

**TOWN OF ESOPUS PLANNING BOARD MINUTES
NOVEMBER 14, 2018**

PRESENT: **Roxanne Pecora, Chairperson**
 Fred Zimmer, Vice Chairperson
 Melanie Marino
 Dan Michaud
 Mark Anderson

EXCUSED: **Darin Dekoskie & Greg McCord**

ALSO PRESENT: **Alan Sorensen, Consultant**

The meeting of the Town of Esopus Planning Board was called to order at 7:30 P.M. Chairperson Pecora commenced roll call and upon determining that a quorum was present, continued with the Pledge of Allegiance.

MINUTES: Chairperson Pecora asked if the Board had read the minutes of the October 10, 2018 Planning Board Meeting and if there were any changes to same. Chairperson Pecora called for a Motion to approve the Minutes as amended.

UPON MOTION OF MEMBER MARK ANDERSON, SECONDED BY MEMBER MELANIE MARINO AND THE AFFIRMATIVE VOTE OF ALL MEMBERS, THE MOTION TO APPROVE THE MINUTES AS AMENDED PASSED WITH A VOTE OF 5-0.

VOUCHERS:

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|---|------------|
| Planning Consultant Alan Sorensen, Planit Main Street | \$2,300.00 |
| Administrative Assistant, Lisa K. Mance | 62 hours |

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

OLD BUSINESS:

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

Caryn Mlodzianowski of Boehler Engineering and Bridget Madison of HSC Esopus, LLC, were present. Planner Alan Sorensen provided a review of his updated comments (incorporated by reference herein) relative to the Subdivision, stating that the Lead Agency Notices of Intent had

been generated on October 21, 2018 as and such, the time for any interested or involved agencies to respond had not yet expired. Applicants were pursuing necessary Board of Health and New York State Department of Transportation (hereinafter referred to as NYSDOT) approvals.

Planner Sorensen made observation that cross access between the sites was precluded by location of storm water basin and commented that it was something the Board may wish to consider and discuss.

Ms. Mlodzianowski was called upon to provide an update as to the progress made since prior meeting. She noted that a subdivision had been prepared and would accurately provide boundaries and a potential future development plan had also been provided, reflecting separation of property and location of the proposed driveway, potential well and septic with setbacks. Fred Zimmer stated that the drainage easement should be reflected on the proposed subdivision map and that the plans would need to be referred for consultant to evaluate the drainage study noting that there was a ravine carrying water to the back of the property. Ms. Mlodzianowski was not anticipating the need for ever having to use the reserve overflow basin. Ms. Mlodzianowski inquired as to whether the subdivision map presented was considered preliminary or final to which the Board responded that it was preliminary adding that generally, the review would move to a Public Hearing and then possible approval.

The Planning Board then moved forward to review of the proposed Site Plan as submitted to date. Planner Sorensen covered his comments with regard to the current Plan (incorporated by reference herein), noting that the Applicants were coordinating with the NYS DOT and indicated that experience in the past has shown its preference for cross access. The Site Plan and access may come down to reflecting what would be approved by the NYS DOT. Cross access may be difficult based upon the location of the catch basin and that relocation of the basin may be necessary so as not to preclude future creation of the cross access between the two parcels. Planner Sorensen noted that although referral of the Storm Water Prevention Plan would be made to the Board's consulting engineer, the Board should recommend any changes it may wish to see on the Site Plan prior to the referral. Ms. Mlodzianowski noted that a full set of civil plans had been prepared together with payment of escrow in the hopes that the plans could be reviewed at this time. The parking plan had been shown and , although not depicted on map, soils testing for the septic system was found not to be acceptable in the location depicted on the current plan and was going to move to the back of the property. The applicant's take away from the previous meeting was that the Board was generally in favor of no cross access and that the plan had been submitted to NYS DOT and may be subject to what is allowed or not allowed by NYS DOT. Referral to State Historic Preservation Office (Threatened and Endangered Species Report could be provided to Board) and Fire Chief had also taken place but responses had not been received. Formal submission of lighting plan would be provided. Building comments had been taken into consideration and the preference of the Board to adding false windows and awnings in panels and breaking up line of building had been taken into consideration. Applicant had investigated views from Old Post Road and anticipated keeping existing trees and where there were none, the structure would not be visible. Addressing Planners' most recent comments, Applicants were willing to add landscaped islands to the greatest extent possible, the plantings along buildings would be difficult to maintain but the front buffer could be enhanced due to the relocation of the

septic. Suggested wood to the front of dumpster as well as sides would be done and signage would be addressed by sign vendor later in the review.

Dan Michaud inquired as to location of septic to which applicant responded that it was uphill and would be pumped. Ms. Mlodzianowski further stated that the landscape plan and any revisions would be adapted to whatever the Board preferred.

Mark Anderson queried as to whether the Fire Department had been provided with the North elevation to which Ms. Mlodzianowski responded that it could be done. The Board disagreed that vegetation between the building and the sidewalk could not be enhanced and requested plan be developed. Research of existing stores and landscaping had been provided by Planner and it was suggested that alternate plan would help soften the visual impact of the structure. Secretary was able to provide photographs printed for file. The Board requested samples of possible signage and lettering be provided and that monument style was desired but with different lettering.

Further discussion ensued with regard to the creation of cross access. It was noted that the Ulster County Planning Board preferred cross access and would most likely come back with that recommendation. Ms. Mlodzianowski indicated that ultimately, the tenant Dollar General, may not allow cross access to the other parcel and that she would contact the Tenant to determine.

Chairperson Pecora called for a motion to refer the Stormwater Pollution Prevention Plan to the Planning Boards' Consulting Engineer. **UPON MOTION OF DAN MICHAUD, SECONDED BY MARK ANDERSON AND THE AFFIRMATIVE VOTE OF ALL MEMBERS, THE MOTION TO REFER PASSED 5-0 WITH THE FOLLOWING VOTE:**

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|----------------|---------|
| Roxanne Pecora | Yes |
| Fred Zimmer | Yes |
| Melanie Marino | Yes |
| Mark Anderson | Yes |
| Dan Michaud | Yes |
| Darin DeKoskie | Excused |
| Greg McCord | Excused |

The Applicant would be providing a complete set to the Board and was requested to refer to the Engineering Consultant Peter Lilholt, Jr. also. Full set of site plans and subdivision (depicting foundation plantings and sign renderings) were to be referred and the Planning Secretary was to provide digital copies of all Minutes. The Board preferred what had been developed for the right side of the building was to be incorporated on the left side so that both sides of the structure were uniform.

Chairperson Pecora called for a motion for Planner Sorensen to complete the Full EAF Parts II and III. **UPON MOTION OF MARK ANDERSON, SECONDED BY DAN MICHAUD AND THE AFFIRMATIVE VOTE OF ALL MEMBERS, THE MOTION PASSED 5-0 WITH THE FOLLOWING VOTE:**

| | |
|----------------|---------|
| Roxanne Pecora | Yes |
| Fred Zimmer | Yes |
| Melanie Marino | Yes |
| Mark Anderson | Yes |
| Dan Michaud | Yes |
| Darin DeKoskie | Excused |
| Greg McCord | Excused |

The Board noted that no action could be taken until it could declare itself Lead Agency. Chairperson Pecora provided the contact information for the Engineering Consultant to Ms. Mlodzianowski and would be contacting Engineer Pete Lilholt, Jr. P.E. of Clough, Harbour & Associates, LLP to determine scope of work and fee.

NEW BUSINESS:

208 BROADWAY, Case #2018-14–Site Plan with Special Use Permit – 208 Broadway (Route 9W), Port Ewen; SBL No. 56.67-5-9

John Stinemire, P.E. as agent for owner Ryan Jabs was present and addressed the Board relative to the proposed plan. It was noted that comments of Planning Consultant Sorensen were not current due to the failure to receive updated plans subsequent to the pre-submission meeting and had only received them earlier in the day.

The Applicant was required to request a 10’ variance from the Zoning Board of Appeals due to the change in the footprint of the structure pursuant to §123-24(a)(i). The Secretary was to confirm that CEO Morello didn’t require a variance relative to the parking. Mr. Stinemire stated that occupant of the site was to be determined. Dave Corrigan of the NYS DOT indicated that one of the curb cuts would need to be eliminated and the Applicant was coordinating directly with NYS DOT. Planner Sorensen noted that the Short EAF Part I showed the possible presence of the Indiana Bat and Northern Long-eared Bat noting that any trees should only be disturbed prior to March. The Planning Board recommended the applicant consult with the State Historic Preservation Office (SHPO) due to the location of the project.

Chairperson Pecora called for a motion to declare Lead Agency and classify the action as Unlisted under SEQRA. **UPON MOTION OF MARK ANDERSON, SECONDED BY FRED ZIMMER AND THE AFFIRMATIVE VOTE OF ALL MEMBERS, THE MOTION PASSED 5-0 WITH THE FOLLOWING VOTE:**

| | |
|----------------|---------|
| Roxanne Pecora | Yes |
| Fred Zimmer | Yes |
| Melanie Marino | Yes |
| Mark Anderson | Yes |
| Dan Michaud | Yes |
| Darin DeKoskie | Excused |
| Greg McCord | Excused |

Chairperson Pecora called for a motion to approve the sketch plan as submitted. **UPON MOTION OF MARK ANDERSON, SECONDED BY FRED ZIMMER AND THE AFFIRMATIVE VOTE OF ALL MEMBERS, THE MOTION PASSED 5-0 WITH THE FOLLOWING VOTE:**

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|----------------|---------|
| Roxanne Pecora | Yes |
| Fred Zimmer | Yes |
| Melanie Marino | Yes |
| Mark Anderson | Yes |
| Dan Michaud | Yes |
| Darin DeKoskie | Excused |
| Greg McCord | Excused |

WATZKA LLA , Case #2018-14–Site Plan with Special Use Permit – 208 Broadway (Route 9W) , Port Ewen; SBL No. 56.67-5-9

Owners Edward and Denise Watzka were present. Planner Sorensen provided an accounting of his Project Review Notes incorporated herein by reference, noting that the proposed combination of the lots meets the Town’s definition of a lot-line adjustment.

The road parcel had been developed in the 1960’s and Fred Zimmer indicated that it was the responsibility of the Watzka’s to provide a Road Maintenance Agreement at the time of any future sale of Lot #5. Deeds dated 1981 existed that combined Lots 3 & 4 of the Riverview Court Subdivision and Lots 5, 6 & 7 of the Riverview Court Subdivision into two (2) lots but an actual Lot Line Adjustment had never been prepared and brought to the Planning Board for review and approval.

Issue of road access from Lot 5 was discussed and the possible need for a road maintenance agreement. The Board determined that it was not the responsibility of the Board and that the Watzkas may deal with access and maintenance at the time of any future sale.

Chairperson Pecora called for a motion to waive the requirement of a public hearing (the Watzkas had provided a letter requesting a waiver of the Public Hearing as per §107-16 (a) of the Town Code) and declaring the action as Unlisted under SEQRA. **UPON MOTION OF MARK ANDERSON, SECONDED BY FRED ZIMMER AND THE AFFIRMATIVE VOTE OF ALL MEMBERS, THE MOTION PASSED 5-0 WITH THE FOLLOWING VOTE:**

| | |
|----------------|---------|
| Roxanne Pecora | Yes |
| Fred Zimmer | Yes |
| Melanie Marino | Yes |
| Mark Anderson | Yes |
| Dan Michaud | Yes |
| Darin DeKoskie | Excused |

Greg McCord Excused

Fred Zimmer noted that normally action isn't taken by the Board on proposals that involve property with any violations. In this instance, building permits to correct violations can't be issued until SBL numbers have been issued.

Chairperson Pecora called for a motion to approve the lot line adjustment conditioned on the payment of any outstanding fees. **UPON MOTION OF FRED ZIMMER, SECONDED BY MARK ANDERSON AND THE AFFIRMATIVE VOTE OF ALL MEMBERS, THE MOTION PASSED 5-0 WITH THE FOLLOWING VOTE:**

| | |
|----------------|---------|
| Roxanne Pecora | Yes |
| Fred Zimmer | Yes |
| Melanie Marino | Yes |
| Mark Anderson | Yes |
| Dan Michaud | Yes |
| Darin DeKoskie | Excused |
| Greg McCord | Excused |

The applicants were requested to provide 1 additional paper copy and the mylar of the Lot Line Adjustment.

ZBA REFERRALS

There were no comments relative to the ZBA referral for the application of Daniel Roth for a variance relative to a pool and a shed.

MISCELLANEOUS

2019 Planning Board meeting schedule was reviewed. The Board requested that the month column be added and reverse Submission and Pre-Submission columns.

UPON MOTION OF DANIEL MICHAUD, SECONDED BY MELANIE MARINO, AND THE AFFIRMATIVE VOTE OF ALL MEMBERS, THE MEETING WAS ADJOURNED AT 9:25 P.M.

NEXT MONTHLY MEETING: DECEMBER 12, 2018

DEADLINE DATE: NOVEMBER 28, 2018

NEXT PRE-SUBMISSION: DECEMBER 19, 2018

Respectfully submitted:
Lisa K. Mance, Administrative Assistant
Date prepared: November 27, 2018
Date approved: December 12, 2018