

**TOWN OF ESOPUS PLANNING BOARD MINUTES
OCTOBER 10, 2018**

PRESENT: **Roxanne Pecora, Chairperson
Fred Zimmer, Vice Chairperson
Melanie Marino
Greg McCord
Dan Michaud**

EXCUSED: **Darin Dekoskie & Mark Anderson**

ALSO PRESENT: **Shannon Harris, Town Supervisor
Gloria VanVliet, Councilperson
Chris Farrell, Councilman & Liaison to Planning Board
ZBA Chairperson Kathy Kiernan
Alan Sorensen, Consultant**

A quorum being present, Chairperson Pecora called the meeting of the Town of Esopus Planning Board to order at 7:30 P.M. with the Pledge of Allegiance.

MINUTES: Chairperson Pecora asked if the Board had read the minutes of the September 12, 2018 Planning Board Meeting and if there were any changes to same. Hearing none, Chairperson Pecora called for a Motion to approve the Minutes of September 12, 2018. **UPON MOTION OF MEMBER DAN MICHAUD, SECONDED BY MEMBER MELANIE MARINO AND THE AFFIRMATIVE VOTE OF ALL MEMBERS, THE MOTION TO APPROVE THE MINUTES AS PRESENTED PASSED WITH A VOTE OF 5-0.**

VOUCHERS:

Planning Consultant Alan Sorensen, Planit Main Street	\$2,300.00
VanDewater & Vandewater, P.C.	\$ 175.00

UPON MOTION OF DAN MICHAUD, SECONDED BY MELANIE MARINO AND THE AFFIRMATIVE VOTE OF 5 MEMBERS, THE MOTION PASSED WITH A VOTE OF 5-0.

PUBLIC HEARING:

SCENIC HUDSON LAND TRUST, INC. – CASE #2018-07

UPON MOTION OF FRED ZIMMER, SECONDED BY DAN MICHAUD AND THE AFFIRMATIVE VOTE OF ALL MEMBERS THE PUBLIC HEARING REGARDING

THE LOT LINE ADJUSTMENT APPLICATION FOR LANDS OF GORDON WITH SCENIC HUDSON LAND TRUST, INC. - CASE #2018-07, IDENTIFIED ON THE TAX ROLLS AS SBL#64.3-3-15 (GORDON) AND SBL#64.3-3-15 (SCENIC HUDSON) WAS PASSED 5-0.

Chairperson Pecora read the Public Hearing Notice into the record, which notice was made a part of the application on file with the Planning Board. Thereafter, Chairperson Pecora recognized Mike Knutsen, Senior Land Project Land Manager who provided an overview of the proposal for the benefit of the Board and the public. The application before the Board was proposing the transfer of 15.356 acres from lands of the Estate of Gordon, identified as SBL No. 64.3-3-15 to adjacent lands of Scenic Hudson Land Trust, Inc., identified as SBL 64.3-3-15. Upon said transfer, SBL 64.3-3-15 would decrease to 11.714 acres and SBL: 64.3-3-14 would increase to 25.981 acres. Chairperson Pecora asked if there was anyone present who wished to speak. Hearing none and no public controversy being raised, Chairperson Pecora entertained a Motion to close the Public Hearing. **UPON MOTION OF FRED ZIMMER, SECONDED BY GREG MCCORD AND ALL MEMBERS BEING IN FAVOR, THE MOTION TO CLOSE THE PUBLIC HEARING PASSED 5-0.**

PUBLIC HEARING:

HOGAN SUBDIVISION – CASE #2018-03

CHAIRPERSON PECORA CALLED FOR A MOTION TO OPEN THE PUBLIC HEARING RELATIVE TO THE SUBDIVISION APPLICATION FOR LANDS OF HOGAN, CASE #2018-03, IDENTIFIED ON THE TAX ROLLS AS SBL #71.4-1-16.2. UPON MOTION OF DAN MICHAUD, SECONDED BY MELANIE MARINO AND THE AFFIRMATIVE VOTE OF ALL MEMBERS, THE MOTION TO OPEN THE PUBLIC HARING PASSED 5 – 0.

Chairperson Pecora read the Public Hearing Notice into the record, which notice was made a part of the application on file with the Planning Board. Chairperson Pecora asked if there was anyone present who wished to speak. Hearing none and no public controversy being raised, **CHAIRPERSON PECORA ENTERTAINED A MOTION TO CLOSE THE PUBLIC HEARING. UPON MOTION OF FRED ZIMMER, SECONDED BY GREG MCCORD AND ALL MEMBERS BEING IN FAVOR, THE MOTION TO CLOSE THE PUBLIC HEARING PASSED 5-0.**

Chairperson Pecora queried the Board as to whether they wished to go into Executive Session or to commence application reviews. **UPON MOTION OF MELANIE MARINO, SECONDED BY MEMBER FRED ZIMMER AND THE AFFIRMATIVE VOTE OF 5 MEMBERS, THE PLANNING BOARD WENT INTO EXECUTIVE SESSION AT 8:00 P.M. TO DISCUSS PERSONNEL.**

CHAIRPERSON PECORA ENTERTAINED A MOTION TO COME OUT OF EXECUTIVE SESSION. UPON MOTION OF MELANIE MARINO, SECONDED BY

MEMBER DAN MICHAUD, AND THE AFFIRMATIVE VOTE OF 5 MEMBERS, THE PLANNING BOARD CAME OUT OF EXECUTIVE SESSION AT 8:20 P.M.

CHAIRPERSON PECORA ENTERTAINED A MOTION TO GO INTO EXECUTIVE SESSION FOR THE PURPOSE OF CONDUCTING AN INTERVIEW. UPON MOTION OF FRED ZIMMER, SECONDED BY MEMBER DAN MICHAUD AND THE AFFIRMATIVE VOTE OF 5 MEMBERS, THE PLANNING BOARD WENT INTO EXECUTIVE SESSION AT 8:21 P.M.

CHAIRPERSON PECORA ENTERTAINED A MOTION TO COME OUT OF EXECUTIVE SESSION. UPON MOTION OF DAN MICHAUD, SECONDED BY MEMBER MELANIE MARINO, AND THE AFFIRMATIVE VOTE OF 5 MEMBERS, THE PLANNING BOARD CAME OUT OF EXECUTIVE SESSION AT 8:57 P.M.

CHAIRPERSON PECORA ENTERTAINED A MOTION TO RECOMMEND THAT THE TOWN BOARD INTERVIEW AND RETAIN LISA MANCE AS ADMINISTRATIVE ASSISTANT. UPON MOTION OF DAN MICHAUD, SECONDED BY GREG MCCORD AND THE AFFIRMATIVE VOTE OF ALL MEMBERS, THE MOTION PASSED 5-0.

OLD BUSINESS:

SCENIC HUDSON (LANDS OF DONALD L. GORDON LLC): Case #2018-07 – Lot Line Adjustment – 174 Hudson Lane, Ulster Park; SBL No. 64.3-3-15

Michael Knudsen, Senior Land Project Manager was present for this application.

DAN MICHAUD MOTIONED TO GRANT FINAL PLAT APPROVAL WITH THE CONDITION THAT 6 PAPER COPIES AND 1 MYLAR MAP BE PROVIDED, SECONDED BY MELANIE MARINO. ALL MEMBERS VOTED IN FAVOR AND THE MOTION PASSED 5-0 WITH THE VOTE AS FOLLOWS:

Roxanne Pecorayes
Fred Zimmeryes
Melanie Marinoyes
Mark Andersonexcused
Dan Michaudyes
Darin DeKoskieexcused
Greg McCord.....yes

DENNIS J. & LAURA HOGAN: Case #2018-09 – Subdivision– 39 Loughran Lane, Highland; SBL No.71.4-1-16.2 & 71.4-1-18.3

Applicant Dennis Hogan was present.

Discussion ensued with the Board with all Members in agreement that the 2' contours as

depicted were acceptable.

CHAIRPERSON PECORA ENTERTAINED A MOTION TO ISSUE A NEGATIVE DECLARATION PURSUANT TO SEQRA. UPON MOTION OF DAN MICHAUD, SECONDED BY MELANIE MARINO AND THE AFFIRMATIVE VOTE OF ALL MEMBERS, THE MOTION PASSED 5-0 WITH THE VOTE AS FOLLOWS:

Roxanne Pecorayes
Fred Zimmeryes
Melanie Marinoyes
Mark Andersonexcused
Dan Machaudyes
Darin DeKoskieexcused
Greg McCord.....yes

CHAIRPERSON PECORA ENTERTAINED A MOTION TO GRANT FINAL APPROVAL CONDITIONED UPON THE SUBMISSION OF 6 PAPER COPIES AND 1 MYLAR COPY OF THE SUBDIVISION MAP, ULSTER COUNTY BOARD OF HEALTH APPROVAL AND THE SUBMISSION OF A \$4,000.00 RECREATION FEE. UPON MOTION OF DAN MICHAUD, SECONDED BY GREG MCCORD AND THE AFFIRMATIVE VOTE OF ALL MEMBERS, THE MOTION PASSED 5-0 WITH THE VOTE AS FOLLOWS:

Roxanne Pecorayes
Fred Zimmeryes
Melanie Marinoyes
Mark Andersonexcused
Dan Michaudyes
Darin DeKoskieexcused
Greg McCord.....yes

VAN LOAN, DAVE: Case #2018-10 –Site Plan- 318 Broadway, Ulster Park; SBL No.75-2-16, 17 & 18

Applicant Dave Van Loan was present.

Planner Sorensen provided an overview of his September 8, 2018 Project Review Notes. Discussion ensued with the question being raised as to the number of car display spaces being limited. Currently has 9 spaces and would 10 be allowable. Planner Sorensen’s recommendations included amending the designation of the proposed vehicle display area, show the tractor-trailer storage area (if continued storage was going to occur) and the proposed sign would be required to comply with the Town Code.

The Board recommended that the Applicant provide a Lease to cross lots.

CHAIRPERSON PECORA ENTERTAINED A MOTION TO WAIVE THE REQUIREMENT TO HOLD A PUBLIC HEARING PURSUANT TO §123-47 (c) (5) OF THE TOWN CODE. UPON MOTION OF DAN MICHAUD, SECONDED BY GREG MCCORD AND THE AFFIRMATIVE VOTE OF ALL MEMBERS, THE MOTION PASSED 5-0 WITH THE VOTE AS FOLLOWS:

Roxanne Pecorayes
Fred Zimmeryes
Melanie Marinoyes
Mark Andersonexcused
Dan Michaudyes
Darin DeKoskieexcused
Greg McCord.....yes

CHAIRPERSON PECORA ENTERTAINED A MOTION TO CLASSIFY THE ACTION AS UNLISTED UNDER SEQR AND ISSUE A NEGATIVE DECLARATION. UPON MOTION OF DAN MICHAUD, SECONDED BY GREG MCCORD AND THE AFFIRMATIVE VOTE OF ALL MEMBERS, THE MOTION PASSED 5-0 WITH THE VOTE AS FOLLOWS:

Roxanne Pecorayes
Fred Zimmeryes
Melanie Marinoyes
Mark Andersonexcused
Dan Michaudyes
Darin DeKoskieexcused
Greg McCord.....yes

CHAIRPERSON PECORA ENTERTAINED A MOTION TO GRANT SITE PLAN APPROVAL WITH CONDITIONS TO REMOVE STATEMENT “ADDITIONAL CUSTOMER PARKING” AND PROVIDE MYLAR AND 6 PAPER COPIES OF THE SITE PLAN. UPON MOTION OF DAN MICHAUD, SECONDED BY GREG MCCORD AND THE AFFIRMATIVE VOTE OF ALL MEMBERS, THE MOTION PASSED 5-0 WITH VOTE AS FOLLOWS:

Roxanne Pecorayes
Fred Zimmeryes
Melanie Marinoyes
Mark Andersonexcused
Dan Michaudyes
Darin DeKoskieexcused
Greg McCord.....yes

NEW BUSINESS:

**HSC ESOPUS LLC (Owner, VENDITTI): Case #2018-11 – Subdivision – 1182
Broadway, 174 Hudson Lane, Ulster Park; SBL No. 64.3-3-15**

Caryn Mlodzianowski of Boehler Engineering, representing HSC Esopus, LLC the contractor purchaser for property located at 1182 Broadway. Ms. Mlodzianowski provided an overview of the proposed subdivision. The proposed plan involved the subdivision of parcel SBL No. 72.9-2-24.210 into two (2) lots. Proposed Lot 1 consisting of 3.991 acres and proposed Lot 2 to consist of 3.068 acres. The intent was to obtain Site Plan approval for Lot 1 to construct a 9,100 square-foot retail establishment with 32 on-site parking spaces. Ms. Mlodzianowski provided details as to the architecture and design of the structure.

Planner Sorensen reviewed the content of his recommendations to the Board. Planner Sorensen noted that Site Plan approval was being sought concurrently with the subdivision request. To avoid segmentation, Planner Sorensen advised that the proposed Site Plan and Minor Subdivision be reviewed as one action under SEQRA. He noted that access was only 200' from the intersection of U.S. Route 9W and Black Creek Road and, based upon what recommendations made by NYS DOT, the Board may want to consider a commercial shared driveway. Planner Sorensen indicated the proposed 32 parking spaces didn't comply with the required 46 spaces. The proposal didn't meet the requirements for the Board to grant a waiver pursuant to §123(24) (A)(g) of the Town Code and may require an area variance from the ZBA. As the Plan moves forward, his recommendation was to obtain a landscape plan due to the high visibility of the project as well as a photometric plan. The proposed subdivision was exempt from GML review however, the Site Plan did require referral. The Board was to circulate a Notice of Intent to serve as lead agency. Additionally, approval from the Ulster County Department of Health for the septic systems and New York State Department of Transportation approval for the two (2) proposed accesses would be required.

The Board entertained discussion on the aspects of the Site Plan. Topics of discussion included the needs for a (Storm Water Pollution Prevention plan –SWPPP), landscaping plan, photometric lighting plan, area variance from ZBA for parking, dimensions and design of freestanding sign, New York State Historic Preservation Office (hereinafter referred to as SHPPO) referral, referral to the Esopus Fire Department relative to the maneuverability within the site. The Applicant was directed to obtain the necessary referrals.

CHAIRPERSON PECORA ENTERTAINED A MOTION TO ESTABLISH ESCROW IN THE AMOUNT OF \$5,000.00. UPON MOTION OF FRED ZIMMER, SECONDED BY DAN MICHAUD AND THE AFFIRMATIVE VOTE OF ALL MEMBERS, THE MOTION PASSED 5-0 WITH THE FOLLOWING VOTE:

Roxanne Pecorayes
Fred Zimmeryes
Melanie Marinoyes
Mark Andersonexcused
Dan Michaudyes
Darin DeKoskieexcused
Greg McCord.....yes

Dan Michaud inquired as to the need for 32 parking spaces with the Engineer responding that historically, there has not been a need for more parking. Fred Zimmer suggested that the Board determine if the establishment of a reserve parking area could be delineated for 14 parking spaces which would bring the parking requirements up to Code. Due to the nature of the location, the Board agreed that items should not be displayed in the front outside of the store with Melanie Marino indicating dressing up the front of the structure with the sign comprised of down lit gooseneck lighting and raised lettering.

Fred Zimmer's concerns included proof that the proposed 2nd lot was buildable, he was not in favor of shared driveway, location of septic area and fire apparatus access. Chairperson Pecora's input included the request for screening of the dumpster enclosure, stockade fencing on the sides with a chain link or wood gate.

CHAIRPERSON PECORA ENTERTAINED A MOITION TO ACCEPT THE SKETCH PLAN . UPON MOTION OF FRED ZIMMER, SECONDED BY DAN MICHAUD AND THE AFFIRMATIVE VOTE OF ALL MEMBERS, THE MOTION CARRIED 5-0.

ZBA REFERRALS

There were no comments relative to the ZBA referral for the application of Mary Jo and Robert Wiltshire, 259 Agnes Street, Port Ewen variance to erect a shed less than 5' from the lot line.

Upon Motion of Daniel Michaud, seconded by Fred Zimmer and the affirmative vote of all members, the meeting was adjourned at 10:08 p.m.

NEXT MONTHLY MEETING: NOVEMBER 14, 2018

DEADLINE DATE: OCTOBER 31, 2018

NEXT PRE-SUBMISSION: OCTOBER 24, 2018

Respectfully submitted:

Lisa K. Mance, Secretary
Date prepared: October 26, 2018
Date approved: November 14, 2018