

**TOWN OF ESOPUS  
PLANNING BOARD MEETING  
SEPTEMBER 11, 2013**

**PRESENT:**           Roxanne Pecora, Chairperson  
                  Fred Zimmer  
                  Margaret Yost  
                  Rich Williams  
                  Darin Dekoskie

**EXCUSED:**           Michael Manicone  
                  Michael Minor

**ALSO PRESENT:**   Myles Putman, M.L. Putman Consulting

Chairperson Pecora called the meeting of the Town of Esopus Planning Board to order at 7:05 PM 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 requested that everyone observe a moment of silence in memory of all those who lost their lives on this day 12 years ago.

**MINUTES:** Board members were asked if there were any changes or corrections to the minutes of the August 14, 2013 meeting. Margaret Yost made corrections prior to the meeting. There were no additional corrections.

**RICH MADE A MOTION TO APPROVE THE MINUTES OF AUGUST 14, 2013 SECONDED BY MARGARET. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 5-0. VOTE WAS AS FOLLOWS:**

Fred.....yes  
Margaret.....yes  
Rich.....yes  
Darin.....yes  
Roxanne.....yes

**VOUCHERS:**

M.L.Putman Consulting (Month of August 2013)..... \$2,250.00  
April Oneto (secretarial services).....56 1/2 hours

**DARIN MADE A MOTION TO APPROVE THE VOUCHERS AS READ, SECONDED BY FRED. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 5-0.**

**OLD BUSINESS:**

**VANVELSON: Case #2012-27 – Special Use Permit/Site Plan – 771 Broad-Way, Ulster Park – SBL: 64.003-5-19**

Susan and Gary VanVelson were present to represent this application.

Chairperson Pecora stated that we received correspondence from the Zoning Board of Appeals on 8/21/13 stating that the ZBA approved the variance on 8/20/13. Copy of letter was placed in the file.

**RICH MADE A MOTION TO DECLARE A NEGATIVE DECLARATION PURSUANT TO SEQR FOR VANVELSON, CASE 2012-27, SPECIAL USE PERMIT/SITE PLAN SECONDED BY FRED. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 5-0. VOTE WAS AS FOLLOWS:**

Fred.....yes  
Margaret.....yes  
Rich.....yes  
Darin.....yes  
Roxanne.....yes

**RICH MADE A MOTION TO APPROVE THE SPECIAL USE PERMIT/SITE PLAN FOR VANVELSON, CASE #2012-27, TO OPERATE A TOURIST HOME SECONDED BY FRED. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 5-0. VOTE WAS AS FOLLOWS:**

Fred.....yes  
Margaret.....yes  
Rich.....yes  
Darin.....yes  
Roxanne.....yes

Applicants were told that they need to submit 6 paper maps for the Planning Board to sign. It was suggested by Fred that the Board sign the two maps we have and the applicant take those maps and have them copied and return 4 to the Board.

**FERGUSON (Aberdeen on the Hudson, Inc.): Case #2013-08 – Special Use Permit/Site Plan - Bed & Breakfast – 1723 Broadway (Route 9W), West Park; SBL: 80.001-3-23.1**

Maria Ferguson was present to represent this application. Applicant is before the Board requesting a reduction in the amount of the Escrow Account. She stated that she submitted a letter which all Board members received. She stated that she would like it to be reduced to \$1,000.

**FRED MADE A MOTION TO REDUCE ESCROW ACCOUNT TO \$500.00 AND STATED THAT HE DOES NOT FEEL THAT AN ESCROW ACCOUNT IS NECESSARY SINCE HE DOES NOT SEE A NEED FOR AN ATTORNEY. THERE WAS NO SECOND TO THIS MOTION.**

Chairperson Pecora went around to all Board members present and asked what their opinion was. Margaret, Darin, Rich, and Roxanne felt that the Escrow amount should be left at \$3,000.

Chairperson Pecora stated that there is an issue since the recent letter submitted states that she is requesting to operate a Bed & Breakfast and a Massage School on this property. Chairperson Pecora stated that the maps and the application provided to this Board were just for a Bed and Breakfast. Ms. Ferguson stated that the other outside buildings were going to be occupied with the school already there as tenants. The house was going to be used as the Bed and Breakfast. She is still planning on operating a Massage School on the premises. Roxanne asked if she was aware that she received a variance from the Zoning Board of Appeals that restricted the property to just a school. Applicant will need to go back to the Zoning Board of Appeals and request a change to that variance.

Chairperson Pecora informed applicant that the Planning Board will have an attorney present for all meetings.

Fred stated that he still does not see the need for an attorney present. Fred stated that we have done other Bed & Breakfasts and have not needed an attorney present. Applicant asked if she could ask the other Board members why they see the need for an attorney.

Rich stated that due to prior conflicts he thinks this is a good idea. Roxanne stated that the last application cost this Town money for attorney fees and she does not want to see that happen in the future. Roxanne informed applicant that it is the majority consensus of the Board that an Escrow Account of \$3,000 needs to be set up in case legal fees are incurred.

Ms. Ferguson stated that when she came for Pre-submission Meeting she thought that the ZBA was not something she would need to do. She was told that when she came to the Board at Pre-submission she said that the schools were being moved. She is now saying that the Massage School will remain in the other buildings. This is a change from her original plan which will require a multi-use of this property. She will need to go to the ZBA.

Applicant was informed that she can go to both Boards simultaneously but this Board can not make a decision until the ZBA makes their decision. She will need to ask for the restriction to be lifted from the previous decision and then she needs to ask for a variance for multi-use business. Ms. Ferguson stated that there are three possible businesses that can be on this property. There are two other buildings and the main house. She will operate the Bed & Breakfast and possibly rent out the other two buildings for businesses. Chairperson Pecora reiterated that this information conflicts with the application and the maps we received.

**ESOPUS FARMS: Case #2012-17 & 2012-22 – Special Use Permit/Site Plan/ Lot Line Adjustment – 1398 & 1466 Route 9W, Ulster Park; SBL: 71.004-4-26 & 31.11**

Joseph Pisani, Esq. was present to represent the applicant.

Chairperson Pecora stated that this Board is correcting a procedural error. A letter was received from the Waterfront Advisory Board dated 8/28/13 read by Chairperson Pecora. Letter was placed in the file.

Chairperson Pecora read the Resolution of Decision for Special Use Permit and Lot Line Adjustment dated July 10, 2013 (revised July 26, 2013; September 10, 2013). Copy of Resolution filed in the record.

**DARIN MADE A MOTION TO APPROVE THE RESOLUTION AS READ FOR ESOPUS FARMS, SPECIAL USE PERMIT/SITE PLAN/LOT LINE ADJUSTMENT CASE # 2012-17 & 2012-22 SECONDED BY RICH. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 5-0. VOTE WAS AS FOLLOWS:**

Fred.....yes  
Margaret.....yes  
Rich.....yes  
Darin.....yes  
Roxanne.....yes

**REIKER: Case #2013-11 – Lot Line Adjustment – 511, 550 Millbrook Drive (Town Hwy 880), Connelly; SBL: 56.015-1.1.111 & 56.067-1-2.11**

Chris Zell, Brinnier & Larios, was present to represent this application. Myles reviewed M.L. Putman Consulting report dated 9/6/13. Copy of report given to applicant and copy placed in file.

Chairperson Pecora read Waterfront Advisory Board letter dated 8/28/13. Copy of letter placed in file.

Chris mentioned that the applicants have agreed to sell the larger piece of property which would change the lot line to be deleted to include a larger parcel. Following some discussion the Board agreed to approve the change and Chris will need to submit new maps reflecting the change.

**DARIN MADE A MOTION TO DECLARE THIS AS AN UNLISTED ACTION PURSUANT TO SEQR FOR REIKER, CASE #2013-11, LOT LINE ADJUSTMENT, SECONDED BY RICH. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 5-0. VOTE WAS AS FOLLOWS:**

Fred.....yes  
Margaret.....yes  
Rich.....yes  
Darin.....yes  
Roxanne.....yes

**DARIN MADE A MOTION TO GRANT CONDITIONAL FINAL APPROVAL FOR REIKER, CASE #2013-11, LOT LINE ADJUSTMENT, CONDITIONED UPON RECEIPT OF 6 PAPER MAPS AND 1 MYLAR SHOWING CORRECTED LOT LINE SIGNED BY LANDOWNERS, SECONDED BY RICH. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 5-0. VOTE WAS AS FOLLOWS:**

Fred.....yes  
Margaret.....yes  
Rich.....yes  
Darin.....yes  
Roxanne.....yes

**ADEL (LaMirage): Case 2013-04 – Special Use Permit/Site Plan – 423  
Broadway (US Route 9W), Ulster Park; SBL: 56.020-3-  
28.2**

Michael Lockwood was present to represent the applicant. Myles reviewed M.L. Putman Consulting Report dated 9/6/13. Copy placed in file and copy given to applicant.

Mr. Lockwood stated that he submitted plans to DOT and there was a misunderstanding. He understood that they would be removing the sign and putting low growing landscaping there. Sam informed me that this was not the case and that is why it was removed from the current plan. Sam said he is remaining with the deal he made with DOT to rent the property to keep the sign on it. Michael will go back to DOT and explain this to them. He stated that the circulation got missed when he did the maps and he will correct this. There are standard details on the plans for the utility connections. Mr. Lockwood stated

that he did not want to see the applicant incur all the engineering costs for something that may not be approved. He can see submitting this type of information for the Building Permit once approval is received. He felt that it was premature to pay for a full topography plan when he has the grades shown on the exterior elevations presented at the last meeting.

Darin stated that after Sketch Plan Approval he would like to see topography (pre and post). He would like to see stormwater (pre and post). Applicant will need to provide pre and post grading and will need to show the parking lot and the slope. Michael stated that the only impervious area that they are adding is the roof of the motel and he is collecting all that water with the gutters. Michael stated that the additional parking will be on the grass field. They are not adding any paving.

Fred stated that they will pick up some stormwater on the south side. They have Item #4 with grass growing on it now. Both Fred and Darin felt that there would still be a change in the runoff. Fred would like to see some contours. Applicants will have to deal with DOT regarding the entrances. Michael stated that the only thing that Dave Corrigan, DOT, asked for is a consistent 9 foot shoulder along Route 9W which he has provided. Roxanne and Fred stated that they spoke with Dave Corrigan today and he wants a straight curve all around the building. Michael will follow up with Dave. Following some discussion it was agreed that on the parking side of the motel they will put blacktop and leave it the way it is on the plans for the other side.

Applicant received a variance for the parking spaces required. This map needs to note the variance received. There needs to be a note on the map stating that no motel occupancy should be no longer than two weeks.

Mr. Lockwood stated that the landscaping will be done by Sam and that is the reason that they do not have a landscaping plan. He can submit a plant list and he can put a note that applicant has to stick with certain plants. Michael stated that he did submit plans to the Fire Department but has not received a response at this point. Michael stated that the entrance lights at the doors of the hotel will be the standard coach lanterns. He can provide cut sheet for the lights.

Applicant was told that he can schedule himself for a Pre-submission Meeting if he would like.

### **NEW BUSINESS:**

**ALEO: Case #2013-13 – Lot Line Adjustment – 217 Hasbrouck Ave., Port Ewen; SBL: 56.059-4-17, 18 & 19**

Applicant Edward Aleo was present along with his attorney Marshall Courtney. Myles reviewed M.L. Putman Consulting Report dated 9/6/13. Copy was given to applicant and copy placed in the file.

Discussion took place regarding applicant obtaining water and sewer to the lots. Applicant was told that he will need to speak with Don Kiernan, Water/Sewer Superintendent.

**FRED MADE A MOTION TO DECLARE THIS AN UNLISTED ACTION PURSUANT TO SEQR FOR ALEO, CASE #2013-13, LOT LINE ADJUSTMENT, SECONDED BY MARGARET. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 5-0. VOTE WAS AS FOLLOWS:**

Fred.....yes  
Margaret.....yes  
Rich.....yes  
Darin.....yes  
Roxanne.....yes

**FRED MADE A MOTION TO WAIVE THE PUBLIC HEARING AS PER SECTION 107.16.A FOR ALEO, CASE #2013-13, LOT LINE ADJUSTMENT, SECONDED BY MARGARET. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 5-0. VOTE WAS AS FOLLOWS:**

Fred.....yes  
Margaret.....yes  
Darin.....yes  
Rich.....yes  
Roxanne.....yes

**FRED MADE A MOTION TO GRANT CONDITOINAL FINAL APPROVAL FOR ALEO, CASE #2013-13, LOT LINE ADJUSTMENT, CONDITIONED UPON RECEIPT OF 6 FULL SIZE PAPER MAPS AND 1 MYLAR SIGNED BY THE PROPERTY OWNER, SECONDED BY MARGARET. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 5-0. VOTE WAS AS FOLLOWS:**

Darin.....yes  
Rich.....yes  
Fred.....yes  
Margaret.....yes  
Roxanne.....yes

**ALEO: Case #2013-14 – Special Use Permit/Site Plan – 214 Hasbrouck Ave., Port Ewen; SBL: 56.059-4-5.2**

Applicant Edward Aleo was present along with his attorney Marshall Courtney. Myles reviewed M.L. Putman Consulting Report dated 9/6/13. Copy given to

applicant and copy placed in file.

Dr. Aleo stated that as far as the paper streets that is an issue that he is not dealing with right now. The neighbors would have to be involved. He stated that the neighbor has her garden on the paper street and she knows that this is the Town's property. As far as Hill Street, that is the neighbor's backyard and if they wanted to approach the Town he would support this. He stated that the Town is doing something with regard to Spring Street on the garden end.

Mr. Courtney stated that essentially they need to correct the site plan with regard to the recommendations and then return to this Board. Fred stated that the site plan will have to go all the way back to where Dr. Aleo built the other house since this goes back to where the water and sewer is. Utilities will have to be brought up to Spring Street and they will have to show their pavement and whatever they are going to have to do to extend Spring Street down to the entrance and to the next two lots. This should show the topography, rock outcrop and you will probably have to do a run-off calculation. They will have to show other utilities. They will have to have the typical highway section, soil and erosion control. The site plan will be almost as comprehensive as a subdivision. They will need to speak with the fire department regarding a hydrant if there is not one down there.

Applicant was told that he can schedule himself for a Pre-submission Meeting after he speaks with Don Kiernan, Water/Sewer Superintendent.

Fred informed Dr. Aleo that the piece of Spring Street that he is obtaining from the Town will need to have a Lot Line Adjustment completed to add it to the property. He will need to come in and fill out an application and follow the procedure outlined for Lot Line Adjustment.

### **ZBA REFERRALS:**

Landi/St. Remy Church, Rifton – Lot Line Adjustment – Area Variance - After review of the information submitted, the Planning Board has no comments regarding this application.

Venditti – Site Plan – Use Variance - ZBA recalled their decision regarding this application at their meeting held on 8/20/13 and have referred this to the Planning Board for their comments. Following review of the information submitted by the Zoning Board of Appeals for a Use Variance as per Section 123-10 of the Town Code for a 1 bedroom dwelling on property that already has a 3 unit multi-dwelling on it. Following the ZBA decision this applicant will need to come back to the Planning Board for Site Plan approval.



**MISCELLANEOUS:**

Planning Board has decided to have a November 13, 2013 and a December 11, 2013 meeting.

**NEXT MONTHLY MEETING:** October 9, 2013

**DEADLINE DATE:** September 25, 2013

**NEXT PRE-SUBMISSION** October 2, 2013

**DARIN MADE A MOTION TO ADJOURN SECONDED BY RICH. ALL MEMBERS WERE IN FAVOR. MEETING ADJOURNED AT 9:05 PM.**

Respectfully submitted:

April Oneto  
Planning Board Clerk