

**PLANNING BOARD MEETING
JULY 11, 2018**

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

ALSO PRESENT: **Chris Farrell, Councilman**

Chairperson Pecora called the meeting of the Town of Esopus Planning Board to order at 7:35 P.M. beginning with the Pledge of Allegiance to the Flag. Roxanne advised the public of the building's fire exits and roll call was taken.

MINUTES: Chairperson Pecora asked if the Board read the minutes from the Planning Board Meeting held on June 13, 2018 and if there were any changes or corrections.

MELANIE MADE A MOTION TO APPROVE THE JUNE 13, 2018 MINUTES SECONDED BY MARK. MOTION PASSED WITH A VOTE OF 6-0-1. DAN ABSTAINED SINCE HE WAS NOT AT THE MEETING.

VOUCHERS:

Peter C. Graham, Esq (legal services).....\$700.00
April Oneto (secretarial services).....88 hours

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

NEW BUSINESS:

**LEWIS-ROSENBLUM (ESCAPES REALTY): Case #2018-06 – Martin Sweedish Rd.,
Esopus (Highland Mailing Address);
SBL: 71.3-5-26.113, 115, 117 & 118**

Applicants Abram Lewis-Rosenblum and David Pakenham were present.

Fred stated that they changed lot line on Lot #3 so that the driveway is back in Lot #3 and they are taking Lot #4 and Lot #5 and making them one lot.

Abram stated that they submitted a letter to waive the public hearing and plat waiver from 1” to 200 feet.

FRED MADE A MOTION TO DECLARE LEWIS-ROSENBLUM (ESCAPES REALTY), CASE #2018-06, LOT LINE ADJUSTMENTS, AND MAKE A DETERMINATION OF NON-SIGNIFICANCE, TYPE 2 ACTION PURSUANT TO SEQR , SECONDED BY MARK. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:

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

FRED MADE A MOTION TO WAIVE THE PUBLIC HEARING AS PER SECTION 107.16.A AND THE MAP SCALE FROM 1 INCH PER FOOT TO 2 INCHES PER FOOT FOR LEWIS-ROSENBLUM (ESCAPES REALTY), CASE #2018-06, LOT LINE ADJUSTMENT SECONDED BY MARK. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:

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

FRED MADE A MOTION FOR CONDITIONAL APPROVAL FOR LEWIS-ROSENBLUM (ESCAPES REALTY) CASE #2018-06, LOT LINE ADJUSTMENT CONDITIONED UPON RECEIPT OF 6 PAPER MAPS AND ONE MYLAR SIGNED BY THE OWNERS, SECONDED BY GREG. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:

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

SCENIC HUDSON (GORDON): Case #2018-07 – Lot Line Adjustment – Hudson Lane, Ulster Park; SBL: 64.3-3-15

Emily Hague, Land Project Manager for Scenic Hudson Land Trust. She stated that she is here as agent of applicant on behalf of Donald Gordon and they are proposing a lot line adjustment of 15.6 acres of the riverfront district off of Hudson Lane and attach it to Esopus Meadows Preserve. This would double the size of the Esopus Meadows Preserve and enable Scenic Hudson to be able to develop additional public access. Parcel #16 to the south currently has no public access and this would enable trails on the Esopus Meadows Preserve to connect down to the other parcel and connect to the Hudson River waterfront. Emily stated that not only would this lot line adjustment add additional value to the Esopus Meadows Preserve but it would also protect some of the important scenic waterfront. It is part of the area of statewide area of scenic significance. There are no public utilities serving the property and there would be frontage remaining along Hudson Lane for both lots. There is a portion of the property that is in the 100 year flood plane for FEMA but it rises pretty steeply and what they are proposing will not change.

They wanted to acknowledge that in the Emerging Goals and Strategies for the Master Plan work that is in progress that providing additional public access is a priority and let the Town know that if this portion of the property is added to the Esopus Meadows Preserve they do intend to expand the hiking trails.

Fred stated that the Town would like an easement of 25 feet from the center line of Hudson Lane for road reservation. Darin asked if there was any potential for parking on Hudson Lane. She stated that she cannot say but there are other Scenic Hudson staff looking at this. She stated that they will definitely do what they need to do. Dan stated that this is just a lot line adjustment and Phase 2 will be coming back to the Board regarding how they will use the property. Dan asked if there would be fencing and Emily said no.

Lot 16 has about 53 acres and they are hoping if they acquire this acreage they can connect the trails down so that people will be able to park at the Esopus Meadows Reserve and hike all the way down and do a loop and go down to the river and they will explore potential for additional parking down there.

Fred requested a brief from Scenic Hudson on how they plan on developing this land and what benefit it is to the Town of Esopus. Emily stated that she is sure that they would be happy to provide this. Their procedure has been to acquire the properties before they make development plans. They were hoping to effect the lot line adjustment if possible, have a closing, inventory and then go through some planning scenarios and then come back to the Board with the change of use. She questioned if Fred is suggesting that the Board would rather see the plans first. Fred stated this is what he is suggesting.

FRED MADE A MOTION THAT SCENIC HUDSON, CASE #2018-07, LOT LINE ADJUSTMENT, PROVIDE THE PLANNING BOARD WITH A REPORT STATING

WHAT THEIR PLANS ARE FOR THE PROPERTY AND HOW THIS WOULD BENEFIT THE TOWN OF ESOPUS, SECONDED BY ROXANNE. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:

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

**HOPPE : Case #2018-08 – Lot Line Adjustment – Ulster Avenue, Ulster Park;
SBL: 63.4-3-22, 23 & 25.1**

Christopher Hoppe POA (Power of Attorney) for Katherine Hoppe was present.

Christopher stated that they have three lots. One lot is .49 acres where his mother’s house is located and it is in the center of another piece of property that used to be owned by his grandfather which is a brick house on Ulster Avenue and there is another lot in back. They are redrawing the property lines so all three lots have frontage. Property is presently three lots and will remain three lots after the lot line adjustments.

The maps will need to be redone. The table with the zoning requirements need to show proposed. Darin asked if the wet areas are regulated. Christopher stated they are not.

The dilapidated house shown on the map has been taken down and should be removed from the map. Utility easement needs to be shown on the map. The lot has to be buildable. They will need to show a building envelope. The other two lots are existing lots. The approval would be conditioned until Ulster County Health Department approval is received. He will need to obtain a letter for curb cuts and show new driveway on the map. Wetlands will be placed on the new maps. Mark stated that the Board will need a letter to request a waiver for the flag lot.

DARIN MADE A MOTION TO WAIVE THE PUBLIC HEARING PER SECTION 107.16.A FOR HOPPE, CASE #2018-08, LOT LINE ADJUSTMENT , SECONDED BY MELANIE. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:

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

HOGAN: Cases #2018-03 – 3 Lot Subdivision – Laughran Ln./Swartekill Rd., Esopus (Highland Delivery); SBL: 71.4-1-16.2

Dennis Hogan was present. He stated that they want to do a lot line adjustment as well as the subdivisions.

Fred stated that what they actually have is a four lot subdivision and simultaneously they need to do the lot line adjustment (separate application). They will need maps showing where the land is being added to another lot. Application will need to be completed for lot line adjustment and separate fee will need to be paid. Fred stated that if it is not done simultaneously then he will be charged taxes for a building lot. Further discussion took place regarding whether it was a 3 lot or 4 lot subdivision with a lot line adjustment. Following Board discussion it was agreed that this is a 3 lot subdivision with a separate lot line adjustment to run simultaneously as two separate actions but they will run together before the Board. Dennis was told that they will need to complete an application for a lot line adjustment including a letter to request a waiver of the public hearing, pay the fee and submit maps for this application. Roxanne explained that the new maps needed to show the lot line to be deleted and the new lot line created.

Dennis stated that they have already completed perk test on the lots. He was told that the Board will need copies of the Health Department approval for the record. Dennis was told that he could show the other lot that is being added to Renadette property as a buildable lot if he wanted to. Fred stated that he would agree to a Deed Plot for the lot to show the one that it is being attached to and have a signed agreement with the other landowner. It was explained to Dennis that he can make a copy of the other map and do what is called a Deed Plot where the surveyor would basically draw in his computer based on the map and put it on the survey. You would not be asking him to go into the field and survey the property. They could make a note that this is to be conveyed to the other property owner. Darin stated that he could do a deed plot, map and lot line adjustment application. He has to come in with another map showing that this piece is being conveyed to another owner. So his options are to show the property in question as a buildable lot which would make it another subdivision or do the deed plot map and make this a lot line adjustment. It was left up to the applicant to decide how he wants to proceed.

Roxanne informed the applicant that he is going to have to get Highway Department approval for curb cuts. Fred would like to see a road reservation for 25 feet from the center line. This needs to be shown on the map. The lot line adjustment application should be under the new owner's name and give Dennis a letter giving him permission to represent them at the meetings. Darin stated that the name on the application does not matter as long as he has a letter that he can represent that application.

Darin will complete Part 2 & Part 3 of the FEAF. Darin will check out and see if the property falls within an archeological sensitive area or endangered species area. Darin will check out State Historical Preservation Office (SHPO) and their application for data entry into CRISP.

DARIN MADE A MOTION TO GRANT SKETCH PLAN APPROVAL FOR HOGAN, CASE #2018-03, 3 LOT SUBDIVISION, SECONDED BY MARK. ALL MEMBERS

WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:

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

P.Z.R. CONSTRUCTION, INC.(Ruggieri): Case #2018-04 – 9 Lot Subdivision – Clay Rd., Ulster Park; SBL: 56.83-4-10.123

Jeff Hogan, Praetorius and Conrad, and Debbie Ruggeri, applicant, were present for this application.

Jeff stated that they were here a couple of months ago with a two lot subdivision. They are now back for a 9 lot subdivision on one of the lots that where subdivided recently. They are looking to get nine lots for single family residential houses. All lots would have frontage on Clay Rd. They would all be in the Water/Sewer District. They would be connecting from utilities on Clay Rd. The lots range in size from about 4/10th of an acre to 3.1 acres. There are two flag lots at the lower end of the project. They meet the minimum flag lot dimensions. Maximum distance of Clay Rd. is 200 feet. They have the topography shown. Jeff stated that there are notes on the plans regarding archeological and endangered species since it came up during the first stage. He stated that they have to get the project on the CRIS Website for the archeological sensitive area. Jeff stated that if the Town wants he knows how to do this and would be willing to do it for this application. He was taken up on his offer and will communicate with Darin regarding this. Jeff stated that Myles did do this for the first two lot subdivision and it should be in the file.

Jeff stated that he has to talk to Mike Cafaldo, Highway Superintendent, about nine curb cuts instead of one curb cut and obtain a letter for the Board. He will also need to speak with Don Kiernan, Water/Sewer Superintendent, regarding water/sewer for this project and obtain a letter.

Jeff stated that he calculated the area of disturbance to 4.4 acres. Discussion took place regarding stormwater management and erosion/sediment control. It was mentioned that the soil in this area is a lot of clay. Jeff said he looked at the soil survey and it said riverhead sandy loam. He has not done any test holes to verify this. Darin stated that we would want to see the pre and post drainage. Fred felt that the pre and post should be about equal. Roxanne thought that when they did the first subdivision Myles would have gotten into all of this. Jeff stated that he is not sure that this was the case. Myles did say that there is going to have to be a SPEDES Permit granted for the stormwater which is a general permit. Darin said that it is his opinion with a subdivision of this size on Clay Rd. he would suggest pre and post so that they could provide mitigation if there is a problem. Greg stated that the properties are wet already. Darin stated that if they become worse not only are we partly liable but we have to help mitigate the

situation. Jeff stated that he is not familiar with the issues. Greg stated that one homeowner has a pond in the middle of their yard to control the water. He stated that it is very flat and all of the runoff will affect this area.

Fred stated that there is a 25 foot drainage easement that comes from nowhere and goes to nowhere. Jeff stated that he was asked to leave that the last time he was here in case there is a development that occurs on the upper parcel. Jeff stated that the way the drainage flows it flows to that area so it was the most logical place to put this for the people who develop the upper parcel. Jeff stated that they will probably have to develop some type of stormwater management area and provide an easement. Darin stated that he would like to see pre and post quantity. Fred stated that they may want to look into putting in some dry wells.

Darin mentioned some crossed off questions on the EAF. Jeff stated that he does not know what they were picking up. He went through the automatic fill and the system picked these things up. Darin also questioned the wetland areas show. Jeff is not sure what they are and he will need to check this out and get back to us. Jeff stated that the land to the south there is a nursery and the property is an Ag District. Roxanne stated that Mr. Kren, nursery property, is concerned if the property gets developed because he has a natural spring that he uses for his nursery. Jeff did submit an Agricultural Data Statement.

DARIN MADE A MOTION TO GRANT SKETCH PLAN APPROVAL FOR P.Z.R., CASE #2018-04, 9 LOT SUBDIVISION, SECONDED BY DAN. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:

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

Sal would like to see an Erosion and Sediment Control Plan for this property. Darin stated that applicant will need to do a basic one because he is going to need to do a SPEDES Application. Darin stated that it would be a good idea to do not only the whole site but a typical lot. Jeff stated that he will provide a detail sheet, erosion, sediment control plan and a grading plan. Applicant is within 500 feet of a State road so it will need to go to the Ulster County Planning Board. Applicant questioned when the Public Hearing can be scheduled and he was told that the Board will need a complete application before this can be scheduled.

Fred stated that down the road we will see a lot of cuts in that road for the water/sewer and he does not want to see a bunch of patches in the road. Darin asked if the plan was for them to build all the houses at once. Debbie said they are not going to build them all at once. Darin asked if they are planning on building the houses and Debbie said that they are. The Board mentioned that the water/sewer connections need to all be done at once and the utilities and then the road will need to be paved. Roxanne stated that she thinks that all new developments are

supposed to have utilities underground. Sal will check this. Fred stated that the utility company does not always put it under ground. This will be left up to the Building Inspector.

Jeff asked what he needs for his next appearance before the Board.

Darin stated that the applicant will need pre and post stormwater mitigation plan or drainage analysis to see if we may require him to do some mitigation plan for Clay Rd. Erosion and Sediment Control Plan should be shown on the subdivision map as per Building Inspector. He would like the typical detail for each lot. Fred said that it does not have to be on the plat it can be on a detail sheet. Jeff stated that when they file the maps with the County they file every page. Sal was in agreement with this. Applicant is going to have to show a full grading plan. Contact Mike Cafaldo and obtain a letter for curb cuts and contact Don Kiernan and obtain a letter for the water/sewer.

Darin will do Part 2 and Part 3 of the EAF. Once SEQR Determination is decided Lead Agency Paperwork will need to be completed if it is a Type 1 Action.

ORDER OF THE HOLY CROSS (c/o Brother Randy Greve): Case #2018-05 – Sub-Division – Route 9W/Park Lane, West Park; SBL: 72.3-1-16

Applicant was represented by Patti Brooks of Brooks & Brook Land Surveyors, P.C.

Patti stated that they are proposing to cut out an existing house on 1.04 acres. It has nobody living in it at this point and they thought it would be a good time to divest themselves of this dwelling and sell it to somebody and put it back on the tax rolls.

The dwelling has a fairly new septic system however the house right now is serviced by the large blue water tank so they do show the location of a proposed well. Patti stated that the water valve that is shown on the map right now is the shut off just south of the proposed well. Once the well is put in, that will not be utilized any longer. It currently has access on a private road known as Huntington Lane. It shares that with the lands of the Church of Ascension and Trinity. The gravel roadway although it does essential wind down to the bottom of the property is not is not used. It has been turned back into a grass lane so that it not the major access to the property. Patti stated that because they have frontage on the Hudson River they do have threatened and endangers species. They are not proposing any new construction or any alterations at all they will not be affecting them.

Fred stated that the Board does not recognize private roadways. He would like to have them show a driveway going out to Route 9W. This does not have to be constructed at this time. He asked if they could remove the right-of-way notes. Patti stated that she cannot take the right-of-way notes off because it already exists as a right-of-way to the Church of Ascension and Trinity and she is not allowed to remove those. Darin stated that she could label this as existing.

Patti was told that she will need to provide the Board with a letter from New York State Department of Transportation regarding the curb cut.

Patti stated that she noted that this Board not only wants the requirements for bulk but what they are proposing on the lot. This will be added. She will add a signature block for the Planning Board for two signatures not necessarily the chairperson. Patti is going to check with Central Hudson regarding the easement shown. The easements will run with the land.

Darin will complete Part 2 of the EAF. Part 3 will need to be done only if something triggers it.

FRED MADE A MOTION TO GRANT SKETCH PLAN APPROVAL FOR ORDER OF THE HOLY CROSS, CASE #2018-05, SUBDIVISION, SECONDED BY MARK. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:

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

DARIN MADE A MOTION TO SCHEDULE A PUBLIC HEARING FOR THE HOLY CROSS, CASE #2018-05, SUBDIVISION FOR WEDNESDAY, AUGUST 8TH, AT 7:40 PM, SECONDED BY MARK. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:

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

Patti was told that she needs to submit a check for \$200.00 for the Public Hearing fee.

ZBA REFERRALS:

Pangea East – 1170 Route 213, Rifton – Variance to Article IV Section 123-10

A variance is required for side yard setback for a building classified as Educational. Applicant is changing single family dwelling to education/study. A 100 ft. setback is required and applicant can only provide 50-60 feet.

Planning Board reviewed the referral material and the Board has no comments.

DARIN MADE A MOTION TO ADJOURN, SECONDED BY MARK. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. MEETING CLOSED AT 10:00 PM.

NEXT MONTHLY MEETING: AUGUST 8, 2018

DEADLINE DATE: JUNE 25, 2018

NEXT PRE-SUBMISSION: AUGUST 22, 2018

Respectfully submitted:

April Oneto
Planning Board Secretary