

**TOWN OF ESOPUS
PLANNING BOARD MEETING
JUNE 12, 2013**

PRESENT: Roxanne Pecora, Chairperson
 Michael Manicone
 Fred Zimmer
 Margaret Yost
 Michael Minor
 Rich Williams
 Darin Dekoskie

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 May 8, 2013 meeting. Margaret stated that on page 2 the motion for Citivision needs to have its word documentation corrected. Line 4 the word documentation needs to be corrected. Following line correct the word substantial, same paragraph line number 6 correct the word establish and line number 9 correct word reproducible. Page 6 Floyd Ackert Road is Lot #2 and project developed portion of the site is Lot #1.

MARGARET MADE A MOTION TO APPROVE THE MINUTES OF MAY 8, 2013 AS AMENDED, SECONDED BY MICHAEL MINOR. 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
Richyes
Roxanne.....yes

VOUCHERS:

M.L.Putman Consulting (Month of May, 2013).....	\$2,250.00
Myles Putman Consulting (Port Ewen Housing).....	\$ 260.00
Clough Harbour (Esopus Farms).....	\$ 228.00
Daily Freeman Public Hearing Notice (Esopus Farms).....	\$ 14.85

Daily Freeman Public Hearing Notice (Stonewall Farms).....\$ 14.85
Public Hearing Fee (Esopus Farms).....\$ 200.00
April Oneto (secretarial services – 3/19-5/8.....71 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.

PUBLIC HEARINGS:

STONEWALL FARMS (SCHULTZ/PAPLIN): Case #2012-19 – Special Use Permits/Site Plan Review – 219 Hardenburgh Rd., Ulster Park; SBL: 71.001-3-25

MICHAEL MINOR MADE A MOTION TO OPEN THE HEARING FOR STONEWALL FARMS, CASE #2012-19 SECONDED BY RICH. ALL MEMBERS WERE IN FAVOR.

Chairperson Pecora read the Public Hearing Notice placed in the Daily Freeman. Copy of notice was placed in the file.

Chairperson Pecora noted that the Planning Board has received letters from Mark J. Anderson, Iris Kimberg and Edward Fristche and David and JoAnn Jones. All Planning Board members have received a copy of the letters and they have been made a part of the record.

Chairperson Pecora stated that Trevor Schultz will be giving a 5 minute presentation on the project and after that the Board will take comments from the public. She explained that the Public Hearing is not an interactive discussion and that we are here to listen. This is all that we can do in a Public Hearing. Individual comments will be limited to 5 minutes and you will be advised when you have 1 minute left. Michael Minor will be our timekeeper.

Trevor stated that there has been some resistance and a lot of speculation about their project at the Public Hearing for the Zoning Board of Appeals. He stated that speculation may work on Wall Street but not on Hardenburgh Road. He stated that there has been an anonymous letter circulating. It was not signed and possibly because it contained some information and some numbers that are not correct. He stated that unfortunately the neighbor never made it to his house to talk to him directly. He will explain the nature of the project and correct the numbers.

Trevor stated that Stonewall Farms is a low carbon footprint farm retreat project. Instead of tractors and other machinery they use hand tools and draft animals. They are implementing elements of organic and bio-dynamic farming. One of the main features of the farm is that they do not use chemical fertilizers. They are

adapting the principals of rainwater collection and rain gardens which help with storm water management. The chickens will be kept in a building about 150 feet off of the property line which is within the setback lines. They will be moved around in mobile fenced areas and by moving the chickens around the manure fertilizes the soil and makes for intense growth of plants which in turn provides storm water management. The maximum number of chickens will be 30. The manure from 30 chickens is easily absorbed by the soil especially if they are moved around. Female chickens are very quiet and peaceful animals and the eggs don't get any healthier than from a free range chicken fed on grass and grain. The pigs would be kept in a pen about 75 feet off of the property line which is what they are seeking a variance for. Pigs against their bad reputation are very clean. They always use the same area as their toilet. Jake Weidemier of the Ulster County Soil and Water Conservation District is supporting this with a letter which he passed around. He thinks that the daily collection of the manure will create a very high quality compost. All animals are being kept outside of the 100 foot range of all bodies of water on the property which is required by the DEC.

The composting site is around 75 feet from the property line and will be supplied with food waste up to 20 yards (maximum brought in within one week). They have redirected the route to the compost so that it is not going on the ridge any longer and is going to the center of the property so it will not produce any traffic or exhaust pollution near the property line and it can not be seen. Terry Laibach with the New York State Department of Conservation is supervising the layout and the creation of the composting area. The ground is being heavy compacted clay soil and $\frac{3}{4}$ inch gravel. The composting operation is 100 feet from all bodies of water and the required 200 feet from the wetlands.

Somebody was raising concerns about the charcoal. Modern charcoal production happens in an enclosed container with only a minimum of oxygen. A little pipe releases a little white smoke created by hydrogen and other substances in the wood burning like a resin. After the burning process is completed only black charcoal which is pure carbon and thus this is the charcoal. The burning process produces less greenhouse gas than regular outdoor burning of any wood fire because no CO₂ is released. On top of this, charcoal burning is more efficient than just burning the wood to ashes because now you have the charcoal that can now be used. You would need less charcoal than you would need wood. If you used just wood, you would need 10 times as much to produce the same results. They are planning to use the heat of the off gas for their greenhouse and hot water.

The second project is the retreat. The traffic was causing a lot of problems for the neighbors. They have cut down the number of cabins from four to three. Each cabin holds up to 4 adults or 12 children. They have reduced the parking to a total of 8 cars which allows them to get the parking within the required setback line of 100 feet. This will be invisible to the neighbors. The cap of

guests shall be kept at 24 adults or 36 children and 6 adults either in cabins or tents. Because they have relocated the parking within 100 feet they do not need a variance for this. There was a rumor that they would be drilling for construction of cabins. The cabins will be set on cinder blocks. They are trying not to destroy the nature of the lands. They will drill one well within the retreat area. He stated that he wants to make it clear that before their actions would contaminate anyone's well they would contaminate their own well first which they are not intending to do.

The impact that people might be afraid of and he totally understands is sound and music. They will not be using amplifiers or radios. If there will be music, it will be contained. He stated that the people who will be working on the farm or are there for the retreat or friendly neighbors stopping by are looking for a quiet time in the country. The only noise and pollution they will have to fear will be roaring of chainsaws, the humming of lawnmowers or the deafening squeal of a weed wacker.

Chairperson Pecora informed the audience that this hearing will be opened up to those who wish to comment on this application. She reminded them that it is not an interactive discussion and they will be limited to 5 minutes. She stated that the purpose of a Public Hearing is for the Board to take the public's comments and then to consider those comments.

Laraine Goerlick – 230 Hardenburgh Rd. – She stated that it is with grave concern that she addresses the Planning Board regarding the farm/retreat center. She resides across from the proposed farm. She is concerned about the impact on the traffic and the road. The plans have been changed a little as Mr. Schultz stated but she is addressing the last set of plans that she saw. Those plans called for two parking lots with space for 25+ vehicles, 4 cabins which can house 8 people each plus camp grounds accommodating 16 adults and 24 children. (He did not mention this when he spoke.) This would equal 74 guests plus employees and day visitors. In addition, traffic will be impacted by deliveries to serve guests and farm needs. There will be a noise impact from the guests and from farming activities. The impact on the viability of the ridge is a concern. The property sits on top of a stone ridge and currently water comes down the ridge, across properties, Hardenburgh Rd. and empties in to the Swartekill Creek. The ridge will be largely denuded to accommodate the retreat center. She found a note from the NYSDEC identifying problems concerning habitat/and or hydraulic modification (<http://www.dec.ny.gov/permits/6279.html>) stating impacts “are more likely to occur in.....developing areas where human influences cause increased runoff and result in alterations to habitat and hydrology. “She stated that this happens now with the trees there when they have a strong rain. There have had to be some adjustments to the road because of some problems with the runoff. This will be increased by taking the trees down.

The denuding of the ridge is of serious concern. The stability of the rock ledge may be compromised and demands an environmental impact study. The plans to process charcoal is a complicated and highly technical process which she looked up on the internet and cannot begin to say she understands but it definitely requires professional expertise and could potentially result in emissions including methane, ethane and methanol.

She stated that she is 71 years old and her husband is 77. They moved to Hardenburgh Road from New Paltz 7 years ago to escape increasing traffic and noise pollution. They have a great deal invested in their house and gardens which they built and love and they do not want to see it decreased in value because someone wants to develop a commercial enterprise. She stated that this is a commercial enterprise. People are coming to the cabins and staying and she is sure they are not going there for free. Money will be exchanging hands. This is a residential area. They are devastated by the impact the retreat will have on them and the surrounding environment; an environment that will be despoiled forever. The expressed desire of the owner is to build an environmentally conscious business. Environmentally conscious consideration would be to use the smallest footprint possible and not construct 12 acres of "stuff". An environmentally conscious concept would not pave paradise to put up a parking lot. (Copy of letter submitted and made a part of the record.)

Les Kalmus – 68 Suominen Lane, Ulster Park – They were recently made aware of the request to establish and run an organic material recycling business on the property on Hardenburgh Rd. in Rifton. The business has been cloaked with phrases like farm, reducing organic waste in landfills, etc. and their web site has links to various similar ideas. It is in fact a recycling business as stated on their stonewallfarmsny.com web site inviting anyone with garbage or unused wood to bring it to them. They will have an unknown number of workers, campers, volunteers and unknown visitors for unknown lengths of time. This is not to mention the unknown amounts of garbage and wood that they expect to collect. Their request for additional living space, camping grounds and meeting facilities can include nearly 100 people not to mention animals. The useable land is about 12 acres adjacent to wetlands on one side and private homes on the other. All the surrounding properties are residential and Hardenburgh Rd. is a particularly narrow hilly and winding road. They expect to hold classes for those interested in organic recycling which will most likely be held on weekends and will cause a large traffic increase at the times during the week when local traffic is the heaviest. Their property is located where Hardenburgh goes over a hill and curves at the same time which is a poor place for any increase in road traffic.

The unusually large number of people and animals will undoubtedly result in bodily waste and accumulation and although they have plans for compost toilets, there is a question as to the amount of liquid waste that can or will result in runoff. On one side, their neighbors are at the base of a rock ledge which is directly where runoff will go and is where the wells are for these homes. The

other side is wetlands where the same is bound to occur. A commercial organic waste recycling operation is not what any of the neighbors in this area came here for. They live in a quiet, rural residential setting on back roads. Hardenburgh Rd. is difficult to deal with normal traffic and school buses. Additional traffic will make it a lot worse. They did not expect a garbage recycling plant in the midst of their residential area and they don't think is an appropriate type of application for the use of this land. They would like the Planning Board to explain how this operation fits into the Town's Comprehensive Plan. They are not opposed to a personal use farm nor to personal recycling but they are opposed to the creation of a commercial enterprise that will put a strain on the environment, roads and infrastructure. There is a question as to whether this operation will be a not for profit. Stonewall Farms has the potential for a situation where the future traffic, smells, local pollution, noise mixed with the Town's inability to police or control of these things will result in a set of bad feelings and anguish on the part of long term residents who expect to stay here but not with a commercial recycling operation as our neighbors.

They are asking that the Planning Board deny this application for this business unless it is repositioned as a personal farm with a limited number of visitors or in residence workers and that it does not solicit for local garbage or wood drop off. (Copy of letter submitted to the Planning Board and made a part of the record.)

Iris Kimberg – 191 Hardenburgh Rd., Ulster Park - She stated that she has already submitted a letter which has been copied and given to the Planning Board members. A copy of this letter has been made a part of the record. She wants to emphasize that since the last meeting she has spoken to many neighbors on Hardenburgh Rd and she has reached out to as far as Old Post Rd. The change in use is not desired in their neighborhood. It will adversely affect and alter the characteristics of the neighborhood. It will definitely impact negatively their property values. The scale of the project is extensive and can pose a threat to the health and safety of the neighborhood. She would like to address this on a personal level since her home is 1/3 of a mile back on Hardenburgh Rd. She has gone to great lengths to make sure that she is protected if "God forbid" there is a fire. She has worked with the Rifton Fire Department. She has a pump and pond and the thought of having campers back there with her who have no electricity, no supervision and could be anywhere from 36 kids to whatever. With no electricity to her this means that they will build a fire. This scares her tremendously. There is a meeting of the Rifton Fire Department Monday which she will be attending and she has already spoken to the Fire Commissioner. She is gravely concerned about the fire issue that these campgrounds could raise. She handed in three pictures of existing conditions and there is no nice way to say this but it had been owned by a hoarder and now the property is continuing and although Trevor has claimed that he has cleaned it and she is sure that he has cleaned some of it up the philosophy of his cleaning it up is not your typical means of cleaning it up. She thinks that it is one fire

hazard. She thinks that anyone would condemn the existing structure and think that it has to be torn down for the safety of the neighborhood.

She stated that there is not one active website for this operation but there are two websites (www.stonewallfarms.ny.co, and www.stonewallfarms.org). The websites are actively soliciting to come every Saturday after 2:00 P.M. and do volunteer at the farm, drop off your commercial clean food waste, drop off your wood and one of the pictures is new wood. As if that property does not have enough garbage on it, they are actively soliciting and what bothers her the most is that it sounds like it is up and running. She does not know why this website is not taken down instantly until it is decided whether this is going to be approved. She is very concerned that they are already going ahead and asking for composting of food and wood when supposedly we are in this planning stage. She sincerely hopes that the Planning Board will take in the fact that this is a residential neighborhood and each and every home is well maintained. This would really damage the neighborhood tremendously.

Lidia Gershey – 15 Suominen Ln., Ulster Park – She agrees with everything that has been said here. She thinks we are being stonewalled here. Everything that falls under the word organic is not necessarily environmentally sound. She bought her property in 2001 and invested a lot of money. They have all taken hits to their property value and they are all upstanding citizens paying a lot of property taxes. In a residential area, that has been so well stated, they are getting a proposal for a farm, commercial business and an industry. When you think about an environmental impact, it is not just on the environment, it is on the people who live there. She is sure if they took a petition on everyone on Suominen Ln, Hardenburgh Rd., and Old Post Rd. this would be voted out of favor. Not only are there potential fire hazards, water pollution, land pollution, we have no way of knowing the credentials of the owner and if there is any expertise in running an industry that is going to create charcoal. What will it be next? Will they be using grass and clippings to create an alternative fuel source? These are incredibly volatile chemicals. They are in a wooded area. They are now going to pay for a new Fire Department expansion. Now a non-for-profit will be bringing in a commercial website and organizational website. What kind of tax revenue will they get? They will be paying more to protect themselves from the imposed hazards than there will be any benefit to this Town. She strongly urges this committee to consider how this is going to impact hundreds of lives in the area. It has been well pointed out that there will be children unsupervised, a camp ground, a retreat center, calling in volunteers from who knows where. What about the threat of theft, of vandalism? What about their safety? Do we have enough police protection? Do we have enough to patrol the area? She urges the Board to put themselves in their position and would they want to live near this proposed enterprise.

George Wagner – 221 – 223 Hardenburgh Rd, Ulster Park – They are directly adjacent and below the property in question. He submitted some photos for the

file. The first one showing their well which is directly below the cliff; 54 feet from the property line. It is 125 feet deep. Anything done on that ridge above could directly affect their water system. The cliff is 30 feet high and they feel that the topography of the area is very fragile and that the cliff is right behind his two houses and on top of that is where Mr. Schultz plans on doing his project. He submitted a photo showing his house from the property line and even though it has been said that it cannot be seen you can see it from the property line. Anything that is done on top of the plateau drains down. He submitted pictures of the cliff and the topography of the area as well as his lawn with water on it. He feels that the infrastructure of Hardenburgh Rd. cannot handle any more traffic. It is already collapsing, washing out. It was built on old stone wall that was washing out. It is a dangerous intersection and it is a blind turn coming around. He thinks that everyone is on the same page. They believe that everything on the site map should be investigated and taken one at a time from the bee hives next to the road where there is a school bus stop, to the charcoal making, to the pellet making, fire hazards, gray water, drainage, etc. He feels that everything on the list needs to be reviewed and have an impact study done on it. They bought their house 6 years ago and they chose this area because of its quiet setting. The house had been abandoned for 7 years with a tarp on the roof. They worked on it diligently to make it a nicer place and he believes they succeeded in doing this. They just received their final Certificate of Occupancy the week before he found out about this project which is right in his back yard. He cannot say enough about how he thinks this is the wrong project in the wrong area. This is a residential area. They bought this property knowing it was a residential area. They could have bought land somewhere else if this was their plan.

Alan Goerlick – 230 Hardenburgh Rd., Ulster Park - He stated that Mark Anderson and Tobias Anderson are his neighbors and they could not be here tonight. (Mark Anderson submitted a letter which was copied for all Planning Board members and made a part of the record.) He is going over a few of the facts in the letter. Mr. Anderson who retired from NY State as a Code Enforcement Officer and volunteers to work with the Town Building Inspector when requested. He reviewed the Planning Board file on this application.

His property adjoins the lower elevation of the subject property. Bordering his property is the Swartekill Creek. The nature of the terrain is clay, hardpan and rock ledge. There is considerable springtime runoff and also the recent runoff we have just had. This runoff follows the hardpan and ledge until it drains into Swartekill Creek. The properties between the project area and the creek will be subject to runoff from the farm. The proposed gray water recycling and composting areas are of great concern. While recycled gray water has been recently approved under certain conditions from combining the sewage and for irrigation in the Plumbing Code in New York State such use is still prohibited by the Uniform Plumbing Code. The installation of such a system will require a special inspection as provided for in the Building Code of New York State. The concern he has is for gray water. They have a bath house there intended for

guests. Gray water will flow from all these facilities through a filter and into a pond and from there it flows through sub-surface pipes for irrigation. Absent engineering plans for such a wastewater system, it would be injudicious and premature to approve plans for such a concentrated site occupancy. How many gallons per day will the filtration plant, the pond and the sub-surface irrigation disposal area be designed for? Will the soils on site be sufficient to absorb the outflow?

The plan also specifies composting toilets for the structures. These will be additional composting toilets for the camping area. The solid waste for these toilets is to be collected by staff each day and moved to a collection area uphill. There are no indications regarding the disposal of urinary waste from the toilets or whether or not the Ulster County Health Department will entertain an application for such an interesting question. There is no mention of the number of staff that will be living onsite, nor where they will reside. It might be in the existing single family dwelling that is intended to be restored. If this is true, it will become a different classification and the existing waste water system would be insufficient.

It seems clear that the major part of the traffic generated will come from the south. The flow will come mostly via Cow Hough Rd, Rt. 32, Rt.213, and Old Post Rd. with a lesser amount from Rt. 9W via Union Center Rd. There is no doubt that the project will have a significant impact on the area. He does not think that it is a good thing and he urges the Board to consider all of these concerns.

Laura Cavello – 13 Suominen Ln., Ulster Park – They live right around the corner from this. She is hearing a lot tonight that she had not heard before. She heard about a retreat center/camp ground and an organic farm. Her first thought was what a lovely and wonderful idea and what an absolutely wrong place for this. This is a residential area. We are talking about a twisty little back road. It is lovely and quiet. She thinks this is why they all moved there. Its character is completely residential. This is shocking. She thinks it would be very disruptive and because of personal health issues she is at home a lot of time and this would be a major change in quality of life. What she is hearing about a recycling business and charcoal creation is all new to her and very much a concern about the environmental impact on the air, water and traffic. She shares their concerns and she hopes this Board will take them into account.

Linda Wagner – 706 Old Post Rd., Esopus – She read a letter that was given to the Planning Board members and a copy of the letter was placed in the file. They are surprised to be in front of the Planning Board as the Zoning Board is still in the Public Hearing stage. She thinks before the Zoning Board there are only three issues but she is curious because there are so many. They would like the Planning Board to know that they strongly oppose this project. They believe that the size of this project in a fragile residential area could do irreparable harm

to the environment, residential home values and the quality of the neighborhood. A proposal of this magnitude requires that all of the parts of this project be thoroughly investigated. Each component is an issue. The barn which will not be a barn but a meeting, dining and learning space under the pretense that they want to introduce farming back into the area. They are proposing 21 bee hives within 20 feet of Hardenburgh Rd. and very close to a school bus stop. The proposed road that runs 10 feet off of their property line on a ledge that they claim existed before never existed. There is a driveway in the middle of the land that is not wet and that is it. On top of the first barn, there is a proposal for an animal barn, a new greenhouse and a wood barn with no dimensions, pigs and pig stall, chickens, 6 charcoal retorts. She is not familiar with all the ways to make charcoal but she does know that to make charcoal requires a lot of fire and a lot of smoke. You have to turn it upside down and let it burn for many, many hours to make a small amount of charcoal. The amount of charcoal that is proposed to be used in this development is going to be massive in order to keep hot water, dishes, laundry, heating for buildings, etc. She is not sure if he plans on selling the charcoal or not since it is not addressed in his proposal. He has three different loading areas and he is already accepting household garbage for composting and old lumber that is being lined up along the side of the ledge on her side where her house is right below.

She is concerned about them making pellets and the machines to do this are very noisy. She went to the pellet store and they told her that making pellets is very explosive. She believes that he would be planning on selling his pellets. They have the volunteers, employees, cabins, camping and the smoke from the camping and smoke bellows down. If you get a lot of campers and charcoal making and you have a lot of smoke coming down and it is not good to breathe. You have solar panel displays, four windmills and they can be very noisy. You have 15 cisterns, 20 composting toilets, restoration of a single family house, more parking spaces, the pellet making and a bio-char which is another very dangerous endeavor as it produces some sort of gas or petroleum product. These are great ideas but not on 12 acres and not in the back of people's properties.

John Moser – 6 Willow Court, Ulster Park – When he spoke to Trevor about the farm he thought it was a great idea. He is an environmentalist. The last meeting that he went to, the scale of the operation was brought to his attention. He had no idea that there were going to be parking lots and there is a lot of concern about run-off. Behind his house is where the proposed cabins would be. Until he received the letter from Mark Anderson he did not realize that solid waste would be collected uphill from his property. He took a video before coming here this evening of all the run-off from the storm two days ago. If Board members would like to drive by in a day or two, they will be able to see all of the run-off. Additionally, after Memorial Day weekend a large tree fell from the top of the hill and just missed a fence and his son's playset. He feels that the nature of the storms we are having do seem to be changing. There is not much soil there for

the roots to grab onto. He is in the process of having some more trees cut down but he does not want to denude the hill. He has a lot of concern about the back part of Trevor's property and trees being taken down. If sewage is going to be collected up there, where will it go? Mr. Anderson mentioned what is going to be done with urinary waste. He has a young son and Mr. Anderson has his grandchildren over all the time. The next door neighbors are expecting so there are a lot of children in the area that need to be considered.

Barbara Kalmus – 68 Suominen Rd., Ulster Park – She is concerned about the garbage that is already there and the garbage that is going to be collected and campers coming and the way they will leave the campground. Rats are a very, very strong possibility which we do not have in the neighborhood and bears. Everyone has one bear but they don't bring their cousins. There are little children.

Nora Machione-Weiss – 245 Hardenburgh Rd., Ulster Park – They bought their house over 20 years ago and it was a fixer upper. It was lovely to fix it up but it was a joy to be in the community. It is very peaceful and tranquil. The road is dangerous. It is very narrow and it is not going to be widened. The Bruderhoff use it and it is well maintained but it is going to be a problem if there is an increase in the traffic. Children ride their bikes on it. It is a great place for people to spend the afternoon or for people to spend the day going through the roads. It is a busy road but if you put a commercial business on there it is going to be a dangerous road. She questions the smell, the traffic, the animals and all three of these will concern her. It is a wonderful neighborhood and she hopes it is allowed to stay that way.

Roxanne asked the Board what they wanted to do. Would they want to leave the hearing open or close it? Myles stated that continuing the Public Hearing is the Board's option.

Lidia Gershey – 15 Suominen Ln., Ulster Park – She does not know what requirements need to be met even if it is a cottage industry if we are talking about recycling charcoal, recycling waste products, making wood pellets but it seems as residents of a residential neighborhood that if this is going to be entertained there has to be some oversight. There has to be some qualifications and licensing requirements and some kind of legal parameters that say that these people are qualified and knowledgeable to put a residential area at risk with these kinds of operations. Where are we being protected by the assurance that there is going to be an oversight of these activities? If you open a restaurant, you get inspected. These technologies while they are being said to be environmental, low carbon, small footprint they are very dangerous. How can we feel protected? Who is going to come in at a Town level and who is going to take that liability responsibility if this is awarded and allowed to continue? Who will assume the liability if there is an explosion, if people get hurt, if lives are lost through wildfires that are created by this? Who is going to bare that

responsibility? None of the residents are being protected. Does the Town consider this when this kind of operation is allowed? What about irreversible damage to the neighborhood? She thinks this cannot be considered seriously unless these questions are answered.

Roxanne stated that we do not have the Zoning Board of Appeals decision nor do we have the Ulster County Planning Board's comments at this time. Fred stated that if Trevor is agreeable he would like to leave the Public Hearing open. Myles stated that Trevor's agreement is not necessary. Discussion continued about whether we need the applicant's approval. Roxanne asked Trevor if he is agreeable to extend the Public Hearing. Trevor stated that he is agreeable to extending the Public Hearing.

FRED MADE A MOTION TO EXTEND THE PUBLIC HEARING FOR SCHULTZ/PAPLIN (STONEWALL FARM), CASE #2012-19, SPECIAL USE PERMIT/SITE PLAN REVIEW SECONDED BY DARIN. 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

MICHAEL MINOR MADE A MOTION TO EXTEND THE PUBLIC HEARING FOR SCHULTZ/PAPLIN (STONEWALL FARM), CASE #2012-19, SPECIAL USE PERMIT/SITE PLAN REVIEW TO JULY 10, 2013 AT 7:10 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

Trevor asked why the Board requested to extend the Public Hearing. Roxanne stated that we still need the ZBA Decision and Ulster County Planning Board comments and if we closed the Public Hearing tonight we would have to make a decision within 62 days or it would be automatic approval and we are not going to do this. In order for our Board to still have control under the laws that we operate

under, we are going to wait. Roxanne stated that if the ZBA denies the variances then he will need to redo his plan.

A member of the public asked who would be responsible for giving a permit regarding the collections that are already going on. They were informed that it would be NYSDEC responsibility. We have received a letter from them but they have not received a permit as far as we know. They would need to file a complaint with the NYSDEC.

ESOPUS FARMS, LLC: Case #2012-17 & 22 – Special Use Permit/Site Plan Review/Lot Line Adjustment – 1398 & 1466 Broadway, Esopus; SBL: 71.004-4-26 & 31.11

DARIN MADE A MOTION TO OPEN THE PUBLIC HEARING FOR ESOPUS FARMS, LLC, CASE #2012-17 & 22, SPECIAL USE PERMIT/SITE PLAN REVIEW/LOT LINE ADJUSTMENT SECONDED BY MICHAEL MINOR. ALL MEMBERS WERE IN FAVOR.

Joseph Pisani, Esq., and Jim Connors, Chazen Engineering, present for this application.

Chairperson Pecora read the Public Hearing Notice placed in the Daily Freeman, copy placed in the file.

Joe Pisani introduced himself as the attorney for Esopus Farms, LLC. He has been a resident of this Township for 34 years and in his estimation this is one of the most exciting projects that has ever been presented to the Board. He stated that this proposal is to construct a hotel on the old Payne Mansion on the west side of Route 9W. This is the portion of the property that Col. Payne used for his out buildings and service buildings. His mansion was on the East side facing the river. The buildings were designed by a member of the John Burroughs family. They propose to utilize existing buildings on site to construct a hotel and spa. The building that was the carriage house will be used for approximately a 62 room hotel plus a banquet facility containing seats for 375 people. The old chicken coups will be used as part of the hotel rooms but also containing a spa.

He stated that they have been before this Board for about a year and have been reporting to every agency that is concerned with the County, State officials, etc. They are in compliance with or in the process of becoming into compliance with all agencies. On the north side of this property, there will be approximately 30 tent facilities. There are a lot of people in NYC that are looking for an eco experience. They propose to provide a tent platform or the Yurts for them to occupy and this will be part of the hotel facility but they will not be residents of the hotel. They will have their own bath and shower facilities. They intend to have a pool there and a full service restaurant open 7 days a week to accommodate the guest of the hotel and the public.

They are confident that this is going to be a beneficial project for the Town of Esopus and will generate considerable tax revenues, employment and he thinks it will become one of the landmarks of Ulster County. He feels that this is a positive thing for the Town and he urges this Board's favorable consideration.

He is hoping that if at all possible we can have a vote on this project this evening. They did lose a month due to some Board problems.

Roxanne stated that we are going to time the comments for this application to 5 minutes. She asked if there was anyone who would like to speak regarding this application.

Ken Joseph – 1504 Broadway, West Park - He has occupied this property since the 1960's. He feels that this project is simply too large, out of scale and out of touch with the countryside. They have owned the property for 40+ years. They have never imagined that a swimming pool would be located yards away from his property line, 800 conference attendees, a hotel, campers, delivery trucks, parking lots, liquor and restaurant. He asks the Planning Board to reject this plan unless the scale is reduced and put in line with the character of the countryside. He would like the proponent of this project to address the lighting, security from campers and others who do not know that there is a property next door, privacy issues, well water pollution, noise, music, trespassers, safety issues need to be address. Many times in the woods there are hunters and archers. Finally he would ask that the Board do some due diligence with the ultimate owner and shareholder of this corporation behind this project. He thinks that one needs to determine whether the controllers of this entity has the right qualifications, character and care to operate a facility on this treasured property.

Bud Hossenlopp, Town of Lloyd Environmental Conservation Council – He stated that he is working on a combined project with Scenic Hudson, DEC and Environmental Council for both this Town and his Town. They are trying to conserve as much as they can of the Black Creek Water Corridor. They are trying to get conservation easements for a water trail and to the Hudson from the Town of Lloyd for hiking, backpacking, snowmobile trails, etc. They asked if they own lands on both sides of the project. He was told that the applicant did. He wanted to know if they would be able to go right across the creek in the future. It would be beneficial if they moved further from the creek. This project is new to him. He was just notified about it a couple of days ago. He thinks this is something to take into consideration, that this property is all along the Black Creek Corridor which they are trying to expand and preserve as the Black Creek State Forest Preserve and this is going to be commercial property all along the corridor. This is his major concern and his Town did not know anything about it until the last minute. They have a Greenway Grant now starting from Route 299 to develop an access point and an access point on Chodikee Lake. They are trying to develop this area and keep it as wilderness as possible. He does not

know if they will be able to hike this property. What their plans are for the future should be taken into consideration. If they are going to be able to cross the creek and develop through the area then this will defeat the whole Black Creek Water Corridor and the preserve.

Jennifer Barrows, Priest for the Ascension Church – She is concerned about the cemetery. She is wondering if this has been taken into consideration to be preserved and worked around. Roxanne stated that the cemetery has been taken into consideration and worked around it sufficiently. Jim Connors showed the area being preserved around the cemetery to Priest Barrows.

MICHAEL MINOR MADE A MOTION TO CLOSE THE PUBLIC HEARING 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
Michael Minor.....yes
Rich.....yes
Darin.....yes
Roxanne.....yes

OLD BUSINESS:

SCHULTZ/PAPLIN (STONEWALL FARMS): Case #2012-19 – Special Use Permit/Site Plan – 219 Hardenburgh Rd., Ulster Park; SBL: 71.001-3-25

Roxanne stated that the Rifton Fire Company sent a letter and they had three specific concerns that need to be addressed. We need the ZBA determination about the setbacks and the area variance. We need to receive the County Planning Board comments which Roxanne stated are all advisory. They did not see anything on lighting, nothing on ADA access, signage details were missing and they were concerned about elevations for the architectural aspects of the buildings. We will have their write-up by the next meeting. We need to receive Health Department approval for this project. Fred spoke with Michael Cafaldo, Highway Superintendent, regarding the total width which is 20 feet. Fred told him that we would read it into the minutes. The on-site road slopes can go to 12% not 2%.

Trevor asked if he can comment on the Public Hearing. He was told to wait until next month since the Public Hearing is still open. Roxanne stated that we need to give Myles some time to go through the information from this evenings meeting. We may need to have a special meeting. Michael Minor asked Trevor what the status of the Health Department is regarding this project. Trevor stated

that he is not at that level. He was under the impression that whatever was approved would be contingent upon Health Department approval. Roxanne told him that he should have started the process because this will take months.

Fred has a real question on the scale of this operation. He stated that when this started he looked at it as a place to take children for educational purposes. Now the concerns in the audience are that we have a factory running. Fred asked what we are looking at on the amount of charcoal made in this area. Trevor stated that will depend on how much space he will have to do this. He stated that it is not a commercial enterprise other than what is at farming scale. Darin wanted to know how much is produced on site is going to remain on site. Will anything be sold or distributed off site? This draws the fine line between commercial or whatever type of business entity. If everything is staying on site, there is the fine line. Fred stated that it does not take much to be classified as a solid waste transfer station. If you don't have a permit for this, it is a really nasty situation. Fred stated that he is going to have to get some kind of a 360 Permit. You are going to have to come up with some kind of quantity. We are certainly not looking to allow a commercial operation in a residential area. Fred felt that we might need to look at limiting the scale of this project. Fred stated that the high point in this property seems to be down the middle. The water is going in one direction off of the wetlands and there has to be a lot of water going into the wetlands. He is not sure where it is coming from. Darin stated that part of his concern is that you are not supposed to change that. Fred stated that when he looks at the amount of disturbance he really does not see a big difference in the runoff. Darin feels that it is important to talk to the Department of Health and DEC and getting their feelings on this project. Darin stated that some of the background and design insight that Trevor is putting into this is not necessarily unique but forefront for those agencies. He thinks the Board being involved in that comment process to go to and from DEC is important so that we can know what the major concerns are i.e. gray water, stormwater, sanitary, etc. He is interested to hear what the ZBA feels and thoughts are. Fred would like to see where the adjoining wells are located. Darin stated that we need more information on what is going on. Is there commercial going off site? Darin stated that he does not know what the applicant's intention are in maybe scaling down the footprint.

Trevor stated that he reduced the parking from 20 spaces to 8 spaces bringing it definitely under one acre of disturbance eliminating the zoning variance. He has brought it within the required zone of 100 feet setback. Myles stated that he has not seen the new plans since they were submitted this evening.

Michael Minor stated that this property before it was a residence was a farm. He understands that people move to the country because they want the country. If this were a recreation of a traditional farm with traditional methods of production it would probably smell and it would probably cut wood for heat and it would have a septic system. There would be some kind of well that needed to be kept away

from the animals so that it did not become polluted. Trevor has said that he wants to develop something with other ways of dealing with human waste, animal waste, other ways of heating but still being self-sufficient. If the purpose of creating the charcoal is basically to power the environment by showing that you can burn wood without creating the huge greenhouse gas problem, methane problems and to burn wood in a more efficient way; this is a valuable learning experience for people. How can they farm, raise their food, interact with the environment in a way that is more enlightened. You will clearly need oversight by the institutions which would have ruled the septic system ineffective. You would have to deal with the Health Department. To the extent that this project is rethinking farming, relook at this. Let's use our animal waste to fertilize. Let's rebuild an old house. He does not have a problem with this concept but we need to know what they are going to do with the surplus. If you are going to ship out loads of charcoal for other people to use, this is a different situation. If you are using the composting operation for an internal operation, to grow your crops and recycle things this to him is an enlightening understanding of farming and this is the educational institution you are talking about. If the educational institution is just a way of excusing huge productions of composted fertilizer, that you sell outside of the farm then this is a different thing. Michael stated that he believes that some of the problems he is facing is because his methodology is so different than what has been the defacto situation. You need to get the Health Department approval and the DEC approval. We need to take a look at what else that site may be good for. In an R40 district, this could be possibly 26 houses. Twenty-six houses would have x-number of trips going in a week, would have wells and septic tanks. You cannot say don't do anything with it because people have property rights. You have to show us this not his project verses nothing or his project verses what might be a little more obvious. There are some as-of-right uses for this property since it was a farm.

Roxanne stated that Trevor needs to set the record straight with this Board. You came to this Board with a retreat/learning center so we certainly are not looking for this to be commercial. We never were. We could certainly put those restrictions on it. This would make this difficult for the Building Inspector who is also the Code Enforcement Officer. We need to find ways to do things without all these conditions. We did not hear from anyone tonight about this being a learning educational center which is what the intent was and what is in the application filled out for this Board. Margaret stated that she was quite surprised when she heard that you would be making charcoal and pellets. She walked this property and spent 3 ½ hours on the property looking at the site and in her head when you said it was going to be an educational farm I thought this was wonderful for the community and all of a sudden she is hearing charcoal and pellets. Fred stated that they might want to clean up the web site. Michael Minor stated that the key to an as-of-right-farm would be to use your own resources internally and every once in a while you might have a surplus and you go to the Farmer's Market and sell some eggs. The key to this is in the operation. Darin stated that as much as we want to know what is leaving the site he would like to

know what is coming into the site. Margaret stated that she was under the impression that people would be staying in cabins and tents and going to the dining area for meals. She did not know they would be having fires. Trevor stated that this is true. He does not know where the open fires are coming from. Trevor stated that he has heard a lot of things today that he did not know. He did not know he was going to run a recycling business. He did not know that he is going to be cutting down trees. Margaret said that when she met with him he said he was going to remove a few trees from the front of the property. Trevor stated that he is updating all the time and he has been saying that the compost and the charcoal are going to be products they use on their land and they are saying that they also want to sell this. Board members stated that this is where the question is. Trevor stated that a farm usually sells things. It is not illegal for a farm. Board members stated produce not pellets, not charcoal. Darin stated that he understands selling compost. Michael Minor stated that you have to be more specific and if there is some surplus and you sell it we might give you a Conditional Permit for that but if down the road you are coming to a production environment he does not think that we will give you a permit for that. Michael Minor stated that if we doubt that you are running an educational facility and you are running a production facility he does not think we can support this. Darin stated that he thinks it would be helpful for the applicant to respond to some of the comments that are coming from the public.

Trevor stated that the wood that they have right now he could take one yard and make it into charcoal. Darin stated that he does not know if they have a problem with that but he needs to be detailed. He needs to say here is what I am going to produce, here is how much I am going to use on site and if there is excess this is what I am going to do with it. If there is 5 lbs it is not a big deal but if you are talking 500 lbs, do you need a hazardous storage permit. We need to see this detail. Michael Minor stated that we need to really find out what you want to do and whether it meets our code. Trevor stated that everybody who has made assumptions about things going on he invites them to visit the site and find out for themselves and ask him directly. Nobody has come and actually asked me questions. Darin stated that he needs to take their comments and respond to them and bring them back to this Board.

ESOPUS FARMS, LLC: Case #2012-17 & 22 – Special Use Permits/Site Plan/Lot Line Adjustment – 1398 & 1466 Broadway Esopus/West Park; SBL: 71.004-4-26 & 31.11

Joseph Pisani, Esq. and Jim Connors, Chazen Engineering, present regarding this application. Joe stated that he spoke to the pastor about the cemetery and he gave her his card and told her if she had any questions to call him. He told her that they will be maintaining the integrity of the cemetery and not in any way desecrate it or not in any way do anything that would destroy it. Jim stated that he was surprised because the archeologist who has been working with them on this project has been in contact with the church all along. Joe stated that the

gentlemen from the Town of Lloyd he does not know if he heard it right but he believes that he represented himself as speaking on behalf of Scenic Hudson and he has no authority to speak on their behalf. They have been in contact and continue to be in contact with Scenic Hudson. They are working with them and they have not indicated any disfavor for this project. His information is incorrect and it was misrepresentation to this Board. He asked him to apologize and he did apologize to Joe outside. Darin stated that in his defense he does remember the man saying that they were working with Scenic Hudson. Michael Minor asked if they plan on building on the other side of Black Creek and the applicant stated that they did not plan on building anything on that side.

Roxanne stated that we received the response from the Ulster County Planning Board dated 6/5/13. Copy of this placed in the file and copy given to applicant. Roxanne read the comments. Roxanne stated that they were looking for the interior signage and they did not see it on the map. Jim stated that it is on there and that they did provide a photometric plan for the major parking lots. The waiver for the walking trails was discussed at the last meeting. Following some discussion regarding the required modifications the Board and applicant have no problems.

Michael Minor asked if this property was going to be fenced from the adjoining property. Jim stated that there is already a 3 feet or higher stone wall that runs there. They could post it. There is a section towards the very end where the stone wall disappears. Jim stated that the populace that would be occupying the property is way below the northeast southern neighbor. Jim stated that the pool area is approximately 500 feet from the residence. The pool will be low light with cut off shields. The pool will have a 5 foot fence around it which is code. Joe stated that this is the first that they have heard of Mr. Joseph's concerns and they will try to address any concerns he has regarding the use of this property.

Michael Manicone questioned the outdoor lighting and who controls it. Michael stated that they are using LED and one of the things you can control with LED is to turn the lights down by 50 %. He questioned the lighting around the pool. Jim stated that they are using low level lighting and the pool would not be used in the winter months when the leaves are off of the trees. Jim stated that they are really looking for the soft low level lighting. Michael asked how they are going to deal with the lighting at the access points. Jim stated that this will be dealt with in the detail design submitted to the Building Inspector for the permits. At each entrance to the site, there will be stone walls that will arch in and on those arched stone walls there will be up-lit signs that will identify the site. They are not going to put street lights out or anything unless DOT requires it.

FRED MADE A MOTION TO ACCEPT ULSTER COUNTY PLANNING BOARD'S REQUIRED MODIFICATION FOR SITE PLAN AND SPECIAL USE PERMIT AND ACKNOWLEDGES THEIR RESPONSE OF NO COUNTY IMPACT FOR THE SUBDIVISION FOR ESOPUS FARMS, LLC, CASE #2012-

17 & 22 SECONDED BY DARIN. 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

Myles reminded the Board that we are in the middle of a coordinated SEQR Review process for a Type I Action. Myles asked the applicant to do a few updates on the EIF Park I to reflect changes.

FRED MADE A MOTION FOR M.L. PUTMAN CONSULTING TO COMPLETE PART II AND III OF THE EAF SECONDED BY MICHAEL MINOR. 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

COOPER: Case #2012-04 – Lot Line Adjustment Re-approval – 599 & 603 Old Post Rd., Esopus; SBL: 71.002-3-19.11 & 19.13

Mrs. Cooper was present for this application. Applicant did not file the signed maps within the 62 day timeframe.

FRED MADE A MOTION TO RE-APPROVE LOT LINE ADJUSTMENT FOR COOPER, CASE #2012-04, SECONDED BY MICHAEL MINOR. 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

TUCKER POND: Case #2009-23 – Landscaping Changes

Michael Minor stated that two years ago a representative of Tucker Pond sat here and he asked him when will they be ready to have people in there and he said by the spring. Two years later and they are still coming back to us and he would like to know how long we are bound by a court decision made years ago.

Myles informed the Board that he spoke with someone from Augustine’s Landscaping stating that they cannot provide some of the shrubs and they are apparently under the gun to get the planting done now. Following discussion among Board members it was felt that Myles has already looked at the plants and did his write-up. Roxanne stated that this is in the field at this point and under the direction of the Building Inspectors Department and they should be dealing with the Building Inspector and an As-Built be provided. Applicant still has an escrow account. Myles work should be sent to Tim Keefe and the escrow account should be billed.

DARIN MADE A MOTION TO REFER TUCKER POND TO THE BUILDING DEPARTMENT FOR REVIEW AND DECISION ON THE LANDSCAPING SECONDED BY MICHAEL MINOR. 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

HARE: Case #2012-09 – Minor re-subdivision – 130 Carney Rd., NSY Rt. 213, Rifton; SBL: 63.003-3-4.211

Rob and Iza Hare were present for this application. Myles reviewed M.L. Putman Consulting Report dated 6/11/13. Copy given to applicant and a copy was placed in the file.

Rob stated that they have septic approval for two additional lots. The latest map will show future proposed lot line. He is not asking for approval of this. The reason that he is doing this is that the easement that exists on the property allows that to be subdivided in the future. Their farm is now on the market and he wants them to see that they have that future value. He also wants this to be filed because both as a landowner and a Trustee for the Wallkill Valley Land Trust they have run into situations where filed maps are not found in a proper title search so it is important to him that this be listed. Proposed Lot RS should show

a 1 bedroom house and a 2 car garage. Rob stated that he noted on Myles plans that one of the septic systems is outside of the restricted building envelope. Rob stated that Paul Kellar, Esq. is their attorney for the easement and he wrote into the easement that both wells and septic fields can be outside of the building envelope. The driveways and the contours are shown. Lot RW driveway will be the steeper grade and longer. Following some discussion the applicant was asked to adjust the contours and provide driveway profiles. Discussion took place regarding the future proposed lot. He was asked to remove the proposed future lot and he agreed to this request. He should leave the easement.

FRED MADE A MOTION TO CLASSIFY THIS AS AN UNLISTED ACTION PURSUANT TO SEQR FOR HARE, CASE #2012-09, RE-SUBDIVISION SECONDED BY MICHAEL MINOR. 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

MICHAEL MINOR MADE A MOTION TO GRANT SKETCH PLAN APPROVAL AND DECLARE THIS SUBMISSION COMPLETE FOR HARE, CASE #2012-09, RE-SUBDIVISION SUBJECT TO REMOVAL OF THE PROPOSED FUTURE LOT RH 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

MICHAEL MINOR MADE A MOTION TO SCHEDULE HARE, CASE #2012-09, RE-SUBDIVISION FOR A PUBLIC HEARING ON 7/10/13 AT 7:20 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
Michael Minor.....yes

Rich.....yes
Darin.....yes
Roxanne.....yes

Applicant was informed that there is a Public Hearing fee of \$200.00.

LINDEMANN PROPERTIES, INC.: Case #2013-02 – Lot Line Adjustments – Peters Lane, Ulster Park; SBL: 72.001-1-8.11

Mr. Lindemann was present along with his surveyor John Heidecker. Myles reviewed M.L. Putman Consulting Report dated 6/6/13. Copy was given to applicant and copy was placed in the file.

Fred stated that we need electric easements for Lot 10, 8.2, 13, 9, and 8.13. He is showing the electric line but he needs the easements. We have underground for Lot 8.13 and he is not sure where it comes from. John stated that no utility lines show up on any of the previous subdivision. He asked if it could be taken care of with a note on the map or a note in the deed or do they actually want to see 10 foot wide geometry? Fred thinks that they should actually have a metes and bounds on the map. Darin stated that Central Hudson should be able to trace it. Fred stated that they could use a metal detector. John stated that he does have a utility locator. Fred stated they will need to rewrite the deed for Lot 8.11 right-of-way so that Lots 8.12, 8.13 and 9 can use it. They will have to write a new right-of-way on Lot 8.12 for Lot 9 and 8.13 over Lot 13 and Darin said for access to each lot in the back that is landlocked. John stated that he will put this description directly on the map. Fred stated that they are missing a bearing and distance on the reservation area on the west side within the right-of-way. John stated that he is missing a few and he will make these corrections. We will need an owner’s block for all of the owners and a Planning Board block for two signatures.

MICHAEL MINOR MADE A MOTION TO MAKE A DETERMINATION OF NON-SIGNIFICANCE PURSUANT TO SEQR FOR LINDEMANN PROPERTIES, INC, CASE #2012-02, LOT LINE ADJUSTMENTS SECONDED BY ROXANNE. 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

MICHAEL MINOR MADE A MOTION TO WAIVE THE PUBLIC HEARING PURSUANT TO 107.16.A FOR LINDEMANN PROPERTIES, INC., CASE #2012-02, LOT LINE ADJUSTMENTS, 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

MICHAEL MINOR MADE A MOTION TO GRANT CONDITIONAL PLAT APPROVAL CONDITIONED UPON THE UPGRADES DESCRIBED BY FRED AND SIGNATURE BLOCKS FOR OWNERS AND PLANNING BOARD AND RECEIPT OF 6 PAPER MAPS AND 1 REPRODUCIBLE MASTER FOR LINDEMANN PROPERTIES, INC., CASE #2012-02, LOT LINE ADJUSTMENTS, 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

VANVELSON: CASE #2012-27 – SPECIAL USE PERMIT – 771 BROADWAY, ULSTER PARK; SBL: 64.003-5-19

Susan and Gary VanVelson were present for this application. Myles reviewed M.L. Putman Consulting Report dated 6/6/13. Copy of report given to applicant and copy placed in the file.

Myles pointed out that the septic system is on the neighbor's property. The plan shows a proposed easement. The lot depth and the setbacks for the parking and some of the buildings will need to have area variances from the ZBA.

Susan stated that when they were before this Board in November and December they were asked to do two things. The first thing was to speak with NYSDOT which they did. They were pleased with where they put the driveway but they told them that they needed a blacktop apron. They had to wait until April to get the blacktop. They want to be opened. She asked who she needs to ask if

there is any way they can get permission to open while they wait for the ZBA approval. They were told that they can't. Applicant stated that it would be three months because they did not know the procedure and because they were told they needed blacktop they thought they had to wait. They did not know that they could go before the ZBA while waiting and continue the Planning Board process. Susan stated that they are now at the time of the season where people would want to use their facilities and now they are being told that they have to wait at least three months. She stated that the property has really not changed. It is the same building, it has the same footprint and everybody in the neighborhood thinks it is a great idea. Following further discussion it was suggested that they speak with the Building Inspector regarding a temporary C/O for a limited period of time and they can talk to the ZBA and request a two month timeframe for review. Susan stated that they have the easement. Their attorney Robert Grieco is filing it. Applicant was told that they will need a copy of this for our files.

DARIN MADE A MOTION TO REFER VANVELSON, CASE #2012-27, SPECIAL USE PERMIT, TO THE WATERFRONT ADVISORY BOARD AND THE ULSTER COUNTY PLANNING BOARD, SECONDED BY RICH. ALL MEMBERS WERE IN FAVOR. MOTION WAS 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

MICHAEL MINOR MADE A MOTION TO LIST THIS AS AN UNLISTED ACTION PURSUANT TO SEQR FOR VANVELSON, CASE #2012-27, SPECIAL USE PERMIT, SECONDED BY FRED. 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

MICHAEL MINOR MADE A MOTION TO SCHEDULE A PUBLIC HEARING FOR JULY 10, 2013 AT 7:30 PM FOR VANVELSON, CASE #2012-27, SPECIAL USE PERMIT, SECONDED BY FRED. 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

NEW BUSINESS:

**VENDITTI PROPERTIES LLC: Case #2013-05 – Site Plan Review -832
Broadway, Ulster Park; SBL: 71.001-1-12.1**

No one showed up to represent this application before the Board.

ZBA REFERRALS:

VanVelson – 771 Broadway, Ulster Park – Tourist Home

Applicants are seeking an area variance as required by Section 123.13K.2 for a minimum 200 ft. lot depth for a Tourist Home.

Given the history of this property the Planning Board encourages the Zoning Board of Appeals to grant this variance. The Planning Board is requesting that the ZBA if possible accelerate the process and grant a decision as soon as possible due to business and financial considerations.

Berry – 54 Maple Street, Rifton

Applicants are seeking a variance from Section 123.20 schedule of district and area use regulations. The lot is allowed a total of 1,181 sq. ft. coverage and they are proposing 900 sq. ft. shed which would total 1,884 sq. ft. of coverage. A variance for 703 sq. ft. of coverage is required.

The Board has no comment on this referral.

MISCELLANEOUS:

Ulster County Planning Board is offering training on June 19, 2013 from 7:00 PM – 9:30 PM. There will be 2 hours of training credit given.

NEXT MONTHLY MEETING: JULY 10, 2013

DEADLINE DATE: **JUNE 26, 2013**

NEXT PRE-SUBMISSION: **JULY 3, 2012**

Submitted by:

April Oneto
Planning Board Secretary