

TOWN OF ESOPUS PLANNING BOARD MINUTES
July 18, 2022

PRESENT: Chairperson Roxanne Pecora, Vice-Chairman Darin DeKoskie, Mark Anderson, Dan Michaud, David Mastny and Sal Morello

EXCUSED: Greg McCord

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

Chairperson Pecora called the meeting to order at 7:30 p.m. with the Pledge of Allegiance.

MINUTES: Chairperson Pecora asked if the Board had read the minutes of the June 29, 2022 meeting. The Members indicated that the Minutes had not been received. Minutes printed and distributed at the meeting to be voted on later in the evening

VOUCHERS:

Shepstone Management Co. Services provided for June 2022	\$2,700.00
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Administrative Assistant Lisa K. Mance	66.5 hours
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Chairperson Pecora called for a Motion to approve the submitted vouchers. Upon Motion of Member Michaud, seconded by Member Anderson and the affirmative vote of all members present, the Motion passed 6-0-1.

Chairperson Pecora requested that the Agenda be taken out of order to entertain the new application for the SCP sign.

Steven Pasqua Sign Application for SCP – Case No. 2022-9; 660 Broadway; SBL No. 63.4-4-12; LI Zoning District

Applicant Steven Pasqua was present for the application review. Planner Shepstone provided an overview of the design and location of the proposed sign. Mr. Pasqua stated the shape and logo of the sign had changed since the previous approval had been granted.

Chairperson Pecora called for a Motion to approve “as built.” Upon Motion of Member Mastny, seconded by Vice-chairman DeKoskie and the affirmative vote of all members present, the Motion passed 6-0-1.

Planner Shepstone stated that an appropriate application form for the Planning Board should be developed and that the Town Board should set a fee for the application. Planner Shepstone recommended a fee of \$50.00.

**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**

Ablen Amrod, P.E., Adam Yagelski and Mike Dauner were present.

Planner Shepstone stated that comments from the Ulster County Planning Board (UCPB) had been received and Chairperson Pecora read the comments for the record.

Planner Shepstone summarized the response from Delaware Engineering relative to the UCPB recommendations agreeing with the recommendation that if there was any other connection to another drive, it should be for emergency use only. Planner Shepstone did not support the required modification to meeting the NYS Stretch Energy Code including the installation of electric vehicle charging stations and recommended that the Planning Board override the required modification. Member Anderson remarked that it appeared the UCPB was not aware that the Town of Esopus had adopted the NYS Stretch Energy Code.

The UCPB comments relative to the emergency access addressed a future connection to the property to the South (Heavenly Valley Estates) and did not reference a connection to Bowen Street.

Vice-Chairman DeKoskie motioned to concur with the UCPB comments pertaining to the future cross access with Heavenly Valley Estates for emergency access only, seconded by Member Anderson and the affirmative vote of all Members present, the Motion passed 6-0-1 by the following vote:

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

Chairperson Pecora called for a Motion to override the requirement modification recommended by the UCPB to meet the NYS Stretch Energy Code and develop electric vehicle charging stations. Upon Motion of Vice-Chairman DeKoskie, seconded by Member Michaud, and the affirmative vote of all Members present, the Motion passed 6-0-1 by the following vote:

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

A decision needed to be made whether the application should be referred to the Town Designated Engineer. The Planning Board stated that a letter would be necessary from the New York State Department of Transportation and should be provided prior to TDE performing any traffic study. Vice-chairman DeKoskie stated a referral to Clough Harbor for pre and post stormwater discharges review should be conducted. Member Michaud stated TDE review should be minor and a \$5,000.00 escrow should be established.

Chairperson Pecora called for a Motion to establish escrow in the amount of \$5,000.00 for referral to CHA for review of the pre and post stormwater discharges and the sewer system. Upon Motion of Member Michaud, seconded by Vice-Chairman DeKoskie, and the affirmative vote of all Members present, the Motion passed 6-0-1 by the following vote:

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

The Planning Board members agreed that given the size of the project, a Public Hearing was warranted for the benefit of the public.

Chairperson Pecora called for a Motion to schedule a Public Hearing to be held on August 15, 2022 at 7:35 p.m. Upon Motion of Vice-Chairman DeKoskie, seconded by Member Michaud, and the affirmative vote of all Members present, the Motion passed 6-0-1 by the following vote:

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

Port Ewen Corp. Site Plan/SUP – Case No. 2019-1; 15 North Broadway; SBL No. 56.44-1-1.100; Waterfront Zoning District

Applicant Jesse Hicks and Attorney Sarah Lipnick (via Zoom) were present.

Planner Shepstone stated that the ZBA had granted a Use Variance with conditions. There were no proposed significant changes to the site and Planner Shepstone recommended that the application was ready for action and whether a public hearing was necessary on the site plan. He

stated that no referrals were necessary since there were no significant physical changes and recommended approval be revisited in one year.

Chairperson Pecora stated that the Use Variance granted by the ZBA needed to be added to the plans in its entirety. Hearing no members having any further questions or comments,

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

Upon Motion of Member Mastny, seconded by Member Anderson, and the affirmative vote of all Members present, the Motion passed 6-0-1 by the following vote:

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

Planner Shepstone advised that the Planning Board should consider the need to conduct a Public Hearing. There was nothing physically changing, and the use had been permitted by the ZBA and a public hearing had been held before that body. Member Michaud remarked that there was no change in the use but the action was to issue a special use permit to formalize the existing use with only equipment storage and office space and that no remediation was taking place on the property and the property was proposed to be landscaped and “cleaned up.” Member DeKoskie stated that any fill being placed on the site within the floodplain would be subject to review by the Building Department. The Planning Board asked Attorney Lipnick to explain the proposed 6” of fill in the green area depicted on the plans which was in a flood plain. A condition had been put into place by the ZBA required landscaping to take place. Chairperson Pecora called Planning Board Attorney Kyle Barnett to confirm that the ZBA did not have the authority to require landscaping and that it was a Planning Board issue. Attorney Barnett confirmed that ZBA’s requirement to provide landscaping and removal of the barbed-wire fence would be eliminated and not included on the map notes. Planner Shepstone recommended that if landscaping was desired by the Planning Board, it be conditioned subject to documentation that it didn’t violate the floodplain rules. Chairperson Pecora stated that realistically, the area was not visible. Mr. Hicks stated the landscaping along the southern edge between the property and the neighbor would not be visible as well but he was willing to place trees in a location recently excavated by the Highway Department.

Chairperson Pecora called for a Motion to waive the requirement to hold a public hearing pursuant to §123-47(C)(6). Upon Motion of Member Michaud, seconded by Vice-chairman DeKoskie, and the affirmative vote of 4 Members, the abstention of 2 Members and 1 Member being absent, the Motion passed 4-2-1 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
Mark Anderson	Abstain
David Mastny	Aye

Dan Michaud Aye
Greg McCord Excused
Sal Morello Abstain

Chairperson Pecora called for a Motion to grant site plan approval conditioned upon insertion of the ZBA decision with first four (4) conditions on the plans and that the use permit would be reviewed annually. Upon Motion of Member Michaud, seconded by Member Anderson and the affirmative vote of 6 Members, and 1 Member being absent, the Motion passed 6-0-1 by the following vote:

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

Chairperson Pecora called for a Motion to approve the June 29, 2022 Minutes. Upon Motion of Member Michaud (as amended), seconded by Member Mastny and the affirmative vote of 5 Members, 1 Member abstaining and 1 Member being absent, the Motion passed 6-0-1 by the following vote:

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

The Administrative Assistant was requested to number the pages of the Minutes and provide a hard copy to all Members in the future.

Zoning Chapter – Signs -The Administrative Assistant was directed to provide a letter from the Planning Board to the Town Board recommending a \$50.00 application fee for signs. Vice-chairman DeKoskie had requested that standards be provided to be utilized for sign reviews. Planner Shepstone would be providing a model form to be reviewed at the next meeting.

Local Law No. 2 of 2022 – Marina Camping – Planner Shepstone had assisted in drafting the latest version of the proposed law. The Administrative Secretary was directed draft a letter from the Planning Board to the Town Board that the Planning Board support the proposed law and had no comments.

Upon Motion of Member Michaud, seconded by Vice-chairman DeKoskie, the meeting was adjourned at 8:40 p.m.

Respectfully submitted:

Lisa K. Mance, Administrative Assistant

Date prepared: July 29, 2022

Date Approved: August 15, 2022