

**PLANNING BOARD MEETING
JULY 13, 2016**

PRESENT: **Roxanne Pecora
Fred Zimmer
Mark Anderson
Margaret Yost
Darin Dekoskie
Dan Michaud
Robert Brakman**

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 Emergency Meeting held on June 9, 2016 and if there were any changes or corrections. There were no changes.

FRED MADE A MOTION TO APPROVE THE JUNE 9, 2016 MINUTES SECONDED BY MARK. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0.

VOUCHERS:

M.L. Putman Consulting (June, 2016).....\$2,500.00
April Oneto (secretarial services).....62 hours

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

OLD BUSINESS:

CUTHELL: Case #2016-10 – Lot Line Adjustment – 152 & 154 River Rd., Ulster Park; SBL: 64.001-2-12.1 & 13-1

Chris Zell, Brinnier & Larios was present for this application.

Myles reviewed M.L. Putman Consulting Report dated 6/3/16. Copy given to applicant

and copy placed in file. Myles' office completed Part 2 of the EAF (Environmental Assessment Form) in support of a negative declaration for the Planning Board to review and take action.

Chris handed out pictures of the lower house showing that it is being used for storage and stated that there is no intention to do anything with it.

MARK MADE A MOTION TO WAIVE THE PUBLIC HEARING FOR CUTHELL, CASE #2016-10, LOT LINE ADJUSTMENT AS PER SECTION 107-16.A, SECONDED BY DAN. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:

- Mark.....yes
- Fred.....yes
- Margaret.....yes
- Darin.....yes
- Dan.....yes
- Robert.....yes
- Roxanne.....yes

ROBERT MADE A MOTION TO ACCEPT THIS AS SKETCH FOR CUTHELL, CASE #2016-10, LOT LINE ADJUSTMENT, REFER APPLICATION TO THE WATERFRONT ADVISORY BOARD AND DECLARE THIS AN UNLISTED ACTION (NEGATIVE DECLARATION) PURSUANT TO SEQR, SECONDED BY DAN. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:

- Mark.....yes
- Fred.....yes
- Margaret.....yes
- Darin.....yes
- Dan.....yes
- Robert.....yes
- Roxanne.....yes

All Chris needs to do is make changes to the map regarding the zoning and submit to the Board.

STAR ESTATE DEVELOPMENT GROUP LLC: Case #2016-06 – Special Use Permit/ Site Plan Review – 1835 Broadway (US Route 9W; State Hwy 5508), West Park; SBL: 80.001-4-5.2

Applicants Charles Ferri and Paul Seres were present along with Allan Dumas, Engineer and Joe Smith, Architect.

Myles reviewed ML Putman Consulting report dated 6/3/16. Copy of application given

to applicant and copy placed in file.

Allan stated that they went through the review in detail. They are working with a structural engineer and geotechnical engineer regarding the addition to the building. They will be doing a geotechnical evaluation for that. Regarding the water supply and wastewater they are in the process of working with Miller Hydro-geologic and the development of the well testing protocol. He spoke with the Health Department who is requesting 24 hour pump testing with 6 hour stabilized draw down. He does not want to proceed with this protocol without input from the Planning Board in case he needs to modify the protocol. The yield testing will determine if they need to dig another well.

Dan questioned where the nearest well was located. Allan stated that there is a house on the one side and Christian Brothers across the street. Allan stated that the nearest well is approximately 600-800 feet.

Allan offered the following: The geotechnical evaluation will be used for the structural design. The Miller Hydrogeologic citation is only related to water supply. The proposed project flow is 5,200 gpd which would be about 3-4 gpm. The peak flow would be about 3 to 4 times the 3-4 gpm flow. Atmospheric storage is proposed. (They do not have an atmospheric storage tank. They have a pressure storage tank presently.) The atmospheric storage will allow for less of an instantaneous demand on the well. The atmospheric storage tank will feed a variable frequency drive (VFD) pump station. The VFD pump station will just draw the demand that is required. VFD pump stations are very energy efficient. Many VFD pump stations have software that constantly search for the most energy efficient pumping point for the motor.

Dan asked what the flow rate was. Allan stated that it is about 5,200 gallons a day. They do have a storage tank. Dan does not have a problem with the well testing protocol set by the Health Department and stated that if the Health Department is satisfied he is satisfied. Dan further stated that the applicants are free to do more than what the Health Department requires in the interest of understanding what the well testing impacts will have on the neighbors. Dan would like the well depth, pump setting depth and if there was an old well an estimate of yield and old flow rate for former use.

There are currently no plans developed yet for the wastewater treatment plant. They are submitting plans to the Ulster County Health Department as it is a regulated facility (Part 7-1, 14-1, 5-1 and 6-1) and they are submitting to the New York State Department of Environmental Conservation a SPEDES Permit Modification. The submittals will be concurrent. They will replace the existing tank using the exact same footprint.

Allan discussed the visual assessment with the Board and the Board agreed that what was submitted is sufficient. Report submitted regarding impact on plants and animals. Joe Diamond is working on the cultural resource study.

Allan stated that they will run a calculation based upon the hotel and number of restaurant seats and revise the EAF (Environmental Assessment Form). Traffic

generation information was submitted with a letter of April 27, 2016.

Lighting will be provided for the parking lot area, entering buildings and walkways. There will be minimal lighting. They are meeting the NYSDOT (New York State Department of Transportation) this week regarding the site access and egress. Traffic entering the site will come down and in and they will valet for big events. Allan stated that they literally have about 200 feet to stack. They will be putting up signage for valet parking, etc. They will provide additional information and submit it after this meeting.

They will provide an update to the disturbance area which they calculate at 0.9+ acres. They will be working on the erosion and sediment control plan.

Fred questioned where the wastewater would be going. They are submitting a NYSDEC Plan (New York State Department of Environmental Conservation) and it will be going into the river. Fred questioned where the docking area for tankards will be. Roxanne received an email with locations and stated that one is by the Port Ewen Water/Sewer Plant on River Road, two southern anchorage spots south of Freer Park, northern two are south of lighthouse and Sleightsburgh Park. These are on the Federal Register. Email printed out for the applicant to review and investigate.

Myles informed applicants that in order to move to the Public Hearing we need to see the updated material including the lighting plan with the full cutoff, traffic, etc. Ulster County Planning Board will be looking for this information.

ESCAPES REALTY LLC: Case #2016-08 – Minor Re-subdivision – 183, 192 Martin Sweedish Rd. (Town Hwy 830), New Paltz PO area; SBL: 71.003-5-26.114

Applicant Abram Lewis-Rosenblum was present for this application.

Myles reviewed ML Putman Consulting Report dated 6/22/16. Copy was given to applicant and copy was placed in the file.

Fred questioned the dedicated highway plan from the previous application. Myles stated that this is still happening and the separate map from the previous file was pulled and made a part of this file. This section of land is not numbered on this map but it is still part of the application.

Abram stated that regarding the driveway profiles the land is fairly flat. He would assume that the contour lines would show that. After a brief discussion it was agreed that driveway profiles were not needed. Applicant was informed that he will need to meet with Highway Superintendent for driveway cuts. We will need something in writing for our files.

Roxanne asked if the Board wants to see any kind of conceptual development on Lot #7 or does the Board want to waive it because of the size. The Board agreed to waive this

due to the size of the lot.

DARIN MADE A MOTION TO CLASSIFY ESCAPES REALTY, CASE #2016-08, MINOR RE-SUBDIVISION AS AN UNLISTED ACTION (NEGATIVE DECLARATION) PURSUANT TO SEQR, SECONDED BY DAN. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:

Mark.....yes
Fred.....yes
Margaret.....yes
Darin.....yes
Dan.....yes
Robert.....yes
Roxanne.....yes

DARIN MADE A MOTION TO SCHEDULE A PUBLIC HEARING FOR ESCAPES REALTY, CASE #2016-08 FOR AUGUST 10, 2016 AT 7:35 PM CONDITIONED UPON REVISIONS TO THE MAP, REVISIONS TO SHORT EAF PART 1 AND LETTER FROM HIGHWAY SUPERINTENDENT FOR CURB CUTS, SECONDED BY DAN. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:

Fred.....yes
Mark.....yes
Margaret.....yes
Darin.....yes
Dan.....yes
Robert.....yes
Roxanne.....yes

APC TOWERS, LLC & CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS:

Case # 2016-07 – Special Use Permit/Site Plan – 1142 Broadway (US \ Route 9W; State Hwy 5508) @ 1 Old Post Rd. (Co. Rd. 82/Co. Rt. 16) Esopus (lands of Esopus Fire District); SBL: 72.009-2-24.22

Applicant was represented by Jeff Davis, Esq., Barclay Damon LLP.

Roxanne read a letter from Town Supervisor Diane McCord dated 6/1/16 sent to Will Freer, Esopus Fire Chief, regarding taxable status for the cell tower. Roxanne provided information from Tom Jackson, Ulster County Real Property Tax. Copy was placed in the file and copy was given to applicant.

Myles reviewed ML Putman Consulting Report dated 7/8/16. Copy given to applicant and copy placed in file.

Darin stated that he would like to see a visual of a flag pole. Jeff stated that Verizon will not do flag pole designs any longer. He stated that it limits them for coverage, capacity and for the types of antennas. Jeff stated that they are having the Fire Department antenna on this pole and they use omni ray antennas. Jeff stated that for poles simulating a tree the branches have to extend out so the antennas need to come out that far. He was asked why the Fire Department antenna is on the pole. Jeff stated that this was part of the agreement with the Fire Department. He stated that the Fire Department antenna actually sticks up above the top of the tower.

Jeff stated that the height of the tower was determined by the height that Verizon needed. The poles are painted brown and it does not require lights. Flag pole will not work because you would have to have the flag at the top and they cannot do this because it would interfere with the antennas and the Fire Department is at the very top. You cannot have a flag below these because it will look like the flag is at half mass.

Dan questioned about other locations. Jeff referred the Board to the RF Report submitted in March, Exhibit #8. Jeff stated that they looked at several other locations but this location has the strongest technical reasons why it needs to be in the valley. It is capacity driven.

Jeff stated that they have done many monopole designs and they will come up with a branching plan and submit it to the Board. Applicant was asked to provide additional visuals. Applicant was asked to bring samples of colors.

Myles needs to complete Part 2 and Part 3 of the FEAF (Full Environmental Assessment Form) so an escrow account needs to be set up.

ROBERT MADE A MOTION TO ESTABLISH AN ESCROW ACCOUNT FOR APC TOWERS, LLC, CASE #2016-07, SPECIAL USE PERMIT/SITE PLAN FOR \$1,000.00, SECONDED BY FRED. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH VOTE OF 7-0. VOTE WAS AS FOLLOWS:

Mark.....yes
Fred.....yes
Margaret.....yes
Darin.....yes
Dan.....yes
Robert.....yes
Roxanne.....yes

FRED MADE A MOTION TO DECLARE APC TOWERS LLC, CASE #2016-07, SPECIAL USE PERMIT/SITE PLAN AS AN UNLISTED ACTION PURSUANT TO SEQR, SECONDED BY MARK. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:

Mark.....yes

Fred.....yes
Margaret.....yes
Darin.....yes
Dan.....yes
Robert.....yes
Roxanne.....yes

DARIN MADE A MOTION TO SCHEDULE A PUBLIC HEARING FOR APC TOWERS, LLC, CASE #2016-07, SPECIAL USE PERMIT/SITE PLAN, REFERRAL TO ULSTER COUNTY PLANNING BOARD AND WATERFRONT ADVISORY BOARD CONTINGENT UPON RECEIPT OF BRANCHING PLAN, PHOTO SIMULATION AND COLOR SAMPLES AND A FULL SET OF DOCUMENTATION FOR THE COUNTY PLANNING BOARD AND WATERFRONT ADVISORY BOARD FOR AUGUST 10, 2016 AT 7:40 PM, SECONDED BY DAN. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:

Fred.....yes
Mark.....yes
Margaret.....yes
Darin.....yes
Dan.....yes
Robert.....yes
Roxanne.....yes

NEW BUSINESS:

PANGERC: CASE #2016-11 – Lot Line Adjustment – 147 & 153 Parsell St., Sleightsburgh; SBL: 56.044-2-13.1 & 13.2

John Hiedeker, surveyor, was present for this application.

Myles reviewed ML Putman Consulting Report dated 7/6/16. Copy given to applicant and copy placed in the file.

John explained that in 1994 a subdivision map showed a house existing but it was labeled on the map as burned and it was assumed that the house would be demolished. Mr. Pangerc had the house renovated and now he wants to sell the property. He stated that the strange lot lines that appear on the map is essentially following the slope. There is a swale on the property and it was his intention to bypass the swale. John stated that he is sure that he would be agreeable to re-conforming the property to meet the zoning.

Applicant will redesign the map to conform to the zoning.

DARIN MADE A MOTION TO DECLARE PANGERC, CASE #2016-11, LOT LINE ADJUSTMENT AS AN UNLISTED ACTION PURSUANT TO SEQR,

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

Mark.....yes
Fred.....yes
Margaret.....yes
Darin.....yes
Dan.....yes
Robert.....yes
Roxanne.....yes

**MARIST COLLEGE: Case #2016-12 – Special Use Permit/Site Plan – 1455
Broadway (US Rt. 9W; St Hwy 5508), Esopus; SBL:
72.003-1-2.1**

Dan recused himself from dealing with this application at 9:20 P.M.
Roxanne went on record stating that she is a graduate of Marist College. Applicant did not feel this was a conflict.

Justin Butwell, Director of Physical Plant, and Brad Roeder, Architect, were present to represent applicant.

Myles reviewed ML Putman Consulting Report dated 7/6/16. Copy placed in file and copy given to applicant.

Myles stated that what we have here appears to be a reuse of a landmarked structure strictly for conferencing with accessory accommodations. Applicant stated that there are sessions held at this facility i.e. leadership meetings, garden parties, etc.. There are no regular college classes, no student housing and it is not used for faculty or staff. It is basically for guests of Marist.

According to the FEAF the Planning Board is the only involved agency so we will need to declare ourselves Lead Agency.

Mark stated that public assembly has been scrutinized by the State and he was wondering what agency did this. Justin stated that it was the Office of Fire Prevention and Control, Will Freer. Mark asked if Justin knew if he was in contact with the Building Inspector. Justin did not think so and that it was the opinion of that office that it was zoned residential and they asked for an interpretation by the Department of State. They were told by an employee that they were well within the residential use. That individual retired and then they were advised that they were in violation and that is why they are here.

Robert asked if they did internal changes to the building. Justin stated that they did some minor work to bring it up to code. Margaret asked how many people will be staying overnight. Justin stated that a typical leadership meeting can be anywhere between 5-20

people. On occasion they will have a garden party, which is over 100 people and it is held outside under a tent. This is when the event parking will be utilized.

Fred stated that he attended the Pre-submission Meeting for this project and basically we are trying to bring this up to compliance. We are not changing anything that has not been going on for 10 years or more. Fred questioned the number of parking spaces required. Justin stated that for the event parking about 100 spaces. Fred stated that he thought for event parking they could park in the back. Justin stated that they do own the property to the south. It was stated that they could do a lot line adjustment and combine the properties if they wanted to and parking would not be an issue. Justin stated that they might want to consider this. Roxanne stated that we could do both applications together.

Fred asked Myles if the historic district has been finalized yet. Myles stated that apparently it is not. He has put a call into SHPO (State Historic Preservation Office) to try to get a better explanation. The mansion is already in the historic district and Darin questioned them putting a ramp on the building without going to SHPO first. Myles philosophy is to do the digital submission to SHPO and he will need a digital copy to accomplish this.

FRED MADE A MOTION TO ESTABLISH AN ESCROW ACCOUNT FOR \$1,000.00 FOR MARIST COLLEGE, CASE #2016-12, SPECIAL USE PERMIT/SITE PLAN, SECONDED BY DARIN. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:

Mark.....yes
Fred.....yes
Margaret.....yes
Darin.....yes
Dan.....yes
Robert.....yes
Roxanne.....yes

DARIN MADE A MOTION TO DECLARE MARIST COLLEGE, CASE #2016-12, SPECIAL USE PERMIT/SITE PLAN REVIEW AS AN UNLISTED ACTION, TYPE 1 PURSUANT TO SEQR, SECONDED BY ROBERT. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:

Mark.....yes
Fred.....yes
Margaret.....yes
Darin.....yes
Dan.....yes
Robert.....yes
Roxanne.....yes

DARIN MADE A MOTION TO DECLARE PLANNING BOARD AS LEAD AGENCY FOR MARIST COLLEGE, CASE #2016-12, SPECIAL USE PERMIT/SITE PLAN, SECONDED BY MARK. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:

Fred.....yes
Mark.....yes
Margaret.....yes
Darin.....yes
Dan.....yes
Robert.....yes
Roxanne.....yes

ROBERT MADE A MOTION TO GRANT SKETCH PLAN APPROVAL FOR MARIST COLLEGE, CASE #2016-12, SPECIAL USE PERMIT/SITE PLAN APPROVAL ON THE CONDITIONS THAT THE LOCATION AND SHAPE OF THE EVENT PARKING AREA BE MODIFIED TO ACHIEVE COMPLIANCE WITH SETBACK REQUIREMENTS OF 123-13.R(3); A REVISED AND CORRECTED FULL EAF PART 1 AND MYLES WILL DO PARTS 2 AND 3 OF THE FULL EAF, SECONDED BY DARIN. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:

Mark.....yes
Fred.....yes
Margaret.....yes
Darin.....yes
Dan.....yes
Robert.....yes
Roxanne.....yes

DARIN MADE A MOTION TO SCHEDULE A PUBLIC HEARING FOR AUGUST 10, 2016 AT 7:45 PM FOR MARIST COLLEGE, CASE #2016-12, SPECIAL REVIEW/ SITE PLAN AND REFER TO ULSTER COUNTY PLANNING BOARD , WATERFRONT ADVISORY BOARD AND SHPO, SECONDED BY MARGARET. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:

Mark.....yes
Fred.....yes
Margaret.....yes
Darin.....yes
Dan.....yes
Robert.....yes
Roxanne.....yes

MARGARET MADE A MOTION TO CHANGE PUBLIC HEARING FOR APC TOWER LLC, CASE #2016-07 PUBLIC HEARING TO 7:55 PM, SECONDED BY DARIN. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:

Mark.....yes
Fred.....yes
Margaret.....yes
Darin.....yes
Dan.....yes
Robert.....yes
Roxanne.....yes

Myles asked Justin to amend the plan stating proposed ramp and handicapped space may be with a larger font, identifying the right of way and the event parking area so that it brings attention to these details. A digital copy needs to be sent to Myles so that he can do his submission to SHPO.

Dan returned back to the Board at 9:45 pm.

PORT EWEN DEVELOPMENT (Wood'n Wheels): Case #2016-13 – Special Use Permit/Site Plan, 365 Broadway (St. Hwy. 310/US Rt. 9W), Port Ewen; SBL: 56.076-2-24 & 25

Albert Sorbello and Dotty Sorbello were present for this application.

Myles reviewed ML Putman Consulting Report dated 7/12/16. Copy of report given to applicant and copy placed in file.

Applicant is proposing to install a 170 foot long conveyor (a permanent structure) for winter snow tubing. There is water tubing and snow tubing shown on the maps. They are proposing high ropes course, conversion of paintball course to a laser tag course. They would like to expand hours to include evening operations for various outdoor venues, including installation of outdoor speakers and outdoor lighting. They will be installing support infrastructure such as water and electric.

Myles stated that the Board needs to consider whether 123-13.N applies to this application and the second is the public assembly, noise issues and the third is if the Board is comfortable with the plans submitted today. This will have to go to the Ulster County Planning Board and they are going to want complete maps. This will also have to be referred to the Waterfront Advisory Board. Board will want to see the disturbance area and the parking. Based on the aerial photos it appears that there are about 150 parking spaces now including 3 large bus spaces.

Myles stated that there is a secondary issue regarding the cease and desist notice and he is

not sure what the Planning Board's role is if any. Do we continue with this application with the understanding that the applicants' remedy the cease and desist order or Planning Board approval remedies the situation?

Albert stated that he thinks it may have been issued in error or without understanding and he does not even know where this stands at this point. Planning Board informed Albert that we have nothing on this.

Albert stated that there is capacity in the parking lot. The expansion to the parking was done when they put in the paintball. Site disturbance will be very minimal. All the areas where the disturbance is going to happen will be around the parking lot not in the parking lot. They are trying to make the area like a park. They want to protect the neighbors and part of the plan to minimize the noise would be utilizing part of the paintball field which is further away from the northern boundary of the residential area.

Dan questioned the summer tubing. Albert stated that this is existing now and it is basically plastic matting up on the hill and they put the sprinklers on it to keep people cooler in the summer. He is going to make a significant investment in the conveyor belt to help service this. The NYS Ride Inspector came in to look at the slope and said that it makes it perfect for winter tubing as well as summer. He stated that there will be no snow making. They will be using the natural snow. The ropes course is proposed and it will be two levels and it starts at 34 ½" and it is approximately 70' by 40' and has approximately 15 elements on each level. The speed ball area will become laser tag. The target range will stay. The woods would stay but they may take part of it and put natural trails in. He is going to provide the specs for the laser tag to show distance they reflect, etc. They would like to run this during the evening hours as well. They would like to capitalize on the zombie attraction for Halloween. There will be very low level sound effects and some sets put up. They would be putting in some storage trailers and have some props. There will be some pneumatic props that will come down and anything with sound effects will be put in storage trailers. Spring, Summer and Fall seasons will be for laser tag and Halloween will be the zombie attraction. There will be very low level lighting so that people will be safe. The rock wall is existing and it is actually on a trailer. He would like to light this up at night. He will need to provide a lighting plan. Applicant was told that he is going to need to present a better site plan.

Fred stated that when we look at this plan he would like to see some flexibility built into it where the Building Inspector can make some determinations whether they can change games, etc. so that they don't have to come back to the Planning Board. Darin agreed with Fred. He felt that if it is a recreational area what we focus on is that the hours of operation are set and the noise and lighting are controlled. They need to have some flexibility. We need to define this better.

Applicant was told that he needs to provide the Board with a proper updated site plan showing what is existing and what is proposed. We need to see the parking area and the number of spaces. Applicant stated that one parking lot is paved and the other lot is gravel. (The old 1973 file will be pulled so the Board can see what was approved at that

time.)

Darin stated that the Planning Board is asking applicant to provide a revised site plan for the next meeting and a written master plan showing what they intend to do and he suggests that they pick a property corner or a lot line show the setback and design things from that point.

DARREN MADE A MOTION TO DECLARE PORT EWEN DEVELOPMENT, CASE #2016-13, SPECIAL USE PERMIT/SITE PLAN AS AN UNLISTED ACTION PURSUANT TO SEQR AND GRANT SKETCH PLAN APPROVAL, SECONDED BY DAN. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:

Mark.....yes
Fred.....yes
Margaret.....yes
Darin.....yes
Dan.....yes
Robert.....yes
Roxanne.....yes

TAPPER/STILL RIVER LLC: Case #2015-12 - Site Plan/Special Use Permit – 1689 Broadway (U.S. Route 9W; State Hwy 5508), West Park; SBL: 80.001-3-23.1

Applicant Seth Tapper present along with Michael Moriello, Esq., and Allan Dumas, Brinnier & Larios.

Myles reviewed M.L. Putman Consulting report dated 6/3/16. Copy given to applicants and copy placed in file.

Seth stated that it is his understanding that they have submitted everything that is needed and he would like to talk about the landscaping and lighting. The cabins have been moved in so there are no variances required at this point.

Fred questioned what they are going to use for access to the cabins. Applicant stated that they are using golf carts to transport guests to the cabins. Mike stated that they have four wheel drive vehicles that are a lot sturdier than golf carts. Guests will not be allowed to bring their vehicles to the cabins. They will have a valet. They are planning on having three small electrical vehicles. Seth stated that this is supposed to be a walking facility. Guests will be walking through the gardens. The paths are going to be gravel.

Myles stated that the applicant wants to move to the Public Hearing and this will then have to be referred to the Ulster County Planning Board and they will want to see lighting details and landscaping schedule. Seth stated that there is existing lighting and he would like to use what is there. Roxanne stated that the County just needs to know what the

lighting plan is with the full cutoff and fixtures. Allan stated that the facility was approved for the Massage School and the lighting will be the same. Roxanne stated that they already have that on file so they could indicate that the lighting is the same as the previous project and add whatever new lights they may be proposing. The Board felt that this would be sufficient.

Allan stated that they made some changes to the FEAF and they will submit the revisions.

Seth questioned the landscaping plan submitted and asked if it was sufficient. Myles stated that it was. Seth will provide a list of the species of the plantings.

Seth stated that the fence that is on the road is only 6 ½ feet and they are going to put flower boxes along the top so they will have hanging plants come down. He stated that he is honestly willing to change it because he wants to be responsive to the Board. Roxanne is concerned about the stone wall. She stated that they are in an area of Town, that even though it is not designated historical, we think of it that way. It is a beautiful section of the Town. She does not understand why they don't fix the stone wall and stay within the natural characteristics that fit in the neighborhood.

Seth stated that the whole idea is to create a really, really serene environment for his guests. They are proposing a steel sound attenuating wall. He stated that he is going to restore the stone wall. There will be plantings and then the fence. He is hoping that you will not be able to see the fence with the plantings. Darin asked if they could move it back about 15 feet on each side so that everyone who goes by can see the sign and the building. Seth's main concern is that it be quiet. Mark stated that if the objective of the fence is sound attenuation then he thinks he will be disappointed. Seth said that what he did was create a wall on the north and south side that is 14'9". Mike Moriello stated that the only way that this feature can be exempt for a variance is if it is called a parapet wall. Seth stated that he would like to work with the Building Inspector. If the Building Inspector says he can not build it, then he will need to go to the Zoning Board of Appeals.

Mike asked if the Planning Board envisions granting a Negative Declaration pursuant to SEQR prior to the Public Hearing. Myles said yes.

Seth stated that he is going to change the fence to 6 ½ feet and submit the plan to Myles. He asked if at that point the Board can give him a Negative Declaration.

DAN MADE A MOTION TO REQUEST MYLES TO DO PART 2 AND PART 3 OF THE FEAF AND A REFERRAL TO SHPO FOR TAPPER, CASE #2015-12, SPECIAL USE PERMIT/SITE PLAN, SECONDED BY DARIN. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:

Mark.....yes
Fred.....yes
Margaret.....yes

Darin.....yes
Dan.....yes
Robert.....yes
Roxanne.....yes

ZBA REFERRALS: None

MISCELLANEOUS:

ARONZON – Case # 2015-14 – Time Extension – Lot Line Adjustment (90 days)

DAN MADE A MOTION TO GRANT A TIME EXTENSION PER SECTION 107.19.C FOR ARONZON, LOT LINE ADJUSTMENT, SECONDED BY MARGARET. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:

Mark.....yes
Fred.....yes
Margaret.....yes
Darin.....yes
Dan.....yes
Robert.....yes
Roxanne.....yes

DAN MADE A MOTION TO ADJOURN AT 11:08 PM, SECONDED BY ROBERT. ALL MEMBERS WERE IN FAVOR.

NEXT MONTHLY MEETING: **AUGUST 10, 2016**

DEADLINE DATE: **JULY 27, 2016**

NEXT PRE-SUBMISSION: **AUGUST 17, 2016**

Respectfully submitted by:

April Oneto
Planning Board Secretary