

**TOWN OF ESOPUS PLANNING BOARD MINUTES**  
**July 19, 2021**

**PRESENT:** Chairperson Roxanne Pecora, Vice- Chairperson Darin DeKoskie, Mark Anderson, David Mastny, Dan Michaud, Sal Morello and Alternate Fred Zimmer for Greg McCord

**EXCUSED:** Greg McCord

**ALSO PRESENT:** Planning Board Consultant Tom Shepstone, Kyle Barnett, Esq. and Councilman Chris Farrell (7:37 p.m.)

Chairperson Pecora called the meeting to order at 7:35 p.m.

Chairperson Pecora commenced the meeting with the Pledge of Allegiance.

**MINUTES:** Chairperson Pecora asked if the Board had read the minutes of the June 21, 2021 meeting and **called for a Motion to approve the Minutes as presented.** Upon Motion of Member Mark Anderson, seconded by Member David Mastny and the affirmative vote of all members, the motion passed 7-0.

**VOUCHERS:**

Shepstone Management Co. Services provided for June 2021	\$2,700.00
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Administrative Assistant Lisa K. Mance	71.5 hours
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**Chairperson Pecora called for a Motion to approve the submitted vouchers.** Upon Motion of Member David Mastny, seconded by Member Sal Morello and the affirmative vote of all members, the Motion passed 7-0.

**PUBLIC HEARING:**

**Cuney Ranch Holdings, LLC Subdivision – Case No. 2021-14; 290New Salem Road, SBL No. 56-2-2.100; R-12 Zoning**

Applicant George Cuney and Agent Thomas Kentop of Medenbach & Eggers were present.

**Chairperson Pecora called for a Motion to open the Public Hearing.** Upon Motion of Member Mark Anderson, seconded by Member Dan Michaud and the affirmative vote of all members, the Motion to open the Public Hearing at 7:36 p.m. passed 7-0.

Roxanne Pecora                      Aye

Darin DeKoskie	Aye
Greg McCord	
by Fred Zimmer	Aye
Mark Anderson	Aye
David Mastny	Aye
Sal Morello	Aye
Dan Michaud	Aye

Chairperson Pecora read the Public Hearing notice for the record and asked if there was any person present who wished to speak.

Howard Tarragon was concerned about the access to the proposed subdivision which would be directly across the road from his driveway. The proposed subdivision was on a parcel that had sensitive wetlands and asked what impact the clearing for the driveway would have on the wetlands and where the septic would be draining to. Mr. Tarragon stated that speed was an issue on New Salem.

**Chairperson Pecora called for a Motion to close the Public Hearing.** Upon Motion of Member Dan Michaud, seconded by Member Mark Anderson and the affirmative vote of all members, the Motion to close the Public Hearing at 7:43 p.m. passed 7-0.

Roxanne Pecora	Aye
Darin DeKoskie	Aye
Greg McCord	
by Fred Zimmer	Aye
Mark Anderson	Aye
David Mastny	Aye
Sal Morello	Aye
Dan Michaud	Aye

**OLD BUSINESS:**

**Cuney Ranch Holdings, LLC Subdivision – Case No. 2021-14; 290New Salem Road, SBL No. 56-2-2.100; R-12 Zoning**

Planner Shepstone reviewed content of his Memorandum stating that most items had been addressed except the question of the driveway access. A solution had been presented that negated the need for a joint Road Maintenance Agreement, a (Stormwater Pollution Prevention Plan (SWPPP) was not required since the disturbance was less than one acre and an application to the Army Corp. of Engineers (ACOE). Addressing public comment, Planner Shepstone stated that the driveways are supposed to be lined up. An application will need to be made to Ulster County Highway for a driveway permit and is under that agency’s jurisdiction. Mr. Cuney stated that no plans were made to treat the pond at the present time and he was cognizant of any affect

disturbance would have on the pond and its inhabitants. Mr. Cuney also indicated he was willing to clear vegetation at the access entrance to enhance visibility. Member Mark Anderson stated that a recreation fee would apply to this proposal.

**Chairperson Pecora called for a Motion to grant a Negative Declaration under SEQRA.**

Upon Motion of Member Dan Michaud, seconded by Member Mark Anderson and the affirmative vote of 6 Members and the abstention of 1 Member, the negative vote of 0 Members, the Motion passed by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
Greg McCord	
by Fred Zimmer	Abstained
Mark Anderson	Aye
David Mastny	Aye
Sal Morello	Aye
Dan Michaud	Aye

**Chairperson Pecora called for a Motion to grant approval conditioned upon the Applicant applying for a permit from USACOE, revised grading/drainage plan for the driveway confirming the limits of disturbance, payment of a \$2,000.00 recreation fee, Ulster County Highway DOT approval, submission of 1 mylar and 6 copies of the subdivision.** Upon Motion of Member Dan Michaud, seconded by Vice-Chairman Darin DeKoskie and the affirmative vote of 6 Members and the abstention of 1 Member, the negative vote of 0 Members, the Motion passed by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
Greg McCord	
by Fred Zimmer	Abstained
Mark Anderson	Aye
David Mastny	Aye
Sal Morello	Aye
Dan Michaud	Aye

**Hardenburgh Subdivision – Case No. 2021-7; 171 Hardenburgh Road; SBL No. 71.1-3-31.11; R40 Zoning**

Engineer Matt Towne of Willingham Engineering, owner Nathan Kamp and Marissa Weiss, Esq. of Jacobitz & Gubits were present. Planner Shepstone provided a review of his recommendations to the Planning Board. The private road proposal to serve 6 of the 7 parcels had been presented to the Planning Board, Town Supervisor, Town Highway Superintendent,

Building Department and Rifton Fire Department. Two conditions requested from the Town Highway Superintendent were that a civil maintenance agreement be provided and that the road be built to Town highway standards with the omission of pavement. Metes and bounds of the lots will need to be shown and there was a request that the Town Designated Engineer be consulted. Planner Shepstone indicated items still needing consideration were the finalization of the SWPPP, whether the private road was acceptable and if large trees needed to be demarcated.

Matt Towne stated the primary focus since the last Planning Board review was focus on the private road to be constructed to highway standards with the exception of paving and the preparation of a road maintenance agreement. Attorney Weiss had been in consultation with Planning Board attorney Kyle Barnett with regard to drafting a road maintenance agreement and an acceptable format.

Member Sal Morello inquired if the driveway could be relocated on Lot #6 to mirror what was indicated for Lot #5 which would alleviate issues with snow removal. Chairperson Pecora and Alternate Fred Zimmer stated that the road wouldn't comply with the requirement to build to highway specs unless it was paved. Chairperson Pecora stated that it was not the policy of the Planning Board to waive the paving requirement. Planner Shepstone noted that shortening the road created more disturbance (longer driveways) and it was not recommended.

Attorney Weiss also proposed the creation of a Homeowner's Association in conjunction with the road maintenance agreement.

Member David Mastny questioned the grading of the proposed road and its access from Hardenburgh Road. Engineer Towne stated that they had been in conversation with the NYSDEC which had recommended use of an existing logging road and that the wetlands would not be disturbed. Fill would have to be brought in for grading and that approximately 5 feet would be at 12% grade to compensate for the steep access from Hardenburgh Road.

Planner Shepstone stated there were two options – build the road and have it inspected prior to approval or to put up a financial guarantee.

**Chairperson Pecora called for a Motion to establish escrow in the amount of \$10,000.00.**

Upon Motion of Vice-Chairman Darin DeKoskie, seconded by Member Mark Anderson and the affirmative vote of 7 Members, the negative vote of 0 Members, the Motion passed by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
Greg McCord	
by Fred Zimmer	Aye
Mark Anderson	Aye
David Mastny	Aye
Sal Morello	Aye
Dan Michaud	Aye

**Chairperson Pecora called for a Motion to refer the application to the Town Designated Engineer to review the proposed road details.** Upon Motion of Member Dan Michaud, seconded by Member David Mastny and the affirmative vote of 7 Members, the negative vote of 0 Members, the Motion passed by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
Greg McCord	
by Fred Zimmer	Aye
Mark Anderson	Aye
David Mastny	Aye
Sal Morello	Aye
Dan Michaud	Aye

The Administrative Assistant was directed to circulate for the Notice of Intent for the Planning Board to serve as Lead Agency under SEQRA.

**Chairperson Pecora called for a Motion to circulate for Lead Agency under SEQRA.** Upon Motion of Member Dan Michaud, seconded by Member Mark Anderson and the affirmative vote of 7 Members, the negative vote of 0 Members, the Motion passed by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
Greg McCord	
by Fred Zimmer	Aye
Mark Anderson	Aye
David Mastny	Aye
Sal Morello	Aye
Dan Michaud	Aye

**Castaway Marina Site Plan/Special Use Permit (Friedlander) – Case No. 2021-11; 160 First Street; SBL No. 56.50-1-3.3; WF Zoning**

Owner David Friedlander, Louis DuBois, P.E. and Attorney Milad Boddoochi were present.

Chairperson Pecora stated that nothing could be entertained by the Planning Board until existing violations had been addressed. The violations had been brought to the attention of the Planning Board the day of the meeting. Attorney Boddohi spoke on behalf of his client.

Attorney Barnett stated what was critical was that the Applicant comply with the stop work orders and comply with the violations. The Planning Board could not entertain the site plan review with the existing violations. The Applicant would have to work with the Building Department to comply with the stop work orders. Without having current Zoning that allowed for the use, if the violations were corrected, the Applicant would need to apply to the ZBA to consider an interpretation.

**Streamside Farms Site Plan/Special Use Permit (Paul Page) – Case No. 2021-16;  
Mountainside Road; SBL No. 56.75-1-56.11; R-12 Zoning**

Developer Paul Page (owner) and Terri Han of LADA were present. Mr. Page provided a recap of what had transpired to date and the proposal and layout of the proposed apartment complex.

Alternate Fred Zimmer left the meeting at 9:00 p.m.

Planner Shepstone provided his recommendations noting the main issue of the secondary access had been resolved. Still a consideration remained relative to the parking and all of the spaces except 70 required backing into the main corridor. His recommendation was to reconfigure the parking so that cars were not backing into traffic. Mr. Page was concerned that reconfiguring parking would trigger additional requirements from the Fire Department. Planner Shepstone requested that any additional stub parking be considered.

Planner Shepstone stated that the traffic study needed further consideration and New Salem was currently operating at LOSE and didn't agree that no improvement of an LOSE situation was necessary. Planner Shepstone's suggestion was that the Applicant revisit traffic with Creighton Manning to address the concerns raised in Planner Shepstone's Memorandum and offered to speak with them.

Mr. Page welcomed Members to visit a recent the site of a development in Glasco, New York

**Chairperson Pecora called for a Motion to circulate for Lead Agency under SEQRA.** Upon Motion of Member Dan Michaud, seconded by Member Mark Anderson and the affirmative vote of 6 Members, the negative vote of 0 Members, and 1 Member being absent, the Motion passed by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
Greg McCord	
by Fred Zimmer	Excused
Mark Anderson	Aye
David Mastny	Aye
Sal Morello	Aye
Dan Michaud	Aye

**ZBA Referral** – No applications

The Planning Board had no further comments relative to draft Local Laws #8 and #12.

The meeting was adjourned at 9:36 p.m.

Respectfully submitted:

Lisa K. Mance, Administrative Assistant

Date prepared: August 1, 2021

Date approved: August 16, 2021