

TOWN OF ESOPUS PLANNING BOARD MINUTES
July 17, 2023

PRESENT: Chairperson Roxanne Pecora, Vice-Chairman Darin DeKoskie, Dan Michaud, Sal Morello, David Mastny, Alexis Breheny and Chris Marta

ALSO PRESENT: Town Board Liaison Jared Geuss, Bonnie Franson, AICP, CEP, Partner of Nelson, Pope & Voorhis, LLC and Terresa Bakner, Esq. of Whiteman, Osterman & Hanna, LLP

Chairperson Pecora called the meeting to order at 7:44 p.m. with the Pledge of Allegiance.

Chairperson Pecora called for a Motion to approve the June 12, 2023 Minutes. Upon Motion of Member Marta, seconded by Vice Chairman DeKoskie and the affirmative vote of 7 Members, the Motion passed 7-0.

VOUCHERS:

VanDewater & VanDewater Voucher – Lighthouse Village Site Plan/ SUP	\$ 618.75
VanDewater & VanDewater Voucher – Lighthouse Village Site Plan/ SUP	\$ 1,058.75
VanDewater & VanDewater Voucher – Yan Site Plan/SUP	\$ 123.75
VanDewater & VanDewater Voucher – Port Ewen Fire Dept. Site Plan	\$ 620.85
Port Ewen Fire Department – Refund escrow Voucher	\$ 4,567.27
VanDewater & VanDewater Voucher – Streamside Farm Site Plan/SUP	\$ 137.50

Chairperson Pecora called for a Motion to approve the submitted vouchers. Upon Motion of Member Marta, seconded by Vice-Chairman DeKoskie and the affirmative vote of all members present, the Motion passed 7-0.

Chairperson Pecora introduced and welcomed Planning Consultant Bonnie Franson, of Nelson, Pope & Voorhis, LLC and Attorney Terresa Bakner of Whiteman, Osterman & Hanna, LLP. Contracts for both representatives had been provided.

Chairperson Pecora called for a Motion to formalize the Agreement for the professional services of Bonnie Franson, AICP CEP, Partner and authorize her to execute said Agreement. Upon the Motion of Vice Chairman DeKoskie, seconded by Member Michaud and the affirmative vote of all Members, the Motion passed 7-0 by the following vote:

Roxanne Pecora Aye

Darin DeKoskie Aye
David Mastny Aye
Sal Morello Aye
Alexis Breheny Aye
Dan Michaud Aye
Chris Marta Aye

Chairperson Pecora called for a Motion authorizing the Chairperson to execute the Retainer Agreement for the legal services of Terresa Bakner, Esq. Upon the Motion of Vice Chairman DeKoskie, seconded by Member Michaud and the affirmative vote of all Members, the Motion passed 7-0 by the following vote:

Roxanne Pecora Aye
Darin DeKoskie Aye
David Mastny Aye
Sal Morello Aye
Alexis Breheny Aye
Dan Michaud Aye
Chris Marta 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

Chairperson Pecora called for a Motion to open the Public Hearing. Upon Motion of Vice Chairman DeKoskie, seconded by Member Michaud and the affirmative vote of all members, the Motion passed 7-0 and the Public Hearing commenced at 7:46 p.m.

Chairperson Pecora read the Public Hearing notice into the record.

Jennifer Hobson – agreed with concerns voiced by neighbors – safety of children walking to school, flooding, emergency access through the neighborhood and traffic.

Maryjo Wiltshire – vehemently opposed to access via Agnes Street and requested alternative options for secondary access be considered.

Michael Chipak – expressed the development of three proposed apartments could change the dynamic of the community what the vision of the Town was.

Dylan Lancomb – agreed with comments made by neighbors in opposition to the development. Concern relative to the risks to pedestrians on Mountainview Road and Clay Road. He stated that sidewalks should be installed (not at the taxpayers expense) and that the projects were detrimental to the neighborhood.

Stephanie Letteri – agreed with most comments made but noted it was important to remember that something may be developed on the property and as it related to the Town Comprehensive Plan. Lastly voiced concerns with the traffic on Clay Road, Salem Street, speed limit and safety.

Karen Mitchell - expressed traffic concerns.

Chairperson Pecora called for a Motion to close the Public Hearing. Upon Motion of Vice-Chairman DeKoskie, seconded by Member Michaud and the affirmative vote of all members, the Motion to close the Public Hearing at 8:03 pm. passed 7-0 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
David Mastny	Aye
Sal Morello	Aye
Alexis Breheny	Aye
Dan Michaud	Aye
Chris Marta	Aye

The Attorney for Streamside Farms was present to observe only and no discussion took place regarding the application.

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 Cuney, James Bacon, Esq. and Engineer Caleb Carr were present. Mr. Cuney provided an overview of the project and submissions to date. The most recent plans had been revised to remove secondary access across from Lindorf Street, chain on proposed emergency access off Clay Road had been removed and replaced with a gate, the third floor on Building 3 had been removed and located 40’ to the South. The Applicant requested the Planning Board to issue a Negative Declaration and a future resolution approving the project.

The removal of the third floor on Building 3 resulted in the elimination of 8 units with 72 total spaces with one space to be used as support space/office. Member Mastny inquired if new floor plans had been submitted and the plans submitted were dated October 6, 2020 and indicated 16 two-bedroom units and 4 one-bedroom units. Engineer Carr confirmed that the incorrect floor plans had been submitted. The Applicant had been requested to considering redesigning the buildings to conform to the neighborhood a bit. Mr. Cuney responded that to keep the needed units with a redesign of the structures would require the addition of two additional structures and the property didn’t lend itself to a reduction in the bioretention ponds and the ability to contain stormwater. Attorney Bacon stated the building design had been previously discussed and subjectively, it was more difficult to decide what was acceptable and the plan should be Code compliance. For SEQRA, the decision was whether there was a significant impact under the Code and that stormwater, traffic and erosion were issues. The floor plans were not a bar to a SEQRA decision. Attorney Bakner stated in terms of the look and the aesthetics of the project, the Planning Board was attempting to determine how the proposal fits into the neighborhood and the request was to show the Planning Board how the floor plan is reasonable and could affect the

appearance of the buildings. She stated it was important thing prior to the next meeting was to submit appropriate floor plans and renderings to insure everything fits correctly together and if there was excess space, denote that with an explanation. Chairperson Pecora recommended that the Applicant review the Ulster County Planning Board website to review the Housing Rental Survey Study as well as the Design Standards.

The Applicant would go back to the table with his Engineers to determine if a smaller building could be designed but still be able to maintain the number of units. The Planning Board requested any further submission and plans be complete with all sheets dated and numbered correctly with a business plan indicating what changes had been made and the proposal would not be placed on the Agenda until complete.

Chairperson Pecora called for a Motion to supplement the escrow in the amount of \$7,500.00. Upon Motion of Vice-Chairman DeKoskie, seconded by Member Michaud and the affirmative vote of all members, the Motion passed 7-0 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
David Mastny	Aye
Sal Morello	Aye
Alexis Breheny	Aye
Dan Michaud	Aye
Chris Marta	Aye

NEW BUSINESS:

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

Engineer Matt Towne, Derrick Leung and Amy Levine of Jacobowitz & Gubits Law Firm were present. Engineer Towne provided a summary of the documentation submitted to date and the status of the proposal. Partner Derrick Leung addressed the Planning Board stating that he felt there was a market for the proposed retreat.

Planner Franson provided her recommendations to the Planning Board. Procedurally, 10.6 acres were proposed to be disturbed which required the SEQRA classification to be a Type I action and would require a Full Environmental Assessment Form (EAF) Part I. Planner Franson would confirm with the Planning Attorney that a re-circulation of the Lead Agency Notice of Intent was necessary since the prior Notice had included a Short EAF Part I. Planner Franson's Review Memo stated application and procedural comments which included the need for a referral to the Ulster County Planning Board when the Planning Board determined sufficient information had been provided. Consistency with the Esopus Waterfront Advisory Board relative to the LWRP should be considered. The Planner's Memo also included Plan Comments which included depicting locations of steep slopes on the site, flagged wetlands, landscaping, lighting, driveways, parking, compliance with ADA standards and providing building elevations.

Attorney Bakner supported the re-circulation of the NOI to include a Full EAF Part I and submit a revised Agricultura Data Statement.

Member Morello stated that the 100' setback from residential property and 50' buffer required in the campground regulations and the ingress/egress need to be addressed.

Bridge View Marina & Resort – Case No. 2023-13; 160, 166 & 168 First Street, Connelly; SBL No. 56.50-1-3.300

Architect Mike Jacobs was present as agent and addressed the Planning Board. The owners intended to assess what is currently on the property and conditions that were not in compliance on the property. Architect Jacobs provided a slide presentation depicting the current conditions on the property and a 2012 survey of three lots. There was currently a marina, restaurant and RV park on parcel 56.50-1-3.300. A commercial hospitality business was being proposed on the wooded lot 2 SBL No. 64.3-5-2.320 to construct up to ten (10) a-frame cabin units.

Planner Franson provided her comments and recommendations (on record in the file). A question raised was if camping use was allowed as an accessory use to the marina, would the parcels need to be combined. The Applicant was directed to have a conversation with the Code Enforcement Officer. If the proposed units were accessory to the marina, they would need to be on wheels and lack of same may require a variance. The disturbance needed to be confirmed to determine if the action was a Type I action pursuant to SEQRA. A possible workshop meeting was recommended. Member Mastny noted that parking for the proposed cabins was on another parcel and Attorney Bakner stated those lots would need to be combined. Attorney Bakner stated that the status of the existing RVs would be needed and an existing conditions of the site was necessary.

Chairperson Pecora called for a Motion to establish escrow in the amount of \$7,500.00.

Upon Motion of Vice-Chairman DeKoskie, seconded by Member Michaud and the affirmative vote of all members, the Motion passed 7-0 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
David Mastny	Aye
Sal Morello	Aye
Alexis Breheny	Aye
Dan Michaud	Aye
Chris Marta	Aye

355 Broadway Site Plan/SUP (Matt Gray) – Case No. 2023-9; 355 Broadway, SBL No. 56.76-2-27; GC-1 Zoning

Owners Matt Gray and Tiel Reardon and Architect Michael Lockwood. Proposal was to create a wellness facility and guesthouse in an existing 3,056 square feet and would not be expanded by renovations. Day guests would be permitted during operating business hours and guesthouse would provide short-term accommodations for guests in a total of five (5) rooms and food and

beverages would be available to guests only (not to the public) and regional merchandise would be available to both guests and public.

Planner Franson provided a review of her comments and recommendations. The proposed use didn't appear to meet the definition of a short-term rental if the facility was not owner-occupied. Attorney Bakner suggested that the Applicants speak with the Code Enforcement Officer to make sure there was no other classification that would make development of the plan easier. Vice-Chairman DeKoskie requested that traffic turning patterns be provided. The Applicants were advised to develop a business plan and participate in another workshop meeting.

Black Creek Preserve Amended Site Plan – Case No. 2023-11; Winding Brook Road, SBL Nos. 72.3-1-1.310 & 1.399; RF-1 Zoning

Scenic Hudson Senior Park Planner Heather Blaikie was present. The proposal was to amend a Site Plan that had previously been approved in 1997 to expand the parking area and improvements to the trail and waterfront area.

Planner Franson inquired how much disturbance was taking place. The Applicant was recalculating disturbance to be less than one (1) acre but felt the action was an Unlisted Action under SEQRA. Planner Franson stated the application appeared to be a Type II action. Chairperson Pecora noted that the site location was within the LWRP and would need a consistency review.

Chairperson Pecora called for a Motion to establish escrow in the amount of \$5,000.00.

Upon Motion of Vice-Chairman DeKoskie, seconded by Member Michaud and the affirmative vote of all members, the Motion passed 7-0 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
David Mastny	Aye
Sal Morello	Aye
Alexis Breheny	Aye
Dan Michaud	Aye
Chris Marta	Aye

Chairperson Pecora called for a Motion to schedule a public hearing on August 21, 2023 at 7:35 p.m. Upon Motion of Vice-Chairman DeKoskie, seconded by Member Michaud and the affirmative vote of all members, the Motion passed 7-0 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
David Mastny	Aye
Sal Morello	Aye
Alexis Breheny	Aye
Dan Michaud	Aye
Chris Marta	Aye

Litts Subdivision (Cross Point Assocs. Agent) – Case No. 2023-12; 44 Hussey Hill Road; SBL No. 63.4-1-42.100; R-40 Zoning

Patti Brooks of Control Point Associates, Inc was present as Agent.

Planner Franson provided an overview of her comments and recommendations. Ulster County Department of Health approval had been provided for the septic and approval from the Esopus Highway Department would be needed. It was recommended that a Public Hearing be scheduled conditioned upon receipt of revised plans.

Chairperson Pecora called for a Motion to schedule a public hearing on August 21, 2023 at 7:40 p.m. Upon Motion of Member Michaud, seconded by Member Breheny and the affirmative vote of all members, the Motion passed 7-0 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
David Mastny	Aye
Sal Morello	Aye
Alexis Breheny	Aye
Dan Michaud	Aye
Chris Marta	Aye

Upon Motion of Member Michaud, seconded by Member Marta, the meeting was adjourned at 11:10 p.m.

Respectfully submitted:

Lisa K. Mance, Administrative Assistant
Date prepared: July 28, 2023
Date Approved: August 21, 2023