

**PLANNING BOARD MEETING
JUNE 14, 2017**

PRESENT: **Roxanne Pecora
Melanie Marino
Darin Dekoskie
Dan Michaud
Fred Zimmer
Margaret Yost
Mark Anderson**

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 May 10, 2017 meeting and if there were any changes or corrections. There were no changes.

MARGARET MADE A MOTION TO APPROVE THE MAY 10, 2017 MINUTES SECONDED BY DARIN. MOTION PASSED WITH A VOTE OF 7-0.

VOUCHERS:

M.L.Putman Consulting (Month of May).....	\$2,500.00
April Oneto (secretarial services).....	107 hours

FRED MADE A MOTION TO APPROVE THE VOUCHERS AS READ, SECONDED BY MARGARET. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0.

OLD BUSINESS:

KENNEDY: Case #2017-05 – 3 Lot Subdivision –

Applicant Paul Kennedy and surveyor Michael Vetere were present.

We received a response from the Waterfront Advisory Board dated 6/8/17. The Tidal Roundout Creek Watershed Plan shows subwatershed area (#7) of Sleightsburg that this subdivision is being proposed in, outlines a small hard to identify stream that runs

through these residential areas under 3rd, 2nd and 1st Avenues. Given the dense residential nature of the Sleightsburg area, it is suggested that particular attention and evaluation of erosion management and mitigation be pursued. Given the location of this property it is suggested that particular attention be paid to the ramifications of affecting the flow of this stream and subsequent downstream issues during high runoff periods. They did not find any inconsistencies with the LWRP. Copy placed in the file.

Fred informed Mr. Kennedy that through this process the Board is trying to show the applicant the most economical way to accomplish what he wants. The Board is required to show that each lot is buildable both for him and for any new owners. When the project is approved he may move his houses around any place he wants on that lot provided that he meets the required setbacks. He will just need to work with the building inspector. Myles stated that the process helps the Planning Board comply with the Town's SPEDES (State Environmental Pollutant Discharge Elimination System) regulations and stormwater regulations. Fred stated that there is a culvert under the road. Mr. Kennedy stated that the culvert is by an old maple and it comes underneath the road to the other side and follows the drain line down to 2nd Avenue and continues on. It is about 15 feet off of the sewer line which runs from 3rd Avenue down to 2nd Avenue. Michael Vetere stated that it is about in the middle of Lot #2.

DAN MADE A MOTION TO GRANT CONDITIONAL FINAL APPROVAL CONDITIONED UPON RECEIPT OF 6 PAPER MAPS AND 1 REPRODUCIBLE MASTER SIGNED BY PROPERTY OWNER AND A RECREATION FEE OF \$4,000, SECONDED BY DARIN. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. VOTE WAS AS FOLLOWS:

Mark.....yes
Fred.....yes
Margaret.....yes
Melanie.....yes
Dan.....yes
Darin.....yes
Roxanne.....yes

NEW BUSINESS:

LALLI: Case #2017-08 – 3 Lot Subdivision – 209 & 211 Broadway (US Route 9W; State Hwy 310), Port Ewen; SBL: 56.060-5-15

Applicant did not show up for the meeting. The Board wants a letter signed and notarized by property owner (Marietta Pentz giving applicant authority to act on her behalf) prior to allowing this application to come back before this Board.

FRIEDLANDER (lands of Murphy): Case #2017-09 – Special Use Permit/Site Plan 676 Broadway (US Rt 9W; State Hwy 310),

Ulster Park; SBL: 630994-5-16.221

Applicant David Friedlander and property owner Steven Murphy were present.

Myles reviewed ML Putman Report dated 6/9/17. Copy of report was given to applicant and a copy was placed in the file. Myles visited the site and the biggest concern is that it is in the Overlay District and how we get this project to fit within the Overlay District.

Fred asked if they were planning on doing any compost on this property. David stated that the only compost he is planning is topsoil which is natural and they truck it off site. The only other compost is trucked in from off site. David stated that he is not going to compost on site. Darin asked if they are talking landscaping materials. Myles stated that they will not be bringing in the mash from Star Vodka and material like that. Steve stated that whatever the question is they are not going to be bringing in anything.

Fred questioned the sign. He stated that they will need a sign that shows (is visible). Right now the signs on the property cannot be seen. Steve stated that they are not trying to sell material at this time. Steve stated that the sign says shale for sale and there is an excavator there and a large pile of shale. He stated that when the project is approved they will put up the property signage according to the Town specifications. Steve stated that they are really in the beginning stage of this project and he is here to make sure everything goes well. He further stated that they are going to listen to what the Board has to say and they are going to abide accordingly. Dan stated that if they want a sign out by the road the Board will want to see it before it goes up.

Margaret asked about security. Myles stated that it is either a balance of visibility or security. Steve said that they already have a camera on site and there is a chain up between pillars. There is a rock face going in that you are not going to get over even with a tractor trailer. He stated that they are before the Planning Board to be told what they can do and what they can't do and they will abide accordingly. Fred stated that depending upon where they put the sign they may have some more clearing to do. It is a good stretch. Steve thinks the proper thing to do is to move it in 25 feet at an angle of some sort with proper illumination because you have great site distance on each side. The driveway sits in the center of the lot with 500 feet of frontage so you have 250 feet of site distance on either side. Myles stated that the State highway line is 50 feet off of the edge of the road. Applicant is going to need to get a New York State Department of Transportation (DOT) detail permit. Roxanne stated that they will probably make them put a curb in. Steve said that this would not be a problem.

Fred stated that they have a storage shed on the property at this point. He asked if they were going to have some sort of an office structure. David stated that at this point he is planning on doing a one man operation part time possibly. In the future, he plans obtaining Board of Health approval with possibly a larger building. Right now he just wants to get going. They were questioned about parking machines there and Steve stated that they are not parking machines there. If they were going to do that, they would build a larger scale operation. They are planning on putting a shed on the property

approximately 18'x18' and have it delivered to the property. The shed would be for hand tools and a place for cover when it rains.

Fred stated according to our regulations we would need them to have dustless surfaces for driveways and parking areas. David asked if he was talking about stone driveway going in. Fred stated it needs to be something they can maintain. Steve stated that they can put mulch down as a bed. He stated that they have any material that is required. Steve stated that they will be better off with gravel surface. They have water on site so they could hose it down. There is no well but there is water on site from a stream running through the property.

Roxanne stated that if they are planning on putting an office up on site in the future they may want to put it on the site plan now. Steve stated that they might put up a shed for a hard line computer and telephone line. He stated that they both have computers in their trucks. Fred stated that when he thinks of a shed he thinks of a roof with open sides. Steve stated that if he is going to have a shed to work as an office with a cash register working he is going to have a locked door on it.

Margaret asked about what the storage bins were made out of. They will be made out of mafia blocks. Dan questioned a porta pot. Steve stated that if this is what is required he will provide that. Margaret questioned why they need a dumpster. Steve stated for day to day operations. Dave is not only running a landscape operation selling to the general public. He is also operating a business here where he is bringing material on and off the job sites here there and everywhere. He said that there is always junk and a dumpster on site is a brilliant idea. It is just a 3 yard dumpster.

Dan questions what the range of the materials will be on site. Steve stated that the materials will be from local yards i.e. crushed stone, mulch. He stated that it would be the same as materials at Augustine Nursery, Controlled Sand and Gravel in Middlehope, etc. Steve stated that this is not just a landscaping yard for selling material. This is a storage facility for David Friedlanders' business. He has loaders, backhoes, excavators. He has a lot of construction equipment. Dan stated that he noticed a shale pile. Steve stated that the shale pile is Vincent Organtini, Ulster Excavation out of Kingston. The shale will be moving once they close on this deal. The machine will be left there and Steve will probably buy it. He states that he owns property that surrounds the piece in question. Dan questioned the topography of the property. Steve stated that the entire parcel is pretty much flat until you get to the stream and that they will not encroach on the stream. He owns the land behind the stream all the way to Ulster Avenue.

Roxanne stated that the biggest thing we have to deal with is the overlay district. Dan asked what the rule is for this. Myles stated that it is a 25 foot strip along the property. It would be 25 foot from the street line in with landscaping.

Steve stated that if the Town Board knows anything about what he does when he buys a building and landscapes he landscapes it right. He does not have a problem and David

doesn't either. Whatever is required is not a problem. Steve stated that he has bought and sold many, many houses in Port Ewen and he owns a lot of property in town.

Myles stated that as per Section 123-17.B(1), "New development in the LI District south of Cross Street shall maintain a twenty-five foot deep landscaped or natural buffer along Route 9W, except for driveways and one sign." As set forth in Section 123-17.B(5), "Parking lots for more than five vehicles adjacent to an existing residential structure shall be screened from such residence by a suitable fence or landscaping." Myles stated that basically it is just to keep the corridor green. Steve stated that they are going to do this and that he lives in this area.

Myles stated that it looks like there has been fill going on at this property for quite a few years. Myles stated that the prior Code Enforcement Officer probably did not alert him to this. Steve stated that he has had a great relationship with the New York State Department of Environmental Conservation (DEC) and the material being brought in is DEC approved from Kingston High School. This is the bulk of the material going in recently. They have permitting for all the way around. He owns adjoining property and he has to protect himself as well. Dan asked if we had flexibility regarding the landscaping. Steve stated that there is a great deal of large rocks and what he wanted to do once the approval is granted he would like to let David decide what he wants to do. He said that he set this up so that you can drive a tractor trailer into the gate so that it is not hanging out on Route 9W. We said that we are working backwards now doing the landscaping along that perimeter. He stated that the electrical lines are all under ground service twenty-five feet in plus so that it could be landscaped accordingly. He stated that there was a lot of pre-planning for this. He has had North Engineering involved in the process.

Margaret asked if there were any wetlands back there. Steve stated that there is a stream going through. Myles stated that there are Federal wetlands going with the stream. Steve stated that it is not designated State wetlands. Myles stated that it is designated Federal wetlands. Myles stated that he was alarmed when he went on line and saw the confirmed date of the flood hazards going along that stream plotted and it seems it went a good chunk into your property and he wondered if there was filling or if anything went on that affected the stream flow and how valid there date was since they were updated in 2008 and they identified a lot more flood hazard areas. He needs to confirm the date. Steve stated that Mirror Lake crosses the stream just above the cabins on Route 9W and there is a large culvert going under Route 9W and it does pan out. It pans out more to the west side of the property. He stated that he has filled close to the stream but certainly not over the stream. Steve stated that the water flows south and crosses over Ulster Avenue right where Ulster Avenue and Union Center Road intersect. Just north of that it intersects and then it flows down to Black Creek. Steve stated that he still has a great relationship with DEC so whatever is required he can get.

Darin questioned if he is going to fill in anymore towards the stream. Steve stated no but they will do north to south but not west. Myles stated that he would like to see an existing calculation on the disturbance right now. Darin stated that he is notifying Steve

to be very cautious in adding more fill approaching the stream because of the Federal wetlands in the back and they are not flagged on the map. They are obviously in the flood plain. He stated that there would be permitting involved with that and buffers involved with that. Steve stated that he does not see any reason to go to the west but he does see room to expand to the north without a problem. Darin stated that he may see room but the DEC may not. He recommended that if the disturbance is under an acre, he would suggest that he keeps it under an acre. Steve questioned the timeframe for the disturbance. He was told that it is for the project. Darin just said that he should be cognizant of this. DEC drives by sites all the time.

Fred stated that they are going to need the delineation of the Federal wetlands. Myles stated that back in 2010 when Steve was before us we accepted Collin Houston just scaling it off tax maps. This was 7 years ago. (The old file will be pulled and the Board will look at it (Murphy 2010-07).

Discussion took place regarding the possible landscaping. Steve said that they want it to be cosmetically appealing. They will submit a plan. Steve stated for those of the Board who do not know he is on the Economic Development Committee for the Town so he is walking a fine line here.

Steve asked what the next move was. Myles directed him to Item 46, Page 6 of his review dated 6/9/17. He was told that he will need limits of disturbance on the land. Steve asked what the overall consensus of what the Board wants on the driveway base. Fred stated that the State is going to tell him that it will have to be paved. He will need to talk to DOT and let them tell him what they want. Dan questioned the dustless surface in the parking area. Roxanne mentioned signage and Steve said that he is not proposing signage until he gets approval. It needs to be shown on the plans and the lighting needs to be on the plans and it requires glare shielding. Steve stated that he is not going to run an operation at night so they have no need for lighting. There is electric on site and they will have a light on the shed. They have all motion sensor security lighting and there is a camera there already. Federal wetlands must be shown. Check with DEC. Applicant was told that he needs to submit this material by June 28th and the next meeting will be July 12th. He asked if they meet the requirements by then is there a reason to go another month. Applicant was told that a Public Hearing is required.

Steve stated that they are in a Light Industrial Zone and he does not understand this. Steve stated that we have to make the process simpler so that we can bring commercial entities into this Town without a lot of nonsense. He stated that they will do what is needed and have it to this Board by the 28th.

ZBA REFERRAL

Pinchin/Yancovich – Area Variance – 5 Saddlebred Lane, New Paltz

Property is located in the Town of Esopus and the Town of New Paltz. The variance is requested for the part of the property in the Town of Esopus. Variance is requested to convert the existing house into an accessory apartment and convert existing barn into single family dwelling.

After some discussion the Board has no comments on this application.

MISCELLANEOUS:

Re: Proposed Site Plan Amendment – Storage Shed, Water Feature, Pavilion for Anderson Center for Autism – Courtesy Referral from Town of Hyde Park Planning Board.

Board members discussed whether this would be seen from this side of the river and if so how much. It was suggested that a visual assessment be completed and a copy be provided to this Board. Myles felt that the ideal location for a visual assessment would be from the Parker Mansion. A letter will be sent to the Hyde Park Planning Board requesting a copy of a visual assessment.

DAN MADE A MOTION TO ADJOURN SECONDED BY MARGARET. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 7-0. MEETING ADJOURNED AT 8:45PM.

NEXT MONTHLY MEETING: JULY 12, 2017

DEADLINE DATE: JUNE 28, 2017

NEXT PRE-SUBMISSION: JULY 19, 2017

Respectfully submitted by:

April Oneto
Planning Board Secretary