

TOWN OF ESOPUS PLANNING BOARD MINUTES
June 29, 2022

PRESENT: Chairperson Roxanne Pecora, Mark Anderson, Dan Michaud, David Mastny and Sal Morello

EXCUSED: Greg McCord and Vice-Chairman Darin DeKoskie

ALSO PRESENT: Planning Board Consultant Tom Shepstone and Councilman Jared Geuss

Chairperson Pecora called the meeting to order at 7:40 p.m. with the Pledge of Allegiance.

MINUTES: Chairperson Pecora asked if the Board had read the minutes of the May 27, 2022 meeting and **called for a Motion to approve the Minutes as presented.** Upon Motion of Member Michaud, seconded by Member Anderson and the affirmative vote of all members, the motion passed 5-0-2.

VOUCHERS:

Shepstone Management Co. Services provided for May 2022	\$2,700.00
Krebs/Selzer Escrow - Services of Kyle Barnett, Esq.	\$ 87.50
Koczorowski Escrow Refund	\$4,010.00
Streamside Farms Escrow – Services of Kyle Barnett, Esq.	\$ 137.50 62.50
Administrative Assistant Lisa K. Mance	110 hours

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

PUBLIC HEARING:

HOPF Realty LLC Site Plan/SUP – Case No. 2022-4; 611-621 Route 32 North; SBL No. 70.4-1-15; R40 Zoning District

Matt Towne, P.E. of Willingham Engineering was present.

Chairperson Pecora called for a Motion to open the Public Hearing at 7:45 p.m. Upon Motion of Member Michaud, seconded by Member Mastny, and the affirmative vote of all Members present, the Motion passed 5-0-2 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Excused
Mark Anderson	Aye
David Mastny	Aye
Dan Michaud	Aye
Greg McCord	Excused
Sal Morello	Aye

Chairperson Pecora read the Public Hearing Notice for the record.

Hearing no person present to provide public comment, **Chairperson Pecora called for a Motion to close the Public Hearing at 7:46 p.m.** Upon Motion of Member Anderson, seconded by Member Michaud, and the affirmative vote of all Members present, the Motion passed 5-0-2 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Excused
Mark Anderson	Aye
David Mastny	Aye
Dan Michaud	Aye
Greg McCord	Excused
Sal Morello	Aye

OLD BUSINESS:

Planner Shepstone provided his recommendations to the Planning Board. The application had been referred to the Ulster County Planning Board (UCPB) which provided a required modification that a defined parking plan with ADA accessible parking be incorporated. Planner Shepstone suggested the Planning Board approve the plans as prepared. Chairman Pecora read the UCPB comments.

Chairperson Pecora called for a Motion to override the requirement modification recommended by the UCPB. Upon Motion of Member Michaud, seconded by Member Anderson, and the affirmative vote of all Members present, the Motion passed 5-0-2 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Excused
Mark Anderson	Aye
David Mastny	Aye
Dan Michaud	Aye
Greg McCord	Excused

Sal Morello Aye

Chairperson Pecora called for a Motion to classify as a Type II action under SEQRA.

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

Roxanne Pecora	Aye
Darin DeKoskie	Excused
Mark Anderson	Aye
David Mastny	Aye
Dan Michaud	Aye
Greg McCord	Excused
Sal Morello	Aye

Chairperson Pecora called for a Motion to grant site plan and special use permit approval conditioned upon letter from Ulster County Board of Health and the SUP to be revisited in two (2) years from June 29, 2022 to be revisited by the Planning Board in June 2024. Upon Motion of Member Michaud, seconded by Member Anderson, and the affirmative vote of all Members present, the Motion passed 5-0-2 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Excused
Mark Anderson	Aye
David Mastny	Aye
Dan Michaud	Aye
Greg McCord	Excused
Sal Morello	Aye

Chairperson Pecora took the Agenda out of order to entertain a lot-line adjustment application.

Sickler w/Correa Lot Line Adjustment – Case No. 2022-8; 36 & 38 River Road, SBL Nos.56.76-3-1.120 & 1.110; R40 Zoning

Mark Sickler was present for the application review.

Planner Shepstone provided a review of his recommendations stating that 61 thousandths of an acre were being shifted to insure the driveway was located entirely on the correct parcel.

Chairperson Pecora called for a Motion to waive the requirement to hold a public hearing pursuant to §107-16(A), to classify as a Type II action under SEQRA and grant approval with the submission of a mylar and six (6) paper copies. Upon Motion of Member Mastny, seconded by Member Anderson, and the affirmative vote of all Members present, the Motion passed 5-0-2 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Excused

Mark Anderson Aye
David Mastny Aye
Dan Michaud Aye
Greg McCord Excused

Headless Horseman Amended Site Plan (Matt Towne, P.E. Agent) – Case No. 2022-5; 778 Route 9W; SBL No. 64.3-6-20; GC & R40 Zoning

Matt Towne, P.E. was present.

Planner Shepstone reviewed content of his recommendations to the Planning Board.

Engineer Towne had spoken with the Applicant and confirmed that there were no plans for any further development within the next five (5) years.

Chairperson Pecora called for a Motion to waive the requirement to hold a public hearing pursuant to §123-47(C) (6), to classify as a Type II action under SEQRA and grant approval with the submission of a mylar and six (6) paper copies. Upon Motion of Member Mastny, seconded by Member Michaud, and the affirmative vote of all Members present, the Motion passed 5-0-2 by the following vote:

Roxanne Pecora Aye
Darin DeKoskie Excused
Mark Anderson Aye
David Mastny Aye
Dan Michaud Aye
Greg McCord Excused
Sal Morello Aye

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

Paul Page, Len Jackson, P.E. and Josh Mack, Esq. were present.

A power point presentation had been prepared (on file) and presented to the Planning Board as well as a revised Stormwater Prevention Plan. The parcel was 48 acres with 15 acres designated wetlands. The Applicant took the recommendations of the New York State Department of Environmental Conservation (NYSDEC) and was proposing a 100' buffer zone around the wetlands. The proposal included approximately 60 ground floor apartments for ADA accessibility that would involve no stairs. No governmental subsidies, PILOTS, tax credits or the like were being requested. The plans had been revised pursuant to the recommendations of the Port Ewen Fire Department and the Applicant was requested to provide an updated letter from the Fire Chief to confirm the revisions were acceptable. Mr. Page stated that the Principal at Robert Graves had conveyed that no students walked to school and that over the past three years, enrollment in the school declined 25%.

Planner Shepstone noted that two items in his memorandum included comments from the Planning Board's Engineer pertaining to the Stormwater Prevention Plan (SWPPP) and the Ulster County Planning Board (UCPB) were needed at this time.

Member Michaud's major concern involved water and sewer. He inquired if an updated letter had been provided since November 2021. Mr. Page responded affirmatively that a letter (e-mail) had been provided from the prior Superintendent Don Kiernan dated June 22, 2021. Member Michaud's concerns also included what impact putting additional units on the existing water and sewer system would have and an understanding of capacity and filtration for the existing system was necessary. The distribution system for the sewer being proposed appeared to be tied into the system to go toward the Plantasiemoor. Mr. Page stated that the route would be down the emergency access to Agnes Street and tie into the system on Salem Street as opposed to going under the Plantasiemoor. Member Michaud noted that although water capacity did not appear to be an issue, it needed to match the needs of the community and that future expansion could be supported by the water system. The distribution network in the neighborhood has required regular attention. Member Michaud appreciated the stormwater calculations but noted that any proposal to pave could exacerbate an already failing condition where flooding occurred during storms based on direct observations by him during several storms over the last ten (10) years. Member Michaud encouraged investigating an alternative emergency access rather than the proposed access through Agnes Street. He went on to caution the possibility of children walking down the street to the school and pathways should be considered as well as sidewalks. It was noted that shallow ground water existed on the site and the Applicant intended to build on slab. Member Michaud recommended deep footings or founding on rock. It was stated that in his opinion, the development was different than the existing character of the neighborhood. Member Michaud commented that a review of the SWPPP should be undertaken as well as obtaining comments from the UCPB.

Member Morello echoed the concerns raised by Member Michaud. He inquired if the construction would take place in phases. Mr. Page responded that all site plan work (infrastructure) was conducted and then construction of the structures from the back of the site to the front was undertaken thereafter. He suggested that a certain amount of units needed to be ADA compliant. Engineer Jackson stated that base flood elevations were calculated by him to be six (6) feet higher than the base flood elevations. Member Michaud voiced concern that the project may add more stormwater flow to an existing condition could affect the downstream and an understanding of that was needed. Chairman Pecora stated that a contour map needed to be provided.

Chairperson Pecora called upon Water/Sewer Superintendent Butler to provide input. The Superintendent stated that his predecessor had calculated water consumption for the project to be 27,240 gallons per day and based upon the New York State DEC calculations, water consumption was not an issue. The sewer system presented different concerns especially with the Plantasiemoor line. The Superintendent had walked the line with his Foreman the prior year and out of the vast majority of manholes that were located, at least four or six were compromised and the interceptors needed work due to infiltration. Any type of I & I that adds to the sewer collection system would affect that system. Superintendent Butler recounted history of the water system within the Town beginning in 1938 and what type of materials comprised the makeup of

the system. Superintendent stated that there was plenty of room for growth in regard to the water supply.

Chairperson Pecora inquired, with the infiltration issues, was there a possibility that the Town could exceed the amount of sewage sent to the City of Kingston under its contract. The Superintendent stated that the amount being sent to Kingston was currently under the threshold. The three months that the overflows had occurred between September 2021 and June 2022, there was a large amount of rainfall and the amount of discharge sent to Kingston was still well under the 10.2 percent. The overflow occurrences resulted in three (3) Noncompliance Event Reports being prepared and forwarded to the New York State Department of the Environmental Conservation Division of Water.

Member Morello asked to check into whether a Federal Permit or NYS DEC permit was required for the wastewater (Planner Shepstone stated that a NYS DEC general permit would be needed). The other item was if the emergency entrance was going to be paved or gravel but the Applicant stated that it would be maintained and was open to complying with whatever the Planning Board requested.

Members Anderson and Mastny both voiced concerns regarding the setting of the buildings on slabs and the elevations above the flood plain. Engineer Jackson stated that the buildings were not going to be located in the flood plain.

Chairperson Pecora stated that she did not believe the application was completed enough to refer to the UCPB but it was warranted that the Planning Board Engineer, Tony Stellato, P.E. be contacted to conduct a site visit to specifically review stormwater, erosion and sediment control plan and the SWPPP. Member Michaud and Vice-Chairman DeKoskie and Superintendent Butler should be included in the site visit with the Applicant and possibly, Planner Shepstone.

Chairperson Pecora called for a motion to schedule a site visit with the Applicant. Upon Motion of Member Michaud, seconded by Member Mastny, and the affirmative vote of all Members present, the Motion passed 5-0-2 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Excused
Mark Anderson	Aye
David Mastny	Aye
Dan Michaud	Aye
Greg McCord	Excused
Sal Morello	Aye

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

Applicant George Cuney and Barry Medenbach, P.E. were present.

Engineer Medenbach addressed the Planning Board and notified it that the request for an area variance before the ZBA was being withdrawn. The application was being revised to dedicate one of the proposed buildings (20) units to senior housing.

Planner Shepstone provided his recommendations that the Planning Board declare itself lead agency and the Application should be referred to Clough Harbor & Associates, LLP to review the SWPPP.

Chairperson Pecora called for a motion for the Planning Board to declare Lead Agency. Upon Motion of Member Mastny, seconded by Member Anderson, and the affirmative vote of all Members present, the Motion passed 5-0-2 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Excused
Mark Anderson	Aye
David Mastny	Aye
Dan Michaud	Aye
Greg McCord	Excused
Sal Morello	Aye

Engineer Medenbach asked that prior to completing a full SWPPP, input be provided from the Planning Board Engineer relative to the site plan.

Chairperson Pecora called for a motion to establish escrow in the amount of \$10,000.00 and refer the application to CHA for site plan layout review. Upon Motion of Member Mastny, seconded by Member Michaud, and the affirmative vote of all Members present, the Motion passed 5-0-2 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Excused
Mark Anderson	Aye
David Mastny	Aye
Dan Michaud	Aye
Greg McCord	Excused
Sal Morello	Aye

Port Ewen Firehouse Site Plan (Delaware Engineering – Agent) – Case No. 2022-6; 288-290 Broadway; SBL No. 56.75-2-24; R-12 & GC Zoning Districts

Mike Dauner, Bucky Mains and Maribeth Bianconi were present.

Planner Shepstone stated lighting and additional floorplans had been provided and comments from the UCPB were still pending. He added that the Planning Board should discuss the connection to Bowen Street. Chairperson Pecora stated that the Code requires two ingresses and egresses and when the Town Hall was built, access was classified as a driveway and that the Town Board needed to designate that access as a road and access to Bowen Street be opened up.

The prior driveway had been designated as Town Hall Way. Discussion ensued wherein it was agreed that a joint letter from the Fire Department and the Planning Board to open the second egress to Bowen Road should be drafted to present to the Town Board.

Chairperson Pecora called for a motion to draft a letter to the Town Board requesting access to Bowen Road be opened. Upon Motion of Member Anderson, seconded by Member Michaud, and the affirmative vote of all Members present, the Motion passed 5-0-2 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Excused
Mark Anderson	Aye
David Mastny	Aye
Dan Michaud	Aye
Greg McCord	Excused
Sal Morello	Aye

Chairperson Pecora called for a motion to declare Lead Agency. Upon Motion of Member Mastny, seconded by Member Anderson, and the affirmative vote of all Members present, the Motion passed 5-0-2 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Excused
Mark Anderson	Aye
David Mastny	Aye
Dan Michaud	Aye
Greg McCord	Excused
Sal Morello	Aye

Upon Motion of Member Anderson, seconded by Member Michaud, the meeting was adjourned at 9:45 p.m.

Respectfully submitted:

Lisa K. Mance, Administrative Assistant
Date prepared: July 11, 2022
Date Approved: