

**TOWN OF ESOPUS  
PLANNING BOARD MEETING  
OCTOBER 9, 2013**

**PRESENT:** Fred Zimmer, Vice Chairman  
Rich Williams  
Darin Dekoskie  
Michael Manicone

**EXCUSED:** Roxanne Pecora  
Michael Minor  
Margaret Yost

**ALSO PRESENT:** Myles Putman, M.L. Putman Consulting

Vice Chairperson Zimmer called the meeting of the Town of Esopus Planning Board to order at 7:05 p.m. beginning with the Pledge of Allegiance to the Flag. Fred advised the public of the building's fire exits and roll call was taken.

**MINUTES:** Board members were asked if there were any changes or corrections to the minutes of the September 11, 2013 meeting. Margaret Yost made corrections prior to the meeting. There were no additional corrections.

**RICH MADE A MOTION TO APPROVE THE MINUTES OF SEPTEMBER 11, 2013 SECONDED BY DARIN. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 4-0. VOTE WAS AS FOLLOWS:**

Fred.....yes  
Rich.....yes  
Darin.....yes  
Michael.....yes

**VOUCHERS:**

M.L.Putman Consulting (Month of September, 2013)..... \$2,250.00  
April Oneto (secretarial services).....62 1/2 hours

**RICH MADE A MOTION TO APPROVE THE VOUCHERS AS READ, SECONDED BY DARIN. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 4-0.**

**OLD BUSINESS:**

**VENDITTI – Case #2013-05 – Special Use Permit/Site Plan Review – 832  
Broadway, Ulster Park; SBL: 72.001-12.1**

Lou Venditti was present to represent this application. Myles reviewed M.L. Putman Consulting Report dated 10/4/13. A copy was given to applicant and a copy was placed in the file.

Mr. Venditti received his approval from the Zoning Board of Appeals. Myles stated that based on the information he received this evening from Fred this application may not need to be referred to the Ulster County Planning Board. Following some discussion regarding Schedule B Referral Submittal Reference Matrix that Fred received at the Ulster County Planning Board Meeting it was agreed that this application did not need to be referred to the Ulster County Planning Board.

**RICH MADE A MOTION TO WAIVE THE PUBLIC HEARING FOR VENDITTI, CASE #2013-05, SPECIAL USE PERMIT/SITE PLAN REVIEW, AS PER SECTION 107.16.A OF THE TOWN'S ZONING CODE SECONDED BY MICHAEL. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 4-0. VOTE WAS AS FOLLOWS:**

Darin.....yes  
Rich.....yes  
Michael.....yes  
Fred.....yes

**DARIN MADE A MOTION TO MAKE A DETERMINATION OF NON SIGNIFICANCE PURSUANT TO SEQR FOR VENDITTI, CASE #2013-05, SPECIAL USE PERMIT/SITE PLAN REVIEW SECONDED BY RICH. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 4-0. VOTE WAS AS FOLLOWS:**

Darin.....yes  
Rich.....yes  
Michael.....yes  
Fred.....yes

**DARIN MADE A MOTION TO GRANT SPECIAL USE PERMIT/SITE PLAN APPROVAL FOR VENDITTI, CASE #2013-05, SECONDED BY RICH. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 4-0. VOTE WAS AS FOLLOWS:**

Michael.....yes  
Rich.....yes  
Darin.....yes  
Fred.....yes

Applicant was told that he needs to submit six paper maps signed by the owners with a signature block for two Planning Board Members to sign.

**MARCHESE: Case #2013-12 – Lot Line Adjustment -145 Loughran Lane, Old Post Rd., West Esopus; SBL: 71.004-1-3.12, 22.1, 24 & 26**

Applicant John Marchese was present to represent this application. Myles reviewed M.L. Putman Consulting Report dated 10/3/13. Copy of report was given to applicant and a copy was placed in the file.

**DARIN MADE A MOTION TO WAIVE THE PUBLIC HEARING FOR MARCHESE, CASE #2013-12, LOT LINE ADJUSTMENT, AS PER SECTION 107.16-A SECONDED BY RICH. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 4-0. VOTE WAS AS FOLLOWS:**

Michael.....yes  
Darin.....yes  
Rich.....yes  
Fred.....yes

**RICH MADE A MOTION TO MAKE A DETERMINATION OF NON SIGNIFICANCE PURSUANT TO SEQR FOR MARCHESE, CASE #2013-12, LOT LINE ADJUSTMENT, SECONDED BY DARIN. ALL MEMBERS APPROVED. MOTION PASSED WITH A VOTE OF 4-0. VOTE WAS AS FOLLOWS:**

Michael.....yes  
Darin.....yes  
Rich.....yes  
Fred.....yes

**DARIN MADE A MOTION TO GRANT CONDITIONAL FINAL APPROVAL FOR MARCHESE, CASE #2013-12, LOT LINE ADJUSTMENT, CONDITIONED UPON RECEIPT OF 6 PAPER MAPS AND 1 MYLAR SIGNED BY ALL PROPERTY OWNERS, SECONDED BY RICH. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 4-0. VOTE WAS AS FOLLOWS:**

Michael.....yes  
Darin.....yes  
Rich.....yes  
Fred.....yes

**CHRISTIAN BROTHERS: Case #2013-10 – Subdivision – 1835 & 1850 Broadway, West Park; SBL: 80.001-4-5**

Applicant was represented by Chris Zell, Brinnier & Larios. Chris submitted to the Board members a Declaration of Access and Utility and Maintenance Agreement for the Sewage Disposal Unit to be signed by the owners of the property for the Board's review. Chris read the agreement.

Chris stated that the applicant is going to retain ownership of the property on the West because that is where the cemetery is located. Chris stated that there is a SPEDES Permit which will remain in their name and they will maintain it since they are planning on being there a long time. They would like to sell the East side of the property.

Discussion took place regarding whether or not the Planning Board will set up an escrow account and send this agreement to the Planning Board attorney. Darin stated that the sand filter is on the entire East lot and the piping runs under Route 9W. Darin stated that he is a little concerned that rather than go through this why not subdivide a piece of property around the sand filter and retain ownership of it. The other subdivided parcel they can either build their own or hook in. Chris stated that they have two active buildings that are hooked into this so if you did that the property on the East side effectively has no septic system. Fred stated that they can put meters on the individual properties. Darin questioned what the State felt since it is their SPEDES Permit. Darin stated that normally they would develop a transportation corporation to deal with situations like this. Chris stated that his applicant feels that this is enough. He stated that he is sure that this will have to be reviewed by the Ulster County Health Department.

Following further discussion the Board felt that the applicant needs to present this to the Ulster County Health Department and NYSDEC and return to this board with some correspondence from them that this agreement is sufficient. After we receive this correspondence we will set up an escrow account and send it to the Planning Board Attorney for review.

**NEW BUSINESS:**

**OWEN (Maroon Living Trust): Case #2013-15 – Lot Line Adjustment – 127 & 150 Valli Rd., West Park; SBL: 71.001-3-28.1 & 28.2**

David Dipple, surveyor, was present to represent the applicants for this case. Myles reviewed M.L. Putman Consulting Report dated 10/1/13. A copy was given to the applicant and a copy was placed in the file.

Myles would like to see the maps show the expanded road reservation area to include the turning area by the Logan property.

**RICH MADE A MOTION TO WAIVE THE PUBLIC HEARING FOR OWEN, CASE #2013-15, LOT LINE ADJUSTMENT AS PER SECTION 107.16.A OF**

**THE TOWN'S ZONING CODE SECONDED BY MICHAEL. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 4-0. VOTE WAS AS FOLLOWS:**

Darin.....yes  
Rich.....yes  
Michael.....yes  
Fred.....yes

**DARIN MADE A MOTION TO DECLARE A NEGATIVE DECLARATION PURSUANT TO SEQR FOR OWEN, CASE #2013-15, LOT LINE ADJUSTMENT, SECONDED BY RICH. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 4-0. VOTE WAS AS FOLLOWS:**

Michael.....yes  
Rich.....yes  
Darin.....yes  
Fred.....yes

**RICH MADE A MOTION TO GRANT CONDITIONAL FINAL APPROVAL FOR OWEN, CASE #2013-15, LOT LINE ADJUSTMENT, CONDITIONED UPON SUBMISSION OF 6 PAPER MAPS AND 1 MYLAR SHOWING THE ROAD RESERVATION AREA TO INCLUDE THE TURNING AREA AND SIGNATURE OF ALL PROPERTY OWNERS, SECONDED BY DARIN. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 4-0. VOTE WAS AS FOLLOWS:**

Michael.....yes  
Darin.....yes  
Rich.....yes  
Fred.....yes

**COPPERSEA DISTILLERY (Lands of Weiner): Case #2013-16 – Special Use Permit/Site Plan – 1592 Broadway (US Route 9W; State Hwy 5508); SBL: 72.003-1-26**

Michael Kistlick, Angus MacDonald and Ira Weiner (property owner) were present for this application. Myles reviewed M.L. Putman Consulting Report dated 10/3/13. Copy of this report was given to applicant and property owner and a copy was placed in the file. Myles stated that this application does not need to go to the Ulster County Planning Board due to the agreement that we have with the County.

The number of parking spaces required for the business was discussed and it was agreed that eight parking spaces should be provided and shown on the map. Myles stated that he needs to research the Type II determination but other than

that the applicant should start working on the Part I EAF. A copy of the form was given to the applicants.

Applicants stated that they currently do not have any plans to have retail space in the building. Part of their State license allows them to have retail but they are just doing production and distribution from this site.

Fred informed applicants that they need to mark the southern entrance on the map. Fred referred them to Myles review comments #31 and #39. Discussion took place regarding this being a Type I or Type II Action and the need for an escrow account. Myles recommended not doing an escrow account given the scope of the business and the fact that there will be almost no exterior impact.

**RICH MADE A MOTION TO REFER COPPERSEA, CASE #2013-16, SPECIAL USE PERMIT/SITE PLAN REVIEW, TO THE WATERFRONT ADVISORY BOARD, SECONDED BY DARIN. ALL MEMBERS WERE IN AGREEMENT. MOTION PASSED WITH A VOTE OF 4-0. VOTE WAS AS FOLLOWS:**

Michael.....yes  
Darin.....yes  
Rich.....yes  
Fred .....yes

**DARIN MADE A MOTION TO SCHEDULE A PUBLIC HEARING FOR NOVEMBER 13, 2013 AT 7:10 PM FOR COPPERSEA, CASE #2013-16, SPECIAL USE PERMIT/SITE PLAN, SECONDED BY MICHAEL. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 4-0. VOTE WAS AS FOLLOWS:**

Rich.....yes  
Darin.....yes  
Michael.....yes  
Fred.....yes

Applicants were informed that there is a \$200.00 Public Hearing fee that needs to be received by the deadline date October 30, 2013. Fred reminded the applicants that they need to fill out the Part I EAF and the Board will let them know if it is required at next month's meeting.

**CITIVISION: Case #2013-17 – Subdivision – 126 Carney Rd., Rifton; SBL: 63.003-3-17, 18, 19**

Applicant was represented by Joseph Pisani, Esq. and Barry Meddenbach, Meddenbach & Eggers. Myles reviewed M.L. Putman Consulting Report dated 10/2/13. A copy was given to the applicants and a copy was placed in the file.

Barry pointed out that there is a typo on the map. Where it says 26 acres being retained it should be 16 acres. Barry stated that they are trying to create two lots. They are trying to formalize a boundary between the two parcels since the boundary is unclear. Barry stated that there is a 200 foot setback and the boundary as they are defining it is about 50 feet setback from an existing building. Joe stated that there are three buildings on the one lot at this time. Fred stated that this is not going to change no matter where the line is. Barry stated that they are not planning on building anything on this lot. Barry stated that if they need to bring the line back to the stonewall and call it a pre-existing condition then that is what they will do. Barry stated that they want to clear the title and file the maps with the County. They have a pending sale on the campground.

Barry said that they need direction from the Board in order to clear up the title. Myles stated that they could keep the southerly boundary at the stonewall and keep the lands to the east. They will need curb cut and Health Department approval on the small parcel. Barry asked if they need Health Department approval on the larger lot of over 10 acres or would the Board accept a letter from the engineer. Fred stated that the final map needs to have a notation on it stating that the larger lot is subject to Board of Health approval. Barry stated that he will move the line on the map over to make the 200 foot setback.

**DARIN MADE A MOTION TO SCHEDULE A PUBLIC HEARING FOR CITIVISION, CASE #2013-17, SUBDIVISION, FOR NOVEMBER 13, 2013 AT 7:20 PM SUBJECT TO RECEIPT OF NEW MAPS AND A \$200.00 PUBLIC HEARING FEE, SECONDED BY RICH. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 4-0. VOTE WAS AS FOLLOWS:**

Michael.....yes  
Rich.....yes  
Darin.....yes  
Fred.....yes

**ZBA REFERRALS:**

None

**MISCELLANEOUS:**

Darin and Michael Manicone will not be present at the November Planning Board Meeting.

**RICH MADE A MOTION TO ADJOURN AT 8:30 PM SECONDED BY DARIN. ALL MEMBERS WERE IN FAVOR.**

**NEXT MONTHLY MEETING:                      NOVEMBER 13, 2013**

**DEADLINE DATE:**

**OCTOBER 30, 2013**

**NEXT PRE-SUBMISSION:**

**NOVEMBER 6, 2013**

Respectfully submitted,

April Oneto  
Planning Board Secretary