

PLANNING BOARD MINUTES

July 16, 2024

Town Hall, 284 Broadway
Port Ewen, New York 12466

Present: Chairperson Roxanne Pecora, Vice-Chairman Darin DeKoskie, Member Chris Marta, Member David Mastny, Member Sal Morello, and Member Steve Bailer

Also present: Bonnie Franson, AICP and Dylan Harris, Esq.

The meeting commenced at 7:41 p.m. with the Pledge of Allegiance.

Chairperson Pecora called for a motion to approve the June 17, 2024 Minutes as amended. Upon Motion of Member Marta, seconded by Vice-Chairman DeKoskie and all present voting in favor, the Minutes were approved by a vote of 6-0.

Vouchers:

Whiteman, Osterman & Hanna, LLC – Castlemore Holdings Escrow	\$1,365.00
Whiteman, Osterman & Hanna, LLC – Castlemore Holdings Escrow	\$ 195.00
Whiteman, Osterman & Hanna, LLC – Legal Services – May 2024	\$ 812.00
Whiteman, Osterman & Hanna, LLC – Esopus Barns Escrow	\$ 812.50
Whiteman, Osterman & Hanna, LLC – Esopus Barns Escrow	\$1,169.00
Whiteman, Osterman & Hanna, LLC – Esopus Barns Escrow	\$ 97.50
Nelson, Pope & Voorhis – Planning Consultant Services May 2024	\$2,700.00
Whiteman, Osterman & Hanna, LLC – Legal Services thru June 2024	\$4,090.15
Whiteman, Osterman & Hanna, LLC – Legal Services Dec 2023	\$ 87.00
Whiteman, Osterman & Hanna, LLC – Legal Services April 2024	\$ 232.00
Whiteman, Osterman & Hanna, LLC – Bridge View Escrow	\$ 260.00
Whiteman, Osterman & Hanna, LLC – Lighthouse Village Escrow	\$ 845.00
Clough Harbor & Assocs – Lighthouse Village Escrow	\$ 465.00

Chairperson Pecora called for a motion to approve the Vouchers. Upon Motion of Vice-Chairman DeKoskie, seconded by Member Marta and all present in favor, the motion passed by a vote of 6-0.

Member Chris Marta read a written statement addressing recent comments made at the past Planning Board meeting.

OLD BUSINESS:

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, Engineer Caleb Carr and James Bacon, Esq. were present.

Chairperson Pecora noted that outstanding items included addressing the comments of the Ulster County Planning Board (UCPB) reviews from March 2023 and June 2024, rescind the Motion to refer to the ZBA, review the Lot Line Adjustment, draft Negative Declaration and draft Resolution if the Planning Board so chose. The March 2023 UCPB had provided an advisory comment relative to affordable housing which was not included in the Town's current Code. EV charging stations had been included as a required modification by the UCPB and had been depicted on the proposed plans.

Planner Franson summarized all of the comments provided by the UCPB reviews. Required modification for EV charging stations had been addressed, proposal needed to address the New York State Stretch Code and Applicant had proposed heat pumps were to be utilized, landscaping plan had been provided which included bioretention ponds, monument sign was proposed along Broadway, stormwater management control required periodic inspections, Clay Road was to be full access, and building elevations had been provided with heights not impacting any viewshed.

Chairperson Pecora entertained a Motion to concur with the required modifications proposed by the UCPB in its March 1, 2023 and June 1, 2024 reviews and the Applicant had addressed required modifications to the satisfaction of the Planning Board. Upon Motion of Member Mastny, seconded by Vice-Chairman DeKoskie, the motion passed 5-0-1 (abstention) by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
Chris Marta	Abstain
Sal Morello	Aye
David Mastny	Aye
Steve Bailer	Aye

Chairperson Pecora entertained a Motion to rescind the June 17, 2024 referral to the ZBA with regard to 200' boundary for either the GC1 or R12 Zone. Upon Motion of Member Mastny, seconded by Vice-Chairman DeKoskie and all present in favor, the motion passed 6-0 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
Chris Marta	Aye
Sal Morello	Aye
David Mastny	Aye
Steve Bailer	Aye

Chairperson Pecora commenced the reading of the draft Negative Declaration. Applicant George Cuney asked that the record be corrected to reflect that the Owner was P.Z.R. Construction, and that Cuney Ranch Holdings LLC was the Applicant.

Chairperson Pecora entertained a Motion to issue a SEQRA Negative Declaration as amended. Upon Motion of Member Bailer, seconded by Member Morello, the motion passed 4-0-2 (abstentions) by the following vote:

Roxanne Pecora	Abstain
Darin DeKoskie	Aye
Chris Marta	Abstain
Sal Morello	Aye
David Mastny	Aye
Steve Bailer	Aye

Planner Franson had prepared a Memorandum relative to the Site Plan which stated that the Zoning District Boundary was not shown accurately on the Site Plan and would need to be corrected.

Upon polling the Planning Board Members, **Chairperson Pecora entertained a Motion to not waive the Public Hearing for the proposed lot-line adjustment pursuant.** Upon Motion of Member Marta, seconded by Vice-Chairman DeKoskie, the motion passed 5-0-1 (abstention) by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
Chris Marta	Aye
Sal Morello	Aye
David Mastny	Aye
Steve Bailer	Abstain

Chairperson Pecora entertained a Motion to schedule a Public Hearing on Case No. 2020-8 pursuant to §107-16A to be held on August 19, 2024 at 7:35 p.m. pertinent to the lot-line adjustment. Upon Motion of Vice-Chairman DeKoskie, seconded by Member Marta, the motion passed 5-0-1 (abstention) by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
Chris Marta	Aye
Sal Morello	Aye
David Mastny	Aye
Steve Bailer	Abstain

Planner Franson proceeded with a review of the draft Resolution conditions with the Planning Board. Members were requested to circulate any additional conditions they wished to suggest. The Planning Board agreed that an additional condition was to be added as a note to the plans and Resolution to indicate “no additional structures on site without Planning Board approval.” Member Mastny requested additional landscaping buffering be added between the residences on 9W and on the North end. The Applicant was requested to stake where vegetation would start and the buffer for the Planning Board to determine what vegetation existed and what would

remain. Photographs of vegetation behind the existing houses may be helpful as well as a field visit.

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 – Short EAF Part 2 & 3 for amended site plan approval granted August 2023

Scenic Hudson Planner Heather Blaikie was present.

The Planning Board had granted approval of the Amended Site Plan in August 2023. For Scenic Hudson to obtain funding for the project, an Environmental Assessment Form Part 2 and 3 was required from the Planning Board.

Chairperson Pecora entertained a Motion authorizing her to execute the EAF Part 2 and 3. Upon Motion of Member Marta, seconded by Member Mastny, the motion passed 6-0 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
Chris Marta	Aye
Sal Morello	Aye
David Mastny	Aye
Steve Bailer	Aye

K&Y Site Plan/SUP – Khattar Elmassalemah, P.E. Agent – Case No. 2024-1; SBL No. 63.2-3-8; 126 Ulster Avenue; LI & Route 9W Overlay District

Khattar Elmassalemah was present. He stated that a lighting plan, a building floor plan, and additional landscaping had been added to the plans. Pursuant to the response from the New York State Parks, Recreation and Historic Preservation, a Phase 1A/1B archeological survey was being conducted. The County Highway had provided its comments regarding concerns related to access and sight distance. Although no sign was proposed, Member Mastny requested signage to identify the property for fire calls.

Planner Franson had made a recommendation that the Town Engineer review.

Chairperson Pecora entertained a Motion to establish escrow in the amount of \$7,500.00. Upon Motion of Vice-Chairman DeKoskie, seconded by Member Bailer, the motion passed 6-0 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
Chris Marta	Aye
Sal Morello	Aye
David Mastny	Aye
Steve Bailer	Aye

Chairperson Pecora entertained a Motion to refer to the Town Designated Engineer (TDE) to review turning radii, entrance, review of the NFPA Code, bulk storage requirements and general safety. Upon Motion of Vice-Chairman DeKoskie, seconded by Member Bailer, the motion passed 6-0 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
Chris Marta	Aye
Sal Morello	Aye
David Mastny	Aye
Steve Bailer	Aye

Chairperson Pecora noted that a letter from the Fire Department relative to access was necessary.

Member Mastny noted that lighting needed to be revised to specify 2700 kelvin dark sky compliant.

Member Bailer requested additional vegetation back to the wetlands and the property line to the North. There was an existing chain link fence which the Applicant planned to affix vinyl.

Member Morello inquired if the entrance would be relocated to the satisfaction of the County Highway Department. Engineer Elmassalemah stated the entrance could be moved to the North.

Planner Franson noted that U.S. Fish and Wildlife noted that a species list had not been requested and the Applicant should obtain.

There was a question regarding the location of the storage tank to the property line of the residence pursuant to §123-14B requirement for the special permit use and a determination from the Code Enforcement Officer was necessary. Engineer Elmassalemah also requested direction regarding Planner Franson’s Memo Procedural Comment “10” pertaining to transition requirements. The Planning Board had made a request at its meeting in February 2024 and a letter to the CEO referencing the February request and an interpretation of the transition requirement pursuant to §123-24E(1) would be necessary.

Chairperson Pecora entertained a Motion to request the Code Enforcement Officer to make a determination regarding the requirement of the location of the storage tank pursuant to §123-14B and does the use comply with §123-24E(1) as applied to the residence across the street. Upon Motion of Member Marta, seconded by Member Morello, the motion passed 6-0 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
Chris Marta	Aye
Sal Morello	Aye
David Mastny	Aye

Steve Bailer

Aye

Chairperson Pecora entertained a Motion for the Planning Board to serve as Lead Agency for the SEQR review and classify the action as an Unlisted Action under SEQRA. Upon Motion of Vice-Chairman DeKoskie, seconded by Member Marta, the motion passed 6-0 by the following vote:

Roxanne Pecora

Aye

Darin DeKoskie

Aye

Chris Marta

Aye

Sal Morello

Aye

David Mastny

Aye

Steve Bailer

Aye

Upon Motion of Member Marta, seconded by Member Mastny and all in favor, the meeting was adjourned by a vote of 6-0 at 10:00 p.m.

Respectfully submitted,

Lisa K. Mance

Dated: July 23, 2024

Approved: August 19, 2024