

**PLANNING BOARD MEETING
FEBRUARY 14, 2018**

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

EXCUSED: **Darin DeKoskie**

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 January 10, 2018 and if there were any changes or corrections.

DAN MADE A MOTION TO APPROVE THE JANUARY 10, 2018 MINUTES SECONDED BY MELANIE. MOTION PASSED WITH A VOTE OF 5-0.

VOUCHERS:

M.L. Putman Consulting (January, 2018).....\$2,500.00
April Oneto (secretarial services).....101 hours

DARIN MADE A MOTION TO APPROVE THE VOUCHERS AS READ, SECONDED BY MELANIE. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 5-0.

NEW BUSINESS:

STAR ESTAES DEVELOPMENT GROUP LLC: Case #2018-01 – Site Plan Amendment -

**1835 Broadway (U.S. Route 9W; State Hwy 5508), West Park;
SBL: 80.001-4-5.2**

Applicant represented by Alan Dumas, Engineer, Neil Alexander, Esq., and Paul Seres, applicant.

Myles reviewed ML Putman Consulting Report dated 2/13/18. Copy was given to applicant and copy was placed in the file.

Applicants received approval on October 12, 2016 for a special use permit for hotel, restaurant and “farm distiller”. Interior demolition and renovations work is underway. The construction contractor initiated discussion over a change to the access plan and to grading and erosion control plan. The proposed changes will not affect the approved use of the site or the specific occupancies of the buildings on the site. They plan on shortening the exit driveway, relocate it and put a new curb cut onto the State Highway. DOT engineer is happy with it. It is going to mean a change in the site disturbance. The lighting plan will need to be updated and a new landscaping plan will need to be completed.

Myles stated that his big concern is the SEQR Classification. He acknowledges a letter received from their attorney, Neil Alexander, dated 2/6/18 stating why he felt that this should be a Type II action. Myles stated that a lot of the action on this site does not involve building or structure but it also involves land disturbance. Since Type I SEQR regulations have thresholds for non-residential floor area and thresholds for floor disturbance and land disturbance and Type II does not have anything to do with land disturbance, he is a little hesitant to agree with the project attorney that this is a Type II action. He feels that this should be referred to the Planning Board attorney for a proper SEQR classification.

Myles stated that this application does meet the threshold for an Escrow Account.

Alan Dumas reviewed the plans submitted showing the changes to the plans from what was approved 10/12/16. Alan stated that they basically plan on doing a new exit. As the developer looked at the site, they realized that there was a rather lengthy road to maintain and it was a rather expensive entrance to install. They had New York State Department of Transportation come out and look at the new proposed exit. New York State Department of Transportation felt that the new location has better visibility. Alan stated that this is the primary change. They reduced the south parking lot by eight spaces. The pool was perpendicular to the river and now it is parallel to the river. The north loading dock service court area was enlarged slightly. There is a small area added for a staircase and a viewing court added for the distillery.

Alan stated that they are now showing the proposed gas and electric services and an HVAC pad. They will be putting in a generator and they are showing the electric line coming in for that. The fire company asked for a little widening which they will be doing. They will be installing a gate on the former egress road. They are going to maintain the road but they are not going to use it for site egress unless necessary.

Alan stated that it ends up being less road maintenance, cost savings and a smaller retaining wall. They changed the parking area on sheet 2. As far as disturbance, they went from 0.94 acres to 0.95 acres. He submitted copies of the DOT email and since the photo-metrics changed and the fixtures changed on the lighting sheet he submitted new plans for the Board.

Discussion took place regarding the disturbance and the grading on the site.

Mark questioned the radius for the new egress and if it was acceptable for the Fire Department. Alan stated that it is acceptable to the fire apparatus. Roxanne requested that they discuss with the Fire Department about the emergency access through the gate.

Fred would like to see where the point of curvature starts and where it ends and the radius of the curve on the driveway.

Roxanne asked Myles if he feels that the SEQR question needs to be referred to Planning Board Attorney Peter C. Graham for a determination regarding Type 1 or Type 2 action. Neil Alexander, applicant's attorney, stated that they are not pushing to make sure that this is a Type 2 action. He said that they are looking at it for a time savings standpoint and if everyone felt that it is appropriate for Type 2 then they would check the box for this. If the Board wants it to be considered a Type 1, they are okay with this. Myles stated that originally it was an unlisted action but because of the proximity to national historic site it is a Type 1. Myles asked that the FEAF be completed as quickly as possible that should be project specific just to the changes proposed. Myles stated that he has already started LEAD Agency Coordination Forms and if the Board wants to consider a standing motion to finish the forms and as soon as the paperwork is received the Planning Board secretary will send it out to the involved agency.

FRED MADE A MOTION FOR M.L. PUTMAN CONSULTING TO COMPLETE LEAD AGENCY FORMS FOR STAR ESTATES DEVELOPMENT, SITE PLAN AMENDMENT, CASE #2018-01, AND FOR PACKETS TO BE SENT OUT UPON RECEIPT OF NECESSARY PAPERWORK, SECONDED BY DAN. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 5-0. VOTE WAS AS FOLLOWS:

Mark.....yes
Fred.....yes
Dan.....yes
Melanie.....yes
Roxanne.....yes

DAN MADE A MOTION TO OPEN AN ESCROW ACCOUNT IN THE AMOUNT OF \$1,000.00 FOR STAR ESTATES DEVELOPMENT, SITE PLAN AMENDMENT, CASE #2018-01, SECONDED BY MELANIE. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 5-0. VOTE WAS AS FOLLOWS:

Mark.....yes
Fred.....yes
Dan.....yes
Melanie.....yes
Roxanne.....yes

“CAFFEINE CAFÉ” (Steve Morris): Case #2017-15 – Special Use Permit/Site Plan (mixed use occupancy) – 154 Broadway (US Rt. 9W; State Hwy 310), Port Ewen; SBL: 56.059-3-13

Applicant represented by Steve Haberstroh.

Myles reviewed M.L. Putman Consulting Report dated 2/9/18. Copy given to applicant and copy placed in file.

Myles stated that he feels that the application is complete and ready to be forwarded to the Ulster County Planning Board and schedule a public hearing.

FRED MADE A MOTION TO SEND CAFFEINE CAFÉ , CASE #2017-15, SPECIAL USE PERMIT/SITE PLAN TO THE ULSTER COUNTY PLANNING BOARD, SECONDED BY MELANIE. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 5-0. VOTE WAS AS FOLLOWS:

Dan.....yes
Melanie.....yes
Mark.....yes
Fred.....yes
Roxanne.....yes

DAN MADE A MOTION TO SCHEDULE A PUBLIC HEARING FOR CAFFEINE CAFÉ, CASE #2017-15, SPECIAL USE PERMIT/SITE PLAN FOR WEDNESDAY, MARCH 14, 2018 AT 7:40 PM, SECONDED BY MELANIE. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 5-0. VOTE WAS AS FOLLOWS:

Mark.....yes
Fred.....yes
Dan.....yes
Melanie.....yes
Roxanne.....yes

Applicant was informed that there will be a \$200.00 public hearing fee that has to be paid by the deadline date of February 28, 2018.

**P.Z.R. CONSTRUCTION, INC. (Ruggieri): Case #2017-16 – Subdivision – 360-370
Broadway (US Route 9W; State Highway 310),
159-189 Clay Rd. (Town Hwy 931), Port Ewen;
SBL: 56.083-4-10.121**

Jeff Hogan was present for this application.

Myles reviewed ML Putman Report dated 2/5/18. Copy given to applicant and copy placed in file.

Myles will be sending a memo to Linda Mackey, SHPO, regarding this project being covered under the general SPDES permit and an individual project-specific permit not being required. There will be no government funding required.

Jeff was told by New York State Department of Environmental Conservation in Albany to speak with the New York State Department of Environmental Conservation office in New Paltz. Jeff sent an email to their office and is waiting to hear back from them.

Permits will be required from the New York State Department of Transportation for access onto the state highway system and the Town of Esopus Highway Department for access onto the town highway system.

FRED MADE A MOTION TO SCHEDULE A PUBLIC HEARING FOR PZR CONSTRUCTION, CASE #2017-16, SUBDIVISION, FOR MARCH 14, 2018 AT 7:50 PM, SECONDED BY MARK. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 5-0. VOTE WAS AS FOLLOWS:

Mark.....yes
Fred.....yes
Dan.....yes
Melanie.....yes
Roxanne.....yes

Applicant was informed that there will be a \$200.00 public hearing fee. Jeff was told that he should submit revised plans putting a note on the plans regarding the cutting of trees between 10/31 – 3/31.

OLD STOCKADE DEVELOPMENT: Case #2016-02 – Special Use Permit/Site Plan – 564 Broadway (US Route 9W; State Hwy 310) @ 210-214 Ulster Ave. & Cross St., Ulster Park; SBL: 63.002-3-10

Charles Wesley, Steven Stanzi and Greg Berardi were present for this application.

Myles reviewed M.L. Putman Report dated 2/9/18. Copy was given to applicant and a copy was placed in the file.

Myles stated that the major issue for this site is drainage and stormwater. He would like to see the limits of disturbance shown on the engineering plan. He would like to see lighting details and other details but the drainage issue needs to be resolved prior to receipt of this additional information.

Discussion took place regarding the drainage information submitted this month. Applicants will continue to investigate the drainage issue. Suggestions were made by the Board members to assist the applicants regarding their best course of action. Applicant was told that we will need to see the design calculations and the design parameters. The Planning Board has the option to refer the stormwater plan to its consulting engineer if it believes a full technical review is warranted. This project exceeds the thresholds for establishing an escrow account for consultant's review.

Applicant was told to submit three (3) copies of their stormwater management plan for the Board to review.

Roxanne referred applicants to ML Putman Report, Page 6, #48 – a-f. Charlie stated that they don't want to get into other information required until they resolve the drainage/stormwater since this is a major issue.

ZBA REFERRALS: None

DAN MADE A MOTION TO ADJOURN SECONDED BY FRED. ALL MEMBERS WERE IN FAVOR. MEETING ADJOURNED AT 9:00 PM.

NEXT MONTHLY MEETING: **March 13, 2018**

DEADLINE DATE: **February 28, 2018**

NEXT PRE-SUBMISSION: **March 21, 2018**

Respectfully submitted:

April Oneto,
Planning Board Secretary