

TOWN OF ESOPUS PLANNING BOARD MINUTES
May 15, 2023

PRESENT: Chairperson Roxanne Pecora, , Dan Michaud, Sal Morello, David Mastny and Alexis Breheny

EXCUSED: Mark Anderson and Vice-Chairman Darin DeKoskie

ALSO PRESENT: Planning Board Consultant Tom Shepstone, Attorney Kyle Barnett and Town Board Liaison Jared Geuss

Chairperson Pecora called the meeting to order at 7:08 p.m. with the Pledge of Allegiance.

PRESUBMISSION:

Applicant Matt Grey was present to discuss a plan for the reuse of a structure on property located at 355 Broadway, SBL No. 56.76-27. The application proposed to convert a 3,056 square foot building with eight (8) parking spaces to create a wellness/guesthouse facility and would require site plan and special use permit. Food and alcoholic beverages would be available to the guests. The proposal was for a European style bathhouse with a sauna, steam room, hot tub, overhead dump bucket with a lounge area and space to eat and drink. Planner Shepstone stated it was akin to a bed and breakfast. The Applicant was directed to submit his application with the appropriate fee to be placed on the June 2023 Agenda.

Chairperson Pecora called for a Motion to approve the April 17, 2023 Minutes. Upon Motion of Member Michaud, seconded by Member Mastny and the affirmative vote of all Members present, the Motion passed 5-0-2.

VOUCHERS:

CHA Voucher – Streamside Farms Site Plan/SUP	\$1,665.00
VanDewater & VanDewater – services of Kyle Barnett, Esq. – Port Ewen Fire Department Site Plan	\$ 2,810.04
CHA Voucher – Esopus Barns Site Plan/SUP	\$ 900.00
Shepstone Management Voucher – Lighthouse Village Site Plan/SUP	\$ 262.50
CHA Voucher – Lighthouse Village Site Plan/SUP	\$2,425.00
CHA Voucher - Wood N Wheels Amended Site Plan	\$1,282.88

Chairperson Pecora called for a Motion to approve the submitted vouchers. Upon Motion of Member Michaud, seconded by Member Mastny and the affirmative vote of all members present, the Motion passed 5-0-2.

Chairperson Pecora took the Agenda items out of order and called upon Applicant Simmons.

Simmons Subdivision – Case No. 2023-6; 136 Hamilton/Legion Court; SBL No. 56.60-1-24; R12 Zoning District

Owners Mark and Sandra Simmons were present. **Chairperson Pecora called for a Motion to table the Planning Board review pending a determination by the ZBA for an area variance.** Upon Motion of Member Mastny, seconded by Member Breheny, and the affirmative vote of Members present, the Planning Board review was tabled pending a decision by the ZBA 5-0-2 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Excused
Mark Anderson	Excused
David Mastny	Aye
Sal Morello	Aye
Alexis Breheny	Aye
Dan Michaud	Aye

PUBLIC HEARING:

Streamside Farms Site Plan (owner Paul Page) – Case No. 2021-16; 263 Mountainview Avenue; SBL No. 56.75-1-56.11; R-12 Zoning District

Owner Paul Page, Steve Sparaco, P.E., and Terry Hahn of LAPD Engineering.

Chairperson Pecora entertained a Motion to open the Public Hearing. Upon Motion of Member Michaud, seconded by Member Mastny, and the affirmative vote of all Members present, the Public Hearing was opened at 7:35 by a vote of 5-0-2.

Chairperson Pecora read the Public Hearing notice for the record.

Terry Hahn provided a power point presentation of the proposed development.

Tim Triscari – Written comment on file. Mr. Triscari’s concerns included traffic flow and what hours had any studies been conducted.

Glen Kubista – Echoed concerns raised relative to the traffic flow and safety.

Kristy Nelson – Expressed concerns raised relative to traffic and the safety of elementary students walking to school. Ms. Nelson also questioned the findings of Water & Sewer Superintendent Butler.

Karen Schmitz – Shared concerns raised relative to traffic and safety. Objected to the need for Agnes Street to be used as an emergency access. Suggested that the emergency access be created from Mountainview Road rather than Agnes Street.

Mary Jo Wiltshire – Opposed the Agnes Street secondary access. Ms. Wilshire also was concerned about the noise and lighting pollution that could be created. The creation of the access road would adversely affect the neighbors on Agnes Street and would disturb wetlands and possibly create flooding.

Errin Parese – Mr. Parese was the principal at the Robert Graves School. He stated that the student population was down 20% and was excited to have the student population grow.

David Andregg – Main concern was the access via Agnes and requested that if necessary, signage be provided for emergency vehicle use only, not pedestrians/ATVs. He felt a better secondary access could be located.

Gary Wilson – Expressed his concern regarding secondary access via Agnes Street. Flooding currently existed onto his property and questioned if the development would add to the existing flooding issue. He asked if anything could be done to correct the flooding issues.

Stephen Cerini – Mr. Cerini noted that he was a direct neighbor and has never seen anything developed on the property and although it was beneficial to wildlife, it would likely be developed at some point and the current proposal is to develop approximately 13 acres and leave the remaining lands undeveloped. He met with the developer to address his concerns. Mr. Cerini’s written comment is on record and made part of the file.

There being no further persons signed up to speak, **Chairperson Pecora entertained a Motion to close the Public Hearing for verbal comment and leave it open for submission of written comment until the June 12, 2023 meeting.** Upon Motion of Member Michaud, seconded by Member Mastny, and the affirmative vote of Members present, the Public Hearing for verbal input was closed at 8:13 p.m. by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Excused
Mark Anderson	Excused
David Mastny	Aye
Sal Morello	Aye
Alexis Breheny	Aye
Dan Michaud	Aye

Mainetti Subdivision – Case No. 2023-5; 212 Alda Drive; SBL No. 63.6-1-1; R-12 Zoning District

Chairperson Pecora entertained a Motion to open the Public Hearing. Upon Motion of Member Mastny, seconded by Member Michaud, and the affirmative vote of Members present, the Public Hearing was opened at 8:15 p.m. 5-0-2 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Excused
Mark Anderson	Excused
David Mastny	Aye
Sal Morello	Aye
Alexis Breheny	Aye
Dan Michaud	Aye

Chairperson Pecora read the Public Hearing Notice for the record.

Walter Eckert, L.S. of Brinnier & Larios was present and provided an overview of the proposed application for a 2-lot subdivision that was before the Planning Board for review.

There be no persons signed up or present to speak, **Chairperson Pecora entertained a Motion to close the Public Hearing.** Upon Motion of Member Mastny, seconded by Member Michaud, and the affirmative vote of Members present, the Public Hearing was closed at 8:17 p.m. 5-0-2 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Excused
Mark Anderson	Excused
David Mastny	Aye
Sal Morello	Aye
Alexis Breheny	Aye
Dan Michaud	Aye

OLD BUSINESS:

Mainetti Subdivision – Case No. 2023-5; 212 Alda Drive; SBL No. 63.6-1-1; R-12 Zoning District

Planner Shepstone provided his recommendations to the Planning Board. He did raise question to the Agent if there was access to both parcels to a public street which was confirmed by Surveyor Eckert.

Chairperson Pecora entertained a Motion to classify as an Unlisted action under SEQRA and issue a Negative Declaration. Upon Motion of Member Michaud, seconded by Member Breheny, and the affirmative vote of Members present, the Motion passed 5-0-2 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Excused
Mark Anderson	Excused
David Mastny	Aye
Sal Morello	Aye
Alexis Breheny	Aye
Dan Michaud	Aye

Chairperson Pecora entertained a Motion to grant approval of the two-lot subdivision upon submission of a mylar and 6 paper copies for Planning Board signature. Upon Motion of Member Michaud, seconded by Member Breheny, and the affirmative vote of Members present, the Motion passed 5-0-2 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Excused
Mark Anderson	Excused
David Mastny	Aye
Sal Morello	Aye
Alexis Breheny	Aye
Dan Michaud	Aye

Wood N Wheels Amended Site Plan (Scott Ouimet, P.E.) – Case No. 2023-3; 365 Route 9W, SBL Nos. 56.76-2-25 & 24; GC-1 & MFZ Zoning Districts

Scott Ouimet, P.E. of Kaaterskill Associates, as Agent as well as owner Alfred Sorbello were present.

Planner Shepstone opined that the action before the Planning Board was to address the five (5) comments provided by the Ulster County Planning Board (UCPB). Planner Shepstone stated that there were three (3) that he concurred with – pedestrian connection to sidewalks, lighting details with 20’ height limits and requirement of Ulster County Board of Health approval. The two recommendations to provide photo simulations were not necessary as well as the use of lower carbon energy alternatives due to the proposed upgrades to the facility which had existed for years.

Engineer Ouimet noted that there had been previous discussion (at the prior Planning Board meeting) relative to the pedestrian sidewalk connectivity given the slope into the site from Route 9W. Engineer Ouimet had a conversation with an adjoining neighbor that expressed concerns and was a sound engineer. The neighbor had suggested an earth berme that would block the line of site for the proposed site amendment for the installation of a pool to the adjoining neighbor. Member Dan Michaud suggested that the proposal be referred to the Town’s Engineer to determine that the proposed buffer was sufficient. Chairperson Pecora noted that the plans provided were a new submission and required review by the Town’s consultant.

Chairperson Pecora entertained a Motion to refer the latest plans depicting a berme to provide acoustic buffering be referred to the Planning Board Engineer for review. Upon

Motion of Member Michaud, seconded by Member Breheny, and the affirmative vote of Members present, the Motion passed 5-0-2 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Excused
Mark Anderson	Excused
David Mastny	Aye
Sal Morello	Aye
Alexis Breheny	Aye
Dan Michaud	Aye

Chairperson Pecora referenced the UCPB comments from February 1, 2023 which addressed:

- Pedestrian Infrastructure – required modification to provide a pedestrian interconnection from the front of the business to the existing sidewalk network is recommended as a condition of approval.

Upon Motion of Member Michaud, seconded by Member Breheny and the affirmative vote of all Members present, the required modification were overridden by a supermajority of the Planning Board by the following vote 5-0-2:

Roxanne Pecora	Aye
Darin DeKoskie	Excused
Mark Anderson	Excused
David Mastny	Aye
Sal Morello	Aye
Alexis Breheny	Aye
Dan Michaud	Aye

- Parking Lot Light Poles – required modification for lighting height details will need to be provided for the Planning Board to review. A height of 20’ or less is recommended so that these free-standing poles are a lower height than the adjacent tree line.

Upon Motion of Member Michaud, seconded by Member Morello and the affirmative vote of all Members present, the Planning Board agreed with the required modification by 5-0-2 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Excused
Mark Anderson	Excused
David Mastny	Aye
Sal Morello	Aye
Alexis Breheny	Aye
Dan Michaud	Aye

- Architectural Elevations – Architectural details will need to be provided. Photo simulations and renderings are recommended in addition to building elevations to enhance the clarity of the site’s appearance and layout upon completion.

Planning Board would revisit this UCPB required modification and Engineer would provide more detail relative to the height of the buildings.

- Sustainability – The Town and Applicant should consider alternative means of reducing the site’s carbon footprint using heat pumps and geothermal energy. The existing and proposed building roofs should be reviewed for their potential to access and support solar arrays as well as elsewhere on site where there is less tree coverage.

Upon Motion of Member Michaud, seconded by Member Morello and the affirmative vote of all Members present, the Planning Board disagreed with the required modification as unnecessary by 5-0-2 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Excused
Mark Anderson	Excused
David Mastny	Aye
Sal Morello	Aye
Alexis Breheny	Aye
Dan Michaud	Aye

- Ulster County Department of Health – All final approvals identified and issued by the Ulster County Department of Public health will be required.

Upon Motion of Member Michaud, seconded by Member Morello and the affirmative vote of all Members present, the Planning Board agreed with the required modification by 5-0-2 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Excused
Mark Anderson	Excused
David Mastny	Aye
Sal Morello	Aye
Alexis Breheny	Aye
Dan Michaud	Aye

- New York State’s Coastal Zone – advisory comment regarding the need to make a consistency determination per the LWRP. Planning Board determined that a referral was not required since the portion of the land in the LWRP was not planned for development.

NEW BUSINESS:

Lamb Subdivision – Case No. 2023-7; 98 Black Creek Road; SBL No. 71.4-4-60.200; R-40 Zoning District

Owner Jerry Lamb was present. Planner Shepstone provided a review of this recommendations to the Planning Board.

Chairperson Pecora entertained a Motion to classify as an Unlisted Action under SEQRA and issue a Negative Declaration. Upon Motion of Member Mastny, seconded by Member Michaud, and the affirmative vote of Members present, the Motion passed 5-0-2 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Excused
Mark Anderson	Excused
David Mastny	Aye
Sal Morello	Aye
Alexis Breheny	Aye
Dan Michaud	Aye

Chairperson Pecora entertained a Motion to schedule a public hearing to be held on the application on June 12, 2023 at 7:35 pm. Upon Motion of Member Michaud, seconded by Member Breheny, and the affirmative vote of Members present, the Motion passed 5-0-2 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Excused
Mark Anderson	Excused
David Mastny	Aye
Sal Morello	Aye
Alexis Breheny	Aye
Dan Michaud	Aye

Esopus Barns Resort Hotel Site Plan/SUP – Case No. 2022-11; 1398 & 1466 Rte. 9W; SBL #71.4-4-31.11 & 26; R40 Zoning District

Owner Jordan Goldberg, Anthony Marano, Esq., Will Goucher, Landscaping Architect and Steven Wilson of Bohler Engineering were present.

Planner Shepstone provided an update and review of his recommendations to the Planning Board.

Chairperson Pecora entertained a motion for the Planning Board to declare itself lead agency for the SEQRA review. Upon Motion of Member Michaud, seconded by Member Breheny, and the affirmative vote of Members present, the Motion passed 5-0-2 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Excused
Mark Anderson	Excused
David Mastny	Aye
Sal Morello	Aye
Alexis Breheny	Aye
Dan Michaud	Aye

Chairperson Pecora entertained a motion to refer to Clough Harbor & Assocs. to review the SWPPP. Upon Motion of Member Michaud, seconded by Member Breheny, and the affirmative vote of Members present, the Motion passed 5-0-2 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Excused
Mark Anderson	Excused
David Mastny	Aye
Sal Morello	Aye
Alexis Breheny	Aye
Dan Michaud	Aye

The Applicant was not expecting to entertain the lot-line adjustment at the present but it would be addressed concurrently with the site plan review.

Attorney Marano stated a gateway meeting had taken place with the Ulster County Planning Board and inquired if the application could be referred to the Ulster County Planning Board for the GML review.

Chairperson Pecora entertained a motion to refer to the Ulster County Planning Board. Upon Motion of Member Michaud, seconded by Member Breheny, and the affirmative vote of Members present, the Motion passed 5-0-2 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Excused
Mark Anderson	Excused
David Mastny	Aye
Sal Morello	Aye
Alexis Breheny	Aye
Dan Michaud	Aye

Member Mastny inquired if recommendations raised during the 2012 project review could be considered and a grave that had been left open could be researched. The current project had provided a 50' buffer pursuant recommendations by the State Historic Park Preservation Office.

Lighthouse Village (George Cuney) Site Plan/SUP– Case No. 2020-8; 364 Broadway; SBL Nos. 56.83-4-10.123 & 124; R12 & GC 1 Zoning Districts

Applicant George Curney, James Bacon, Esq. and Caleb Carr, P.E. were present.

Chairperson Pecora entertained a motion to close the public comment for any further public comment. Upon Motion of Member Michaud, seconded by Member Breheny, and the affirmative vote of Members present, the Motion passed 5-0-2 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Excused
Mark Anderson	Excused
David Mastny	Aye
Sal Morello	Aye
Alexis Breheny	Aye
Dan Michaud	Aye

Planner Shepstone provided a review of his recommendations to the Planning Board and proposed that the Planning Board not take any action at the current meeting. Planner Shepstone had prepared a Draft EAF Part II which he would circulate to the Members for review.

Chairperson Pecora provided a list of recommendations:

1. Per Fire Department, access across from Lindorf Street needed to be removed from the plans with a Knox box;
2. Letter from the Esopus Highway Superintendent supporting the recommendation of the Fire Department (provided);
3. CHA is recommending that Applicant's Engineer prepare the estimate for a performance bond;
4. Indication if the roads would be private or dedicated. Regardless, the roads would need to be built to Town Highway Specs Chapter 88-4;
5. Traffic study conducted during Covid needed to be updated (updated report of Creighton Manning dated April 4, 2023);
6. Actual revised building renderings were requested.

Member Mastny disagreed with the information provided relative to the building and apartment design and requested actual renderings. He felt that the current plan could be revised to better fit the property. Applicant agreed to have a discussion with Mauri Architects to investigate developing realistic renderings. The Applicant would bring back a revised plan.

Attorney Bacon agreed to waive the 62-day deadline to render a decision.

Chairperson Pecora entertained a motion to supplement the escrow in the amount of 5K. Upon Motion of Member Michaud, seconded by Member Breheny, and the affirmative vote of Members present, the Motion passed 5-0-2 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Excused
Mark Anderson	Excused

David Mastny Aye
Sal Morello Aye
Alexis Breheny Aye
Dan Michaud Aye

Yan Site Plan/SUP – Case No. 2023-3; 38 Hudson Lane, Ulster Park; SBL No. 64.3-5-2.320; R40 Zoning District

Matt Town, P.E. was present as Agent.

Planner Shepstone provided a synopsis of his recommendations to the Planning Board.

Matt Towne, P.E. stated the plans had been revised to remove 13 units from the proposal and there was no disturbance to the wetlands now being proposed.

Chairperson Pecora entertained a motion to circulate the Planning Board’s Notice of Intent to serve as lead agent for the SEQRA review. Upon Motion of Member Michaud, seconded by Member Breheny, and the affirmative vote of Members present, the Motion passed 5-0-2 by the following vote:

Roxanne Pecora Aye
Darin DeKoskie Excused
Mark Anderson Excused
David Mastny Aye
Sal Morello Aye
Alexis Breheny Aye
Dan Michaud Aye

Chairperson Pecora entertained a motion refer to CHA for road grading and SWPPP review and establishment of a 10K escrow. Upon Motion of Member Michaud, seconded by Member Breheny, and the affirmative vote of Members present, the Motion passed 5-0-2 by the following vote:

Roxanne Pecora Aye
Darin DeKoskie Excused
Mark Anderson Excused
David Mastny Aye
Sal Morello Aye
Alexis Breheny Aye
Dan Michaud Aye

Upon Motion of Member Michaud, seconded by Member Breheny, the meeting was adjourned at 9:35 p.m.

Respectfully submitted:

Lisa K. Mance, Administrative Assistant
Date prepared: May 25, 2023
Date Approved: June 12, 2023