made by this Board at this time need to be placed on the map as a note.

Planning Board agrees with the required modification from the Ulster County Planning Board. Applicant will submit final approval from New York State Department of Transportation.

**DARIN MADE A MOTION TO GRANT CONDITIONAL FINAL APPROVAL FOR THE SITE PLAN AMENDMENT FOR STAR ESTATE DEVELOPMENT GROUP LLC, CASE #2018-01CONDITIONED UPON THE FOLLOWING:**

- 1. APPLICANT AGREES TO RETURN TO REVIEW INTERNAL TRAFFIC PATTERN AFTER RECEIVING THE CERTIFICATE OF OPERATION FOR THE HOTEL AND IT HAS BEEN OPERATIONAL FOR A PERIOD OF SIX MONTHS.**
- 2. APPLICANT WILL SUBMIT A SITE OPERATIONAL PLAN FOR TRAFFIC.**
- 3. APPLICANT WILL REPAIR 25 FEET OF THE STONEWALL IN EITHER DIRECTION OF BOTH THE ENTRANCE AND EXIT DRIVEWAYS INITIALLY AND WILL REPAIR THE REMAINING WALL OVER A PERIOD OF TIME.**
- 4. APPLICANT WILL OBTAIN FINAL APPROVAL FROM NEW YORK STATE DEPARTMENT OF TRANSPORTATION.**

**APPLICANT WILL SUBMIT 6 SETS OF PLANS WITH THE ABOVE NOTES ON THE PLANS SIGNED BY PROPERTY OWNERS .**

**MOTION PASSED WITH A VOTE OF 6-0. VOTE WAS AS FOLLOWS:**

Fred.....yes  
 Greg.....yes  
 Darin.....yes  
 Dan.....yes  
 Melanie.....yes  
 Roxanne.....yes

**PANGEA EAST, INC.: Case #2017-13 – Site Plan/Special Use Permit – 1179 Route 213 (St. Hwy 116), St. Remy; SBL: 56.018-2-25**

Dennis Redmond, President Pangea East, Inc., and Scott Dutton, Architect, present.

Myles reviewed ML Putman Consulting Report dated 5/8/18. A copy was given to the applicant and a copy was placed in the file.

Myles stated that he thinks that this application has gone as long as it can with sketch

plan review with the Planning Board and he thinks the next step would be for the applicant to address the setback issue with the Zoning Board. Myles asked if the addition to the house is still going to take place. Scott stated that they are exploring how they can do an addition and satisfy the building code. He hopes to have that answer by the next meeting. He does plan on filing with the ZBA for the variance.

Scott thought it would be helpful for Dennis to come this evening to answer any questions the Board may have.

Fred questioned the septic system. Scott stated that it has a dosing chamber. They have a 3,000 gallon tank and a 4,000 gallon pump station and these plans were approved by the Health Department. They had the St. Remy Fire Chief and a couple members of the fire department out there and they provided a confirmation "will serve" letter. Their only concern was that the trucks have room to turn around. Myles stated that the Board has a concern about this. Scott stated that he will have David Rider address all the comments from Myles for the next submission. He will verify the Health Department approval.

Dan asked about the events. Dennis Redmond stated that they have weekend events (workshops) that have a maximum of 15 people. They have no staff. There may be some individuals that come up to use the property at the same time. Four times a year they have events that are between 20-40 people. They anticipate that there might be some growth in that area to 40-70 people and it is a day event. Dan asked what recommendations the Board of Health had regarding the existing well. Scott stated that he will have to get back to the Board on that after speaking with David. Scott stated that the flows on the site for average daily use are quite low.

Scott stated that this is a Special Use Permit so the Board has the ability to regulate the frequency and size of those events. He further stated that this is how they have been using the site for a while and nobody knew that they were there.

Scott stated that they are looking to raise funds from the members of the organization and the guests so that they can make capital improvements at the site and they cannot do that in good conscience without the approval of this Board and the Building Department.

Roxanne asked if the Board needed to look at cultural resources. Myles stated that they are in an archeological sensitive area and you are within the DEC area for endangered species. Myles stated that protocol is that the applicant will write to DEC Wildlife and ask them and Myles will contact State Historic Preservation Office (SHPO) upon the Board's request. Myles stated that it is only .62 disturbance area and Scott stated that the area where they are working has been previously disturbed.

**DAN MADE A MOTION THAT THIS BOARD CONSIDERS THIS SITE PREVIOUSLY DISTURBED ALONG WITH HIGHWAY DISTURBANCE ADJACENT TO THIS SITE THEREFORE THE BOARD DOES NOT REQUIRE AN INQUIRY TO SHPO, SECONDED BY DARIN. MOTION PASSED WITH A VOTE OF 6-0. VOTE WAS AS FOLLOWS:**

Fred.....yes  
Greg.....yes  
Melanie.....yes  
Dan.....yes  
Darin.....yes  
Roxanne.....yes

**DAN MADE A MOTION DECLARING PANGAEA EAST, INC., CASE #2017-13, A TYPE II ACTION UNDER SEQR, SECONDED BY MELANIE. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 6-0. VOTE WAS AS FOLLOWS:**

Fred.....yes  
Greg.....yes  
Melanie.....yes  
Dan.....yes  
Darin.....yes  
Roxanne.....yes

Applicant needs to deal with setback issue with the Zoning Board of Appeals and then return to the Planning Board.

**ZBA Referral:**

**Jess Hicks – 15 North Broadway, Port Ewen, (Kosco Site)  
SBL: 56.044-1-1.1**

Use Variance to Article VII Section 123.30 B(3)

Mr. Hicks is requesting a change of a non-conforming use. He owns and operates an environmental company working closely with NYSDEC and the property will be used to park construction vehicles, staff vehicles. During the day the office will be occupied by a staff of approximately 4 people. There will be little to no movement in the yard since employees are dispatched from their home and only come to the office site to obtain supplies.

Following some discussion it was felt by the Planning Board that the construction company that is being proposed is not consistent with the previous use and is inconsistent with the Town Plan. This should be referred to Waterfront Advisory Board. Chairperson suggested that should the variance be granted that the applicant be sent to the Planning Board for Site Plan.

**BUILDING DEPARTMENT LIAISON: Fred Zimmer**

Fred mentioned a home on Hoyt Street that has been scheduled for Pre-submission Meeting for a three family home.

Port Ewen Post Office was discussed. We are waiting for the property owner to have the roof fixed. It is closed until further notice. Port Ewen mail can be picked up at Ulster Park Post Office until further notice.

**MELANIE MADE A MOTION TO ADJOURN SECONDED BY DAN. ALL MEMBERS WERE IN FAVOR. MEETING ADJOURNED AT 9:10 PM.**

**NEXT MONTHLY MEETING: JUNE 13, 2018**

**DEADLINE DATE: MAY 30, 2018**

**NEXT PRE-SUBMISSION: JUNE 20, 2018**

Respectfully submitted:

April Oneto  
Planning Board Secretary