

TOWN OF ESOPUS PLANNING BOARD MINUTES
August 15, 2022

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

EXCUSED: Dan Michaud

ALSO PRESENT: Planning Board Consultant Tom Shepstone (via Zoom), Attorney Kyle Barnett and Councilman Jared Geuss

Chairperson Pecora called the meeting to order at 7:35 p.m. with the Pledge of Allegiance.

MINUTES: Chairperson Pecora asked if the Board had read the minutes of the July 18, 2022 meeting. Upon Motion of Member Mastny, seconded by Member Anderson and the affirmative vote of all members present, the Motion passed 6-0-1

VOUCHERS:

Shepstone Management Co. Services provided for July 2022	\$2,700.00
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Administrative Assistant Lisa K. Mance	83 hours
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Chairperson Pecora called for a Motion to approve the submitted vouchers. Upon Motion of Vice-chairman DeKoskie, seconded by Member Anderson and the affirmative vote of all members present, the Motion passed 6-0-1.

PUBLIC HEARING:

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

Adam Yagelski of Delaware Engineering and Mike Dauner were present.

Upon Motion of Vice-Chairman DeKoskie, seconded by Member Mastny, and the affirmative vote of all Members, the public hearing was opened at 7:38 p.m.

Chairperson Pecora read the Public Hearing Notice into the record.

Mike Mulligan – Objected to procedure of holding the Public Hearing prior to the discussion of the Planning Board to follow. Public did not have notice of what was to be discussed. Method of ingress and egress provided through Bowne Street had been discussed at prior Planning Board meeting. Mr. Mulligan remarked Bowne Street did not support traffic and posed a safety issue.

Improvements made and planned for Ross Park would be a waste of municipal funding if access was provided via Bowne Street.

Kathy Murphy – Health care professional who had worked with children who had sustained traumatic brain injuries, some of which had been a result of motor vehicle accidents. Ms. Murphy asked if the Town was willing to finance a lawsuit as a result of any injury sustained and to consider the welfare of the children and objected to the ingress/egress via Bowne Street.

Patty Kowatch – Agreed with prior comments and objected to the Bowne Street ingress/egress given the proximity to the Town Park and location within the neighborhood with no sidewalks.

Elizabeth Wolf – Resident of Port Ewen who had been informed by representatives from the Port Ewen Firehouse when discussing the new proposal that Bowne Street was not being considered for ingress/egress access. Ms. Wolfe objected to the proposal.

Chairperson Pecora called for a Motion to suspend the Public Hearing and reschedule to be continued on September 19, 2022 at 7:35 p.m. Upon Motion of Vice-Chairman DeKoskie, 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	Excused
Greg McCord	Aye
Sal Morello	Aye

Vice-chairman DeKoskie inquired if any soil testing had been conducted. Although a Geo-tech report had been prepared, Engineer Yagelski did not have the details, he would forward a summary of that information. Vice-Chairman DeKoskie inquired if there was the possibility of placing an infiltration basin in that location which could save money.

Engineer Yagelski stated the Stormwater Water Engineer had been in contact with the Planning Board's Town Designated Engineer (TDE). Vice-Chairman DeKoskie stated that an infiltration basin could reduce the size of the underground system and required maintenance. Engineer Yagelski stated that the plans showed the forced main going to the edge of pavement and the goal was to leverage the existing undeveloped portion of the site, stay within the property and re-use an existing connection to an old house. The developers were working with the Town's Water/Sewer Foreman on the development of the sewer main.

Mr. Dauner stated that throughout public hearings and site plan development, main egress and ingress via Route 9W for both non-emergency and emergency had been the plan. Mr. Dauner stated that the Town Board had made access to Route 9W a Town Road (Town Hall Way) for that purpose. The road being built as part of the project was at the request of a developer adjacent to the property which would be for emergency access only (as a future emergency

connection). The onus of the development of the road for emergency access was on the owner of the adjacent property.

Member Morello confirmed that Town Hall Way was the planned main access. Applicant confirmed that there was no plan for public traffic via an emergency access. The New York State Department of Transportation (NYSDOT) had requested more information to be provided for it to consider regarding the possible installation of a traffic device at Town Hall Way and Route 9W.

Member Anderson confirmed that the intent of the Application was not dependent upon a secondary access from either Bowne or Heavenly Valley but, in looking at the Town Code's requiring Town Roads, if a street is designated as a Town Highway, it is then required not to dead end and there must another access. The difficulty in that respect is that that it needs to be addressed not only the Applicant and Planning Board, but also by the Town Board because it is responsible for the requirements of Town roads and the Town Board needs to make sure it meets the requirements for the standards of Town roads. Chairperson Pecora stated that during construction of the Town Hall, access was designated as a driveway but once it became a Town road, a second ingress/egress was required to any development in the Town and Bowne Street needed to be opened as an emergency access to Town Hall. The issue was a Town Board issue and did not affect the current Fire Department Application. The Planning Board would be recommending that Bowne Road be opened pursuant to the Town Code. The access to Town Hall had only recently become 1 Town Hall Way (a Town Road) and the only authority to make an exception to the Town Code would be the Town Board.

Signage had been addressed on page C05 of the site plans and would be located where the abandoned building currently was situated. Vice-Chairman DeKoskie suggested directional signage on 1 Town Hall Way be provided for Town Hall, Sheriff's Department and the Fire Department.

Chairperson Pecora called for a Motion enter to into session to discuss attorney/client legal matter at 8:15 p.m. Upon Motion of Vice-Chairman DeKoskie, 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	Excused
Greg McCord	Aye
Sal Morello	Aye

Chairperson Pecora called for a Motion come out attorney/client session at 8:45 p.m. 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	Excused
Greg McCord	Aye
Sal Morello	Aye

The Town had circulated a social media policy and had asked all members to acknowledge receipt of the policy.

NEW BUSINESS:

Red Maple Vineyard Site Plan/SUP (Gary Stone) – Case No. 2022-10; 112 Burroughs Drive, West Park; SBL No. 80.1-4-5.120; R40 Zoning District

Property owner/applicant Gary Stone was present.

Planner Shepstone provided a review of his comments and recommendations to the Planning Board. The Short EAF Part I needed minor corrections.

Vice-Chairman DeKoskie reviewed the erosion and sediment control plan noting that an area off the end of the parking lot for snow removal needed to be provided on the plans. In his opinion, the plans did not require referral to the Planning TDE.

Applicant stated that wholesale operations were not planned to take place on the site but that there would be manufacturing of craft beers and ciders taking place under one roof. Music was planned for the weekends. Existing trailers on the property were going to be removed.

Discussion among the Planning Board members confirmed that since the proposal was located on a lot separate from the existing winery and the parcels could not be combined, it was not a site plan amendment but a new site plan.

Chairperson Pecora called for a Motion to declare Notice of Intent to sever as lead agency, classify as an Unlisted action under SEQRA. Upon Motion of Vice-Chairman DeKoskie, seconded by Member Mastny, 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	Excused
Greg McCord	Aye
Sal Morello	Aye

The Planning Board advised that Applicant that the UCPB consistently opined relative to lighting, compliance with the Energy Code, noise, parking and hours of operation and recommended that a business plan addressing as much as possible be provided.

Vice-Chairman DeKoskie inquired if the Fire Department had been approached and given the length of the access, a pulloff may need to be shown for fire apparatus. The Applicant was requested to provide photographs with simple landscaping plan. He also recommended softening the slope at the North and back sides of the structure.

Chairperson Pecora called for a Motion to refer to the UCPB pending receipt of revised plans to include landscaping, lighting plan, and business narrative and to schedule a public hearing on September 19, 2022 at 7:45 p.m. Upon Motion of Vice-Chairman DeKoskie, seconded by Member Mastny, 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	Excused
Greg McCord	Aye
Sal Morello	Aye

BUDGET:

Chairperson Pecora requested Planner Shepstone to provide his 2023 budget.

Members discussed benefit and options of budgeting to purchase ipad tablets.

There were no ZBA referrals.

Upon Motion of Member Anderson, seconded by Member Mastny, the meeting was adjourned at 10:02 p.m.

Respectfully submitted:

Lisa K. Mance, Administrative Assistant
Date prepared: August 29, 2022
Date Approved: