

**TOWN OF ESOPUS PLANNING BOARD MINUTES
MEETING CONDUCTED VIA ZOOM
October 19, 2020**

PRESENT: Chairperson Roxanne Pecora, Dan Michaud, Mark Anderson, Greg McCord and David Mastny

EXCUSED: Vice-Chairman Darin DeKoskie, Alternate Fred Zimmer

ALSO PRESENT: Planning Board Consultant Tom Shepstone and Building Inspector Mark Jaffee

Chairperson Pecora called the meeting to order at 7:31 p.m.

MINUTES:

Chairperson Pecora entertained a Motion to approve the September 9, 2020 Minutes.

Upon Motion of Member Mark Anderson, seconded by Member Dan Michaud and affirmative vote of all Members, the motion passed 5-0.

VOUCHERS:

Chairperson Pecora entertained a Motion to approve the voucher for services of Planner Thomas Shepstone for the month of September. Upon Motion of Member Dan Michaud, seconded by Member Greg McCord and affirmative vote of Members present, the motion passed 5-0.

PUBLIC HEARING (Held open from September 9, 2020)

Cuney Ranch Holdings LLC Site Plan – Case No. 2020- 4; SBL No. 56.2-2-34.200; GC Zoning District

Chairperson Pecora entertained a Motion to continue the Public Hearing which was held open from September. Upon Motion of Member Mark Anderson, seconded by Member Dan Michaud and the affirmative vote of Members present, the motion passed 5-0 and the Public Hearing was continued.

Derin Tanyol – Ms. Tanyol reiterated many of the concerns she had raised at the opening of the Public Hearing in September 2020. She indicated that the prior existing veterinarian's office served as a barrier to the residence she has purchased and would now be bordering a parking lot. Ms. Tanyol indicated that the lot was being over developed.

Linda Laestadious – Owned property across the street and stated that she agreed that the lot was being excessively developed and that it qualified as a strip mall rather than a bakery. She also

stated that 40' delivery trucks could not easily maneuver the site. The location of the patio should be towards the street and the parking should be in the rear.

Chairperson Pecora emphasized that the Public Hearing was held open to entertain new comments not previously raised.

Marcel Nagel – Did not agree with recommendations from Planning Consultant Shepstone. Mr. Nagel stated that if the neighbors didn't agree with decisions made, a request could be made to the ZBA for an interpretation.

Cynthia McVay – Inquired if a business plan had been submitted.

Chairperson Pecora entertained 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 7:45 p.m. passed 5 – 0.

OLD BUSINESS:

Cuney Ranch Holdings LLC Site Plan – Case No. 2020- 4; SBL No. 56.2-2-34.200; GC Zoning District

Owner George Cuney, Barry Medenbach, P.E. and Tom Kentop, Project Manager was present.

The remaining required modifications (previously received) from the Ulster County Planning Board for a vegetative buffer and fencing were reviewed. Chairperson Pecora read the content of the particular required modification for the benefit of the Planning Board Members. Planner Shepstone provided his observation that the Planning Board may wish to request more substantial landscaping.

Chairperson Pecora noted that the Applicant could not be bound by a Comprehensive Plan that was currently not in effect. Engineer Medenbach remarked that alternative parking plans had been investigated and the property terrain did not lend itself easily to alternate plans. Planner Shepstone concurred that the proposed plans were the most practical but stated that more substantial landscaping between the property to the North should be considered. Applicant Cuney stated that he was in agreement to add landscaping that didn't interfere with the line of sight for traffic entering and leaving the property.

Chairperson Pecora entertained a Motion to accept the UCPB required landscaping modifications as recommended. Upon Motion of Member Dan Michaud, seconded by Member Greg McCord and the affirmative vote of all members, the Motion passed 5-0.

The Planning Board agreed that the UCPB advisory comment to move the building and placing the parking in the rear was not feasible for this site.

The review of the Town Designated Engineer was acknowledged relative to the Stormwater Pollution Prevention Plan. Engineer Medenbach needed to prepare a response but indicated that clarification and the ability to adequately address questions raised would be provided to the TDE Peter Lilholt.

Chairperson Pecora stated that the site plans needed a note referencing the ZBA decision. Planner Shepstone requested that Engineer Medenbach address his comments relative to the parking spots. Concern of the Building Inspector Mark Jaffee was addressed and Engineer Medenbach responded that the sloping of the front entrance relative to ADA was not safe to move. Building Inspector Jaffee inquired about the ADA clearance to the front doors to which Engineer Medenbach responded that the sloping didn't work well for access directly in front of the door. Building Inspector Jaffee indicated that if the Applicant complied with all ADA requirements, that would be acceptable.

Additional comments of Building Inspector Mark Jaffee were discussed. A particular Southern parking spot that could inhibit maneuverability on the site was discussed and the Applicant agreed to put signage and striping in place to discourage use of the parking space to deter parking in that particular area.

Fire Department review of the area had taken place and Applicant indicated that Fire Chief Roger Brandt had provided his comments. August 13, 2020 documentation from the Fire Chief needed to be provided to the Planning Board record.

Member Michaud inquired what would be happening with the landscaping plan and it was determined that more substantial landscaping needed to be submitted (low evergreens such as Mungo pine), as well as the lighting plan and hours of operation (currently proposed to be 7:00 a.m. to 4:00 p.m.) Chairperson Pecora indicated that there no major issues but stated she wished to wait until an additional month to take action to allow review of the landscape plan and have the questions raised by the TDE addressed.

Member Anderson requested rendering of proposed signage with the Planning Board providing examples of previous monument signs a reference (Stone Hedge, Credit Union and Dollar General). Box signs with interior illumination were not desirable.

PUBLIC HEARING:

Pittner Subdivision –Case No. 2020-9; 20 William White Road; SBL No. 63.1-2-2.120; R40 Zoning District

Applicant/owner Henry Pittner was present on the proposed application.

Chairperson Pecora entertained a Motion to open the Public Hearing Upon Motion of Member Mark Anderson, seconded by Member Dan Michaud and the affirmative vote of Members present, the motion passed 5-0 and the Public Hearing was opened 8:27 p.m. No persons present to comment, **Chairperson Pecora entertained a Motion to close the Public Hearing.** Upon Motion of Member Mark Anderson, seconded by Member Dan Michaud and the affirmative vote of Members present, the motion passed 5-0 and the Public Hearing was closed.

OLD BUSINESS:

Pittner Subdivision –Case No. 2020-9; 20 William White Road; SBL No. 63.1-2-2.120; R40 Zoning District

Planner Shepstone had provided his recommendations.

Chairperson Pecora entertained a Motion to classify as an unlisted action under SEQRA. Upon Motion of Member Mastny, seconded by Member Michaud and the affirmative vote of Members present, the motion passed 5-0.

Chairperson Pecora entertained a Motion to issue a Negative Declaration. Upon Motion of Member Mastny, seconded by Member Michaud and the affirmative vote of Members present, the motion passed 5-0.

Chairperson Pecora entertained a Motion to waive the requirement of a public hearing on the preliminary plat and grant approval of the final plat conditioned upon submission of a mylar and 6 paper copies. Upon Motion of Member McCord, seconded by Member Anderson and the affirmative vote of Members present, the motion passed 5-0.

J&G Auto Sales (David VanLoan) Site Plan Amendment – Case No. 2020-6; SBL No. 56.75-2-16 & 18; GC Zoning District

Planner Shepstone reviewed content of his recommendations. The main issue was the 3 parking spaces at the Northern end of the site and whether there was an encroachment on the adjoining property. Planner Shepstone stated that the spaces only needed to be one (1) foot from the property line pursuant to the Code. The Applicant not be present on the Zoom meeting, the Planning Board moved on to the next Agenda items.

Russell Shultis Subdivision - Upon Motion of Member Anderson, seconded by Member Michaud and the affirmative vote of Members present, the Motion passed 5-0, approval was extended 90 days from March 11, 2020.

Hudson Shore Estate (Pincus) Site Plan - Upon Motion of Member Anderson, seconded by Member Mastny and the affirmative vote of Members present, the Motion passed 5-0, approval was extended 90 days from October 9, 2019

NEW BUSINESS:

Escapes Realty, LLC LLA – Case No. 2020-10; 192 Martin Swedish Road; SBL Nos. 71.3-5-26.116 & 71.3-5-26.130; R-40 Zoning District

Abram Lewis -Rosenblum representing Escapes Realty LLC was present.

Planner Shepstone reviewed content of his recommendations to the Planning Board indicating that there were no issues with the proposal.

Chairperson Pecora entertained a Motion to waive the requirement to hold a Public Hearing pursuant to Section 107.16 (a). Upon Motion of Member Michaud, seconded by Member Anderson and the affirmative vote of all members, the Motion passed 5-0.

Chairperson Pecora entertained a Motion to classify as a Type II action under SEQRA. Upon Motion of Member Michaud, seconded by Member McCord and the affirmative vote of all members, the Motion passed 5-0.

Chairperson Pecora entertained a Motion to waive the requirement of a public hearing on the preliminary plat and grant approval of the final plat conditioned upon submission of a mylar and 6 paper copies. Upon Motion of Member Anderson, seconded by Member Michaud and the affirmative vote of Members present, the motion passed 5-0.

Hastings/Lopez to Wesley LLA – Case No. 2020-11; 63 & 67 North Broadway; SBL Nos. 56.52-1-35 & 56.52-1-3.111; R-12 Zoning

Charles Wesley was present for the Application. Planner Shepstone referenced his review comments to the Planning Board indicating that it was a straightforward proposal.

Chairperson Pecora entertained a Motion to waive the requirement to hold a Public Hearing pursuant to Section 107.16 (a). Upon Motion of Member Mastny, seconded by Member Michaud and the affirmative vote of all members, the Motion passed 5-0.

Chairperson Pecora entertained a Motion to classify as a Type II action under SEQRA. Upon Motion of Member Michaud, seconded by Member McCord and the affirmative vote of all members, the Motion passed 5-0.

Chairperson Pecora entertained a Motion to waive the requirement of a public hearing on the preliminary plat and grant approval of the final plat conditioned upon submission of a mylar and 6 paper copies. Upon Motion of Member McCord, seconded by Member Michaud and the affirmative vote of Members present, the motion passed 5-0.

Zaccheo Subdivision (Brinnier & Larios – Agent) – Case No. 2020-12; 42 Pokonoie Road; SBL No. 63.6-4-10; R40 Zoning District

Christopher Zell, L.S. was present for the Application review. Planner Shepstone provided his review notes relative to the proposed Subdivision. Approval from the Highway Superintendent had been requested by Surveyor Zell and he would be providing written confirmation for the Planning Board record.

Chairperson Pecora entertained a Motion to schedule a Public Hearing to be held at 7:40 p.m. on November 16, 2020, conditioned on receipt of approval from the Highway Superintendent.. Upon Motion of Member Michaud, seconded by Member McCord and the affirmative vote of all members, the Motion passed 5-0.

Discussion took place relative to the meeting schedule and regular meetings were going to be held on the third Monday of each month at 7:30 p.m.

OLD BUSINESS:

J & G Auto Sales (David Van Loan) Amended Site Plan – Case No. 2020-6; SBL No. 56.75-2-16 & 18; GC Zoning District

Applicant David Van Loan being able to join the Zoom meeting, review of the application resumed. Planner Shepstone stated the only requirement should be to indicate the one foot setbacks on the adjoining property to the North and that there were no remaining issues.

Chairperson Pecora entertained a Motion to waive the requirement to hold a Public Hearing pursuant to Section 123.47 C (5). Upon Motion of Member McCord, seconded by Member Anderson and the affirmative vote of all members, the Motion passed 5-0.

Chairperson Pecora entertained a Motion to classify as a Type II action under SEQRA. Upon Motion of Member McCord, seconded by Member Michaud and the affirmative vote of all members, the Motion passed 5-0.

Chairperson Pecora entertained a Motion to and grant amended site plan approval. Upon Motion of Member Michaud, seconded by Member Mastny and the affirmative vote of Members present, the motion passed 5-0.

Upon Motion of Member Michaud, seconded by Member Mastny, the meeting was adjourned at 9:05 p.m.

Respectfully submitted:

Lisa K. Mance, Administrative Assistant

Date prepared: November 4, 2020

Date approved: November 16, 2020