

**PLANNING BOARD MEETING
AUGUST 10, 2016**

PRESENT: **Roxanne Pecora**
 Fred Zimmer
 Mark Anderson
 Margaret Yost (arrived 7:45 pm)
 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 Planning Board Meeting held on July 13, 2016 meeting and if there were any changes or corrections. There were no changes.

**DAN MADE A MOTION TO APPROVE THE JULY 13 2016 MINUTES
SECONDED BY MARK. ALL MEMBERS WERE IN FAVOR. MOTION
PASSED WITH A VOTE OF 6-0.**

VOUCHERS:

M.L. Putman Consulting (July, 2016)	\$2,000.00
Daily Freeman (Public Hearing Escapes).....	\$ 13.05
Public Hearing Marist.....	\$ 200.00
April Oneto (secretarial services).....	87 hours

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

PUBLIC HEARINGS:

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

ROBERT MADE A MOTION TO OPEN THE PUBLIC HEARING FOR ESCAPES REALTY LLC, CASE 2016-08, SECONDED BY MARK. ALL MEMBERS WERE IN FAVOR.

Chairperson Pecora read the Public Hearing Notice and a copy placed in file.

Chairperson Pecora asked if there was anyone present who wished to speak regarding this application. There was no one present to speak on this application.

DAN MADE A MOTION TO CLOSE THE PUBLIC HEARING FOR ESCAPES REALTY LLC, CASE #2016-08 SECONDED BY FRED. ALL MEMBERS WERE IN FAVOR.

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

MARK MADE A MOTION TO OPEN THE PUBLIC HEARING FOR MARIST COLLEGE, CASE #2016-12, SECONDED BY DAN. ALL MEMBERS WERE IN FAVOR.

Chairperson Pecora read the Public Hearing Notice and a copy was placed in the file.

Chairperson Pecora asked if there was anyone present who wished to speak regarding this application. There was no one present to speak on this application.

MARK MADE A MOTION TO CLOSE THE PUBLIC HEARING FOR MARIST COLLEGE, CASE #2016-12, SECONDED BY FRED. ALL MEMBERS WERE IN FAVOR.

OLD BUSINESS:

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

David Pakenham was present to represent this application.

Chairperson Pecora read a letter received from the Highway Superintendent dated 7/19/17 regarding the driveway curb cut for lot #7. Copy given to applicant and copy placed in file.

Myles stated that his office prepared a Short EAF Part 2 in support of a negative declaration.

ROBERT MADE A MOTION TO DECLARE A NEGATIVE DECLARATION

PURSUANT TO SEQR FOR ESCAPES REALTY LLC, CASE #2016-08, MINOR RE-SUBDIVISION, SECONDED BY ROXANNE. 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 reminded the Board that approval of this application includes the proposed action to dedicate a parcel for Martin Sweedish Road to the Town. Sheet 1 does not have reference to the dedication of the road so the road map from the other file will be included with the final maps and signed.

ROBERT MADE A MOTION TO APPROVE ESOPUS REALTY LLC, CASE #2016-08, MINOR RE-SUBDIVISION INCLUDING MAP FOR ROAD DEDICATION CONTINGENT UPON RECEIPT OF 6 PAPER MAPS AND ONE MYLAR FOR THE SUBDIVISION AND THE ROAD DEDICATION SIGNED BY PROPERTY OWNERS AND A CHECK FOR \$4,000 FOR RECREATION FEE, 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.

Dan recused himself from dealing with this application.

**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**

Justin Butwell was present for this application.

Chairperson Pecora read the review letter from the Waterfront Advisory Board dated 8/4/16. Copy of letter given to applicant and copy placed in the file.

Review back from the Ulster County Planning Board dated 8/3/16. Chairperson Pecora

read the recommendations and Required Modifications for parking, infrastructure, access, historic site, coastal zone, lighting and landscaping.

Some Planning Board Members toured the site on 8/4/16 and looked at most of the issues raised by the Ulster County Planning Board. She stated that most of these issues were eliminated during that visit. The Board needs to go through all of the required modifications and address them separately.

Margaret questioned the ramp coming down and the drainage and asked if it was going to be modified. Justin stated that they will submit a more detailed plan for the ramp.

Required Modification – Parking

Mark questioned if the Building Inspector established occupant load for the building. Justin stated that he has not. Justin stated that it is unclear to him whether that comment is referring to the large event under the tent or the events inside the building. Margaret stated that they are not really changing the use. Justin stated that this is correct. The current use remains the same. He stated that he is not opposed to establishing a maximum occupancy for the building. Roxanne stated that the outdoor events under the tent did not come up. She suggested that he address the occupancy and parking for the building. He will speak to the Building Inspector regarding this. Robert asked if they could establish the total amount of parking that would be available. Justin stated that he could do this. Margaret stated that the report states that the building handles special events but it does not designate inside or outside. Justin stated that he could establish the number of cars that fit in the lot to prove that any event would be able to handle the parking.

MARGARET MADE A MOTION TO OVERRIDE THIS COMMENT BECAUSE AS PER THE ON SITE VISIT DONE PLANNING BOARD MEMBERS FEEL THAT THE PARKING IS ADEQUATE FOR INSIDE AND OUTSIDE EVENTS, SECONDED BY FRED. MOTION PASSED WITH A VOTE OF 5-1. VOTE WAS AS FOLLOWS:

Robert still feels that we should provide the number of available spots rather than guessing at this.

Vote: Mark.....yes
Fred.....yes
Margaret.....yes
Darin.....yes
Robert.....no
Roxanne.....yes

Required Modification: Infrastructure

Roxanne asked if they obtained anything from the Board of Health. Justin stated that

they can. Roxanne stated that this is going to need a review from the Ulster County Health Department.

Planning Board agrees with this requirement. Justin will contact the Ulster County Health Department.

Required Modification: Access

Myles stated that the cross easement shows on the map (C-1).

This modification has been complied with.

Required Modification: Historic Site

Myles stated that the State Historic Preservation Office (SHPO) accepted the application and we are awaiting their response.

Planning Board is awaiting SHPO's response.

Required Modification: Coastal Zone

Waterfront Advisory Board has reviewed application and submitted their response.

This modification has been complied with.

Required Modification: Lighting

Applicant is not proposing additional lighting. We discussed portable outdoor lighting for the field for additional parking.

This modification has been addressed.

Required Modification: Landscaping

The applicant is not proposing any additional landscaping and if they do they will submit a landscaping plan for review to the Town.

Board agrees with this modification and the applicant has been informed.

Waterfront Advisory Board concern addressed in their letter dated 8/4/16 deals with the Ulster County Department of Health and Justin will be contacting them for their approval.

Chairperson Pecora asked if anyone had comments regarding Parts 2 & 3 of the FEAF.

At this point the Planning Board is awaiting information from SHPO and the Ulster

County Health Department before further action can be taken.

Dan returned to the Board.

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.

Chairperson Pecora read Waterfront Advisory Board response dated 8/4/16. Copy given to applicant and copy placed in the file. They have no comments regarding this action.

Chris submitted the corrected map for the Planning Board review.

FRED MADE A MOTION TO APPROVE CUTHELL, CASE 2016-10, LOT LINE ADJUSTMENT CONDITIONED UPON RECEIPT OF 6 PAPER MAPS AND 1 MYLAR SIGNED BY THE APPLICANTS, SECONDED BY MARGARET. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:

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

Seth Tapper, Michael Moriello, Esq. and Allan Dumas, Engineer were present for this application.

Myles reviewed ML Putman Report dated 8/9/16, copy given to applicant and copy placed in file. Myles stated that he submitted to SHPO and is awaiting response.

Fred questioned the lighting plans. He stated that the Ulster County Planning Board will be looking for lighting going down to the cottages. Seth stated that there will be low voltage lighting. Seth stated that he could submit this. He was told that we will need this by the deadline date for the Ulster County Planning Board (8/24/16).

DAN MADE A MOTION TO SCHEDULE A PUBLIC HEARING FOR TAPPER/STILL RIVER LLC, CASE #2015-12, FOR SEPTEMBER 14, 2016 AT 7:35 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

DAN MADE A MOTION TO REFER TAPPER/STILL RIVER LLC, CASE #2015-12 TO THE WATERFRONT ADVISORY BOARD, ULSTER COUNTY PLANNING BOARD AND A COURTESY REFERRAL TO THE TOWN OF HYDE PARK AND DECLARE THIS APPLICATION COMPLETE CONTINGENT UPON RECEIPT OF THE LIGHTING 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

Michael Moriello questioned the negative declaration. He stated that Myles has it very comprehensively written and he saw that he had listed waiting for SHPO comments. He was wondering if the Board wanted to vote on this subject to those comments. Roxanne stated that we need to wait for the comments. He asked if she anticipated voting before the public hearing or after. Roxanne stated after. Myles stated that we are treating this application as a Type 1 Action because of the archeological sensitivity area. Mike stated that this Board can say that they find no significance to the archeological or historical. Roxanne stated that this is true but since we referred it to them we should wait for their comments. Mike explained to Seth that in the past the consultant submitted forms now it is an on line submission process. Myles stated that the process consists of 5 steps and the 4th step has a lot of details. Myles is working with SHPO regarding this submission.

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

Chris Ferri, Paul Seres, Michael Moriello, Esq., and Allan Dumas, Engineer were present for this application.

Myles reviewed ML Putman Report dated 8/10/16. Copy was given to applicants and

copy was placed in file.

Myles reviewed ML Putman Report dated 8/10/16. Copy was given to applicant and copy was placed in file.

Myles stated that he would like to see a clear delineation of disturbance on sheets 2 through 6. He would like to see if the disturbance figure of just under 1 acre has changed. Myles stated that he is yet to start the SHPO submission on this project.

Fred questioned why SHPO is involved. Myles stated that this project is in an archeological sensitive area. Myles stated that maybe $\frac{3}{4}$ of the Town of Esopus falls in this area.

Michael stated that they have scheduled Robert Miller to do the groundwater testing. He is backed up. He wanted to know if the Board saw any reason why they could not schedule a Public Hearing before this is completed. Allan stated that this is subject to review by the Ulster County Department of Health. Allan stated that they are basically doing yield testing on the one well. Dan feels that the testing should be done prior to the Public Hearing so that people can make their comments based on all the information since they will not have another opportunity to do so. Allan stated that at this point they are scheduled for the testing the first week of September.

Fred questioned wastewater. Allan stated that wastewater is 5,200 gallons per day. Fred questioned what water they were going to make vodka with. Paul stated that the system that they are going to create is that they are going to put most of their water in a holding tank for the spirits so they will not constantly be stressing out the well. When they start distilling they are going to draw from that tank. Fred stated that wastewater is not going to meet with their demand. Charles stated that he is probably correct. Paul said that they are running the water through a closed loop for heating and cooling. This is another way that they are going to try to save water. Fred stated that if push came to shove they could always go off site for water for the distillery. Charles stated that they have discussed this and there are places in the Catskills that if they need water they could have it delivered. Paul stated that they are going to have a 5,000 gallon holding tank that will be specifically for the distillery. Allan stated that basically the project will demand say 4 gallons per minute but the peaks that could be 20 gallons per minute will be addressed via the storage tank. Whether it is production, food service, toilet flushing this will be held by and distributed by the pump station. The normal hotel and restaurant demand is 1,000 liters. Paul stated that it is a 1,000 liter still and their tanks are 750 liters. When this is done they will be throwing the water into the still. He stated that a run will basically be one run per day and it will take about one day. Paul stated that they will not have enough equipment to do multiple runs. Charles stated that if everything was that wonderful there are trucks off site that will support any kind of water demands they may need. Paul stated that if this becomes a problem they will find another location and keep this site as the showcase. Allan stated that the whole facility is being retrofitted with low flow plumbing fixtures.

Roxanne stated that if the production of the vodka takes off in order to have more than one run a day you have to have shifts and you would have to truck water in. Charles stated that this is correct and it will be used as a backup. They would be required to take daily water meter readings. Paul said the idea is to see what this well can do and if need arises they could always drill another well. Allan stated that the facility will be regulated by the Ulster County Health Department and they will not approve it unless there is sufficient water.

Michael stated that if we come to the September meeting maybe we could get something in writing from Robert Miller that we should have the results by a certain time and we could schedule a public hearing for October. Charles questioned why not schedule a Public Hearing for September. Dan stated that the Health Department would need a couple of months to approve it. Fred stated that they need Health Department approval before final approval but he does not feel that this is a show stopper. Dan expressed his feelings that the neighbors should have the right to speak at a Public Hearing when everything is completed. If we do a public hearing before Health Department approval, they will not have another opportunity to speak regarding this application. Alan stated that the well is located right in the center of the property and there is quite a bit of distance between the well and neighboring properties. Charles said he does not understand why we can not schedule the public hearing for September. They know that they have to use water for distilling and they have plenty of resources available nearby to obtain water. He really does not want to lose another month. Roxanne asked if they thought they could get some type of response from the Board of Health prior to the next meeting. Roxanne stated that in order to send it to the County we have to say that we are sending a complete statement. Is there some kind of correspondence that we can get? Allan stated that it depends on tests and we don't know when they are doing it. He further stated that they will need to do laboratory tests and wait for those results.

Discussion continued. Roxanne stated that we will need to do a referral to the Ulster County Planning Board so when we do a referral to the Ulster County Planning Board we have to say we have a complete package and we do not have a complete package. Fred stated that we have done a lot of applications in the past and conditioned approval upon receipt of Ulster County Health Department approval. Roxanne said that we can say it is a complete statement but the County Planning Board will come back and say that we need Ulster County Health Department approval. Allan stated that it is currently a work in progress. The protocol has been submitted and basically approved and now we have to wait for that process. Roxanne stated that we do have some sort of paperwork that can go to the county with at this point. Applicants stated that if for some reason there is a problem with the water they will have to truck the water in and drill a new well. This has always been their plan.

FRED MADE A MOTION TO SCHEDULE A PUBLIC HEARING FOR SEPTEMBER 14, 2016 AT 7:40 PM FOR STAR ESTATES DEVELOPMENT, CASE #2016-06, SPECIAL USE PERMIT/SITE PLAN, SECONDED BY MARK. MOTION PASSED WITH A VOTE OF 6-1. VOTE WAS AS FOLLOWS:

Mark.....yes
Fred.....yes
Margaret.....yes
Darin.....yes
Dan.....no
Robert.....yes
Roxanne.....yes

DARIN MADE A MOTION TO REFER STAR ESTATE DEVELOPMENT, CASE #2016-06, SPEICAL USE PERMIT/SITE PLAN TO ULSTER COUNTY PLANNING BOARD AND WATERFRONT ADVISORY BOARD AND A COURTESY REFERRAL TO THE TOWN OF HYDE PARK, 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

FRED MADE A MOTION TO AUTHORIZE MYLES PUTMAN TO COMPLETE PART 2 AND 3 OF THE FEAF FOR STAR ESTATE DEVELOPMENT, CASE #2016-06, SPECIAL USE PERMIT/SITE PLAN, SECONDED BY ROBERT. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:

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

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

John Heidecker, surveyor, was present for this application.

Myles reviewed ML Putman Report dated 8/2/16, copy given to applicant and copy placed in file.

Fred pointed out that the house on this property is in the town street. Myles stated that this is a pre-existing situation and this action does not change anything. Fred stated that you cannot sell a house when it is on somebody else's property. Myles stated that somebody sold the house to this individual. Further discussion took place and it was agreed that the house is in the street by approximately 3 inches. It was also mentioned that planters and a portable Quonset Hut (concrete pad) is in the town's right-of-way. Fred felt that even though it is a pre-existing condition the Town should sign off on this.

John stated that the original subdivision map shows the same structure and the same line and it was approved at that point. He does not know why it would not have been resolved at that point. Parsell Street was widened in 1994. He said it was shown the exact way as were the dedications to the Town when they widened the street. Roxanne felt that it was more than the 3 inches for the house. There is a stone wall, planters, etc. that is in the right-of-way that would have to be removed. Discussion continued regarding these issues.

Margaret asked John how he felt about going to the Town Board and asking them to grant the sliver of land to his client. He said he will talk to his client about it but he personally thinks it is silly. This is a very common thing that you see all of the time with people having stuff in the right-of-way and it generally does not become a problem until the Town tells them to move it. He will bring it before his client and it will be his decision. Darin felt that we could make it a conditional approval because the lot line is not changing and it would be conditioned upon Town Board response. Darin stated that if we don't approve the application the house will still be in the right-of-way. We are not making anything worse. Margaret said that if he goes to sell it he might have a hard time and then he will have to deal with it.

DARIN MADE A MOTION TO WAIVE THE PUBLIC HEARING AS PER SECTION 107.16.A FOR PANGERC, CASE #2016-11, LOT LINE ADJUSTMENT, 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 DECLARE A NEGATIVE DECLARATION PURSUANT TO SEQR FOR PANGERC, CASE #2016-11, LOT LINE ADJUSTMENT, 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

MARGARET MADE A MOTION TO REFER PANGERC, CASE #2016-11, LOT LINE ADJUSTMENT TO WATERFRONT ADVISORY BOARD, 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 REFER PANGERC, CASE #2016-11, LOT LINE ADJUSTMENT TO THE TOWN BOARD FOR RESPONSE REGARDING ENCROACHMENT ON TOWN PROPERTY, SECONDED BY DAN. PLANNING BOARD RESPECTFULLY REQUESTS A REPLY BY 9/14/16. 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

**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**

Jeff Davis, Esq. contacted Planning Board secretary and informed her that they would not be able to provide the additional pictures in time for the Public Hearing that was to be scheduled for 8/10/16 and asked to be put over to the following month.

DARIN MADE A MOTION TO RE-SCHEDULE THE PUBLIC HEARING FOR

APC TOWERS, LLC, CASE #2016-07, SPECIAL USE PERMIT/SITE PLAN FOR SEPTEMBER 14, 2016 AT 7:45 PM, 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

DARIN MADE A MOTION TO REFER APC TOWERS, LLC, CASE #2016-07 SPECIAL USE PERMIT/SITE PLAN TO ULSTER COUNTY PLANNING BOARD AND WATERFRONT ADVISORY BOARD, 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

NEW BUSINESS:

VANVELSON: Case #2016-14 – Lot Line Adjustment, 771 Broadway (US Rt. 9W; State Hwy 5508), Ulster Park; SBL: 64.003-5-19

Robert Grieco, Esq. was present to represent the applicants.

Myles reviewed ML Putman Report dated 8/1/16, copy given to applicant and copy placed in file.

Planning Board is in receipt of an application for a fee simple ownership of a septic area that is located upon a neighboring property (Tsitsera). As per provisions of 107.16.A(4) a final plat must be provided to the Planning Board for approval showing the lot line to be removed, lot line to be added, with a deed plot or tax map inset map depicting the remainder of the Tsitsera parcel provided that the Planning Board waives the requirements of a full resurvey of this property. (The maps submitted for this application were for a Special Use Permit/Site Plan Map for a Tourist Home approved in 2013. Applicant needs a Lot Line Adjustment Map.) The map required also needs to show before and after land area for both lots. This map needs to be filed with the Ulster

County Clerk's Office. Tsitsera needs to sign the application.

Fred questioned the location of the septic system. Mr. Grieco stated that it is in the back of the VanVelson property to the side. Mr. Grieco stated that he will submit an addendum to the application within the next 7 days.

ROBERT MADE A MOTION TO WAIVE SKETCH PLAN REQUIREMENT FOR VANVELSON, CASE #2016-14, LOT LINE ADJUSTMENT, 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 DECLARE AN UNLISTED ACTION PURSUANT TO SEQR (NEGATIVE DECLARATION) FOR VANVELSON, CASE #2016-14, LOT LINE ADJUSTMENT, SECONDED BY ROXANNE. 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

FRED MADE A MOTION TO WAIVE THE PUBLIC HEARING AS PER SECTION 107.16.A FOR VANVELSON, CASE #2016-14, LOT LINE ADJUSTMENT, SECONDED BY MARGARET. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:

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

FRED MADE A MOTION TO REFER VANVELSON, CASE #2016-14, LOT LINE ADJUSTMENT TO THE WATERFRONT ADVISORY BOARD, 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

FRED MADE A MOTION TO ACCEPT A DEED PLOT FOR THE REMAINDER OF THE TSITSERA PARCEL FOR VANVELSON, CASE #2016-14, LOT LINE ADJUSTMENT, SECONDED BY MARGARET. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:

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

**BRITT & GRAFF PROPANE & OIL, INC c/o Phillip Schaffer: Case #2016-15 –
9 Liese Lane, Ulster Park; SBL: 63.002-2-2.1**

Raymond Navara and Phillip Schaffer were present for this application.

Myles reviewed ML Putman report dated 8/1/16, copy given to applicants and copy placed in file.

Myles stated that this is an allowed use.

Phil stated that this is going to be an enclosed building. He stated that the containment area is designed for 150%. The plans show 130% but depending on the ambient temperature outside the tanks get filled either 80% or 90% so this is the discrepancy between the 150% and 130% due to expansion. Phillip will submit new plans showing the four sided building and showing the topography. Phillip stated that they would like to have the Public Hearing waived since it is a permitted use.

Ray stated that he is not hiring any new employees. Phillip stated that the parking is

going where the delivery trucks will be. Ray stated that nobody parks there now. Margaret asked how much more traffic. Ray stated that the propane trucks load once a day and the oil trucks will load twice a day. They will be going in and out three times a day and the hours are still 8:00 a.m. to 5:00 p.m. Sometimes when they are really busy they may start early but they are still done at 5:00 p.m. There is no exterior lighting. Mark questioned noise. Ray stated that they are all electric pumps and it takes about 20 minutes to fill a truck. The oil will be submerged inside so you will hear the propane truck filling more than you will hear the oil trucks filling.

Ray stated that he will be before the New York State Department of Environmental Conservation for a couple of months for approval. He stated that he went bigger with the plan for spillage because he cannot afford a spill. He said that his trucks pull in and if something goes wrong with the filling of the truck it actually goes into the containment and if the tank bursts it is all inside the containment. This way it is totally safe and the oil can never spill out of the containment. Phil stated that in the worst possible situation they have 150% containment and that is why it was designed that way.

Phil is going to update the maps as per Myles comments. Maps need to be received within one week in order to be referred to the Ulster County Planning Board. Ray stated that he wants to do a metal green roof on the building.

ROBERT MADE A MOTION TO CLASSIFY BRITT & GRAFF, CASE #2016-15 AS A TYPE II ACTION 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

DAN MADE A MOTION TO WAIVE THE PUBLIC HEARING AS PER SECTION 107.16.A FOR BRITT & GRAFF, CASE 2016-15, 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

Fred questioned if the building needed a fire suspension system. Phillip stated that according to DEC they do not. Ray stated that it is pretty much going to be like a big vault. It will be a concrete foundation, the tanks will sit inside and the building will be metal. They are gravity filled with no pumps running. They were asked about ventilation. They are not sure about this but they will check and put on updated plans.

DAN MADE A MOTION TO REFER THIS TO THE PORT EWEN FIRE DEPARTMENT AND TO THE ULSTER COUNTY PLANNING BOARD FOR BRITT & GRAFF, CASE #2016-15, SECONDED BY DARIN. 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

Applicant will approach the fire department and submit a letter to the Planning Board.

DAN MADE A MOTION TO ADJOURN SECONDED BY MARK. ALL MEMBERS WERE IN FAVOR. MEETING ADJOURNED AT 9:30 PM.

NEXT MONTHLY MEETING: SEPTEMBER 14, 2016

DEADLINE DATE: AUGUST 31, 2016

NEXT PRESUBMISSION: SEPTEMBER 21, 2016

Respectfully submitted by:

April Oneto,
Planning Board Secretary

