

**PLANNING BOARD MEETING
AUGUST 8, 2018**

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

EXCUSIED: Greg McCord

ALSO PRESENT: Alan Sorensen, Consultant
 Gloria VanVliet, Councilman
 Sal Morello, Building Inspector

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.

Chairperson Pecora welcomed the new Planning Board Consultant, Alan Sorensen, and introduced him to those present.

MINUTES: Chairperson Pecora asked if the Board read the minutes from the Planning Board Meeting held on July 11, 2018 meeting and if there were any changes or corrections.

MARK MADE A MOTION TO APPROVE THE JULY 11, 2018 MINUTES AS AMENDED, SECONDED BY FRED. MOTION PASSED WITH A VOTE OF 6-0.

Chairperson Pecora informed the Board that we have managed to obtain all of the boxes from Myles' wife and April will be going through them. Mark is still in the process of trying to obtain the files that were on Myles' computer.

VOUCHERS:

April Oneto (secretarial services).....126 hours

DAN MADE A MOTION TO APPROVE THE VOUCHER AS READ, SECONDED BY MARK. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 6-0.

PUBLIC HEARING:

DAN MADE A MOTION TO OPEN THE PUBLIC HEARING FOR ORDER OF THE HOLY CROSS, CASE 2018-05, SUBDIVISION, SECONDED BY MARK. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 6-0.

Chairperson Pecora read the announcement placed in the paper. Copy placed in the file. Chairperson Pecora asked if there was anyone present who wished to speak regarding this application. No one was present to speak.

DAN MADE A MOTION TO CLOSE THE PUBLIC HEARING, SECONDED BY MARK. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 6-0.

OLD BUSINESS:

ORDER OF THE HOLY CROSS: Case #2018-05 – Subdivision – 1065 Route 9W, West Park; SBL: 7.3-1-16

Patti Brooks was present for this application.

Patti stated that the application before the Board is for a two lot subdivision to create a 1.13 acre lot with an existing single family dwelling with well and septic system. Last month the entrance was showing access on a private roadway. The Board mentioned that they do not recognize private roadways so she went back to the applicants and suggested that they revise the lot line so that Lot #1 would actually own all of the Huntington Lane section out to Route 9W which would avoid a second curb cut from New York State Department of Transportation. Bulk requirements were added to the map and the Planning Board endorsement was changed. Easement notes placed on the maps.

Darin completed Parts 2 and 3 of the EAF. Copies placed in the file.

FRED MADE A MOTION TO DECLARE THIS AS A TYPE II ACTION PURSUANT TO SEQR AND DECLARE A NEGATIVE DECLARATION FOR ORDER OF THE HOLY CROSS, CASE #2018-05, SUBDIVISION, SECONDED BY MARK. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 6-0. VOTE WAS AS FOLLOWS:

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

DARIN MADE A MOTION TO GRANT FINAL PLAT APPROVAL CONTINGENT UPON RECEIPT OF 6 PAPER MAPS, 1 MYLAR SIGNED BY THE APPLICANTS AND A CHECK IN THE AMOUNT OF \$2,000 FOR THE RECREATION FEE FOR ORDER OF THE HOLY CROSS, CASE #2018-05, SUBDIVISION, SECONDED BY MELANIE. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 6-0. VOTE WAS AS FOLLOWS:

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

SCENIC HUDSON (lands of Donald L. Gordan LLC): Case #2018-07 – Lot Line Adjustment – 174 Hudson Lane, Ulster Park; SBL: 64.3-3-15

Emily Hague, Land Project Manager, Scenic Hudson, and Pamela Richardson, Land Use Attorney, Scenic Hudson, were present for this application on behalf of Donald L. Gordan, LLC.

Emily stated that the lot line adjustment would reduce the lot from 24.5 to 11.7 acres. That portion of the property would be conveyed separately from the residence portion of the property which would be retained by the owner and will remain taxable property. The owner has expressed their intent to convey this portion of the property to Scenic Hudson and they will add it to the Esopus Meadows Preserve.

Emily stated that in response to the Board’s request for more information as stated in their brief, they would hope to manage it as they manage the Esopus Meadows Preserve. Esopus Meadows Preserve is managed for passive recreation including fully accessible trails, some hiking trails, a blue trail overlooking the Hudson River and some recreational amenities. They also use it for outdoor education as well as public and private events and a wildlife habitat. Emily stated that if they do purchase the property they would definitely come back to this Board for Site Plan as they have done in the past.

Dan stated that this is a purchase to be added to Esopus Meadows Preserve for recreation use. Fred stated that Scenic Hudson maybe a non-profit but they are putting the Town in the poor house. Again they are acquiring property and taking them off of the tax rolls. Fred stated that he would like to see a swimming pool, a beach or something like that. Fred stated that he feels that we have a lot of trails through the woods at this point. These things are starting to stretch our resources. He stated that the fire department wants a boat and to get into the back woods they probably should have an ATV for rescue services. The Town is furnishing fire protection, police protection and administrative services. He stated that he thinks it is time for Scenic Hudson to come in and see the Town Supervisor about setting up some type of service agreement or pilot program. He stated that he thinks that Scenic Hudson is the largest landholder in the Town with property off the tax rolls. Dan questioned the percentage of land that Scenic Hudson owns in the Town. He was told that we could probably get this information from the Assessor’s office. Dan

stated that having park land is a good thing and having trails is a good thing but we are a small Town and he feels the same way that Fred does. Mark stated that the use of the properties has to do with hiking and enjoyment of the waterfront. If there is ever a problem on a hiking trail, who is going to respond to it or if there is a problem on the waterfront? These things would require a response by the emergency responders in the Town. He thinks the suggestion of Scenic Hudson coming forward with some kind of plan for payment in lieu of taxes would be very helpful. We are concerned about taking this much property off of the tax rolls.

Emily stated that they are just the agent for the applicant here and she does not feel it would be appropriate for her to respond. Emily said that they went to the supervisor about this project and she was supportive of this use. Emily stated that what is being retained is a 10.2 acre riverfront lot which will be marketable as such. Fred stated that we would like to develop the waterfront and all they want to do is put in a couple of hiking trails and he does not see where that is in the best interest of the Town. He stated that we have hiking trails and what we need is a beach, a swimming pool and other things. Roxanne questioned when they would be projecting to come back for site plan. They stated that they don't have any plans right now. She thinks sometime within the next calendar year.

Emily introduced Pamela Richardson, Esq. land use attorney for Scenic Hudson. Pamela stated that she would just like to point out that she thinks Mr. Zimmer's concerns are certainly valid and that Scenic Hudson is certainly sensitive to the tax impact of its ownership. In this particular case, we are talking about a small piece of property that would not lend itself to beach access or to a swimming pool because of where it sits on the property. She stated that what they are asking for on behalf of the property owner is a lot line adjustment to purchase a small piece of property. Fred stated that this Board understands what they are asking for. Pamela said that they would come back to the Board for approval of any site plan and use of the property and she thinks it would be more appropriate at that time to look at potential pilot or services agreement with the Town. She does not think that this falls under the authority of this particular application.

Roxanne stated that the Board is just letting them know what our expectations are. Dan stated that once they buy the property there is no turning back. It is not the site plan that is the problem it is the purchase. Dan stated that if we feel this way we need the conversation now. Mark stated that once the land is transferred then there is not necessarily a need to come back for site plan.

Pamela stated that they do own a substantial amount of property within the Town and they do want to maintain a strong relationship with the Town. She stated that they will certainly go back to leadership about the concerns expressed. She stated that for the purpose of this application there is no guarantee that they will be allowed to purchase the property or will in fact purchase the property. The lot line adjustment would allow them to move forward with that process. Pamela stated that as mentioned the Town Supervisor has expressed her support.

Melanie stated that she does not know how long ago they spoke with the Supervisor but things are fluid. Pamela thought it was around April. Roxanne stated that we could look at the past years. They purchased 600+ acres from the West Park Winery and have done nothing with it. They bought the property across from Marist Brothers and have done nothing with it. They purchased the Black Creek Preserve. They purchased Esopus Lake (Ken Silver's property), etc.

The trails that we have they are fine. As far as we are concerned, we have enough trails. We are in the development of a Master Plan in this Town and the Town and the Town Board are heading in a different direction. What may have been acceptable in the past may not be acceptable at this time. Roxanne stated that the Supervisor has not addressed this Board, has not spoken with this Board and does not know this Board's opinion. It is this Board that votes to approve applications such as this.

Roxanne stated that they are doing a lot line adjustment and they are in negotiation with Mr. Gordon and they must have plans. Emily stated that she would certainly be open and honest with this Board if they had plans. Emily stated that they do not go into planning until they acquire a piece of property.

Roxanne stated that they are before us for lot line adjustment and that is what we need to consider. Fred stated that we as a Board can consider whether it is in the best interest of the Town. Mark stated that the applicant may want to adjourn and consider coming back with additional information. Fred feels that they should meet with the Town Supervisor and the Town Board before returning to this Board.

Dan stated that open space is a good thing, trails are a great thing but at this point the guys brought up a good point about the stress on our services for the amount of good intended recreation we have on our rolls. We need more than kiosks and parking lots. He would like to see them return with a better proposal for discussion. Mark felt that it would be good to have more of a discussion about our future relationship prior to making a decision about a lot line adjustment. Melanie stated that as the chairperson said the Town is moving in a different direction.

Roxanne stated that it would be good for them to assess all of their properties and look at what is coming out of our Master Plan which may necessitate a meeting with the Supervisor and the Town Board to see where the Town is heading and how Scenic Hudson can help us. She thinks that there would be a good win-win situation here and a deeper relationship if they understand what the needs are in this community.

HOPPE: Case #2018-08 – Lot Line Adjustment – Ulster Avenue, Ulster Park; SBL: 63.4-3-22, 23, 25.1

Applicant Katherine Hoppe is being represented by her son, Christopher Hoppe, who has POA for his mother.

Christopher submitted a letter from Ulster County Public Works for the curb cuts dated 1/13/15. Copy placed in file.

Easement notes need to be placed on the map for the overhead utility wires.

FRED MADE A MOTION TO WAIVE THE FLAG LOT FOR HOPPE, CASE #2018-08, LOT LINE ADJUSTMENT, SECONDED BY MARK. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 6-0. VOTE WAS AS FOLLOWS:

Darin.....yes
Dan.....yes
Melanie.....yes
Mark.....yes
Roxanne.....yes

MELANIE MADE A MOTION TO DECLARE THIS A TYPE II ACTION PURSUANT TO SEQR, NEGATIVE DECLARATION FOR HOPPE, CASE #2018-08, LOT LINE ADJUSTMENT, SECONDED BY DARIN. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 6-0. VOTE WAS AS FOLLOWS:

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

Roxanne stated that the existing right-of-way is going to need a cross access if they are going to continue to use it. Chris stated that there is an existing 10 foot right-of-way from Lot #22 to Lot #23.

DARIN MADE A MOTION TO GRANT CONDITIONAL FINAL PLAT APPROVAL CONDITIONED UPON UTILITY EASEMENTS, CROSS ACCESS EASEMENT, OWNER CONSENT TO FILE BLOCK WITH THE DATE NEEDS TO BE ADDED TO THE MAPS AND WE NEED 6 PAPER MAPS AND 1 MYLAR SIGNED BY THE APPLICANTS, SECONDED BY FRED. ALL MEMBERS WERE IN AGREEMENT. MOTION PASSED WITH A VOTE OF 6-0. VOTE WAS AS FOLLOWS:

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

ZBA REFERRALS:

Troy Temple – 1496 State Route 213, Ulster Park – SBL: 63.10-1-1-25

Variance needed for placement of an accessory building (garage) in front yard/Section 123-21 C (5)A of the Town Code.

After reviewing the material submitted the Planning Board has no comments on this application.

Chris Farrell, Planning Board Liaison, mentioned that individuals came to the last Town Board Meeting to discuss the possibility of putting a 30-50 bed rehab center on the Cabrini property.

MARK MADE A MOTION TO ADJOURN, SECONDED BY FRED. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 6-0. MEETING ADJOURNED AT 8:40 PM.

NEXT MONTHLY MEETING: SEPTEMBER 12, 2018

DEADLINE DATE: AUGUST 29, 2018

NEXT PRE-SUBMISSION: SEPTEMBER 19, 2018

Respectfully submitted:

April Oneto
Planning Board Secretary