

PLANNING BOARD MINUTES
September 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 Steve Bailer and Alternate Mark Anderson for Member Sal Morello

Excused: Member Sal Morello

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

The meeting commenced at 7:45 p.m. with the Pledge of Allegiance.

Chairperson Pecora called for a motion to approve the August 19, 2024 Minutes. 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:

Nelson, Pope & Voorhis – Consultant services for July 2024	\$ 2,700.00
Whiteman, Osterman & Hanna, LLC – Lighthouse Village Site Plan/SUP	\$ 1,852.50

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.

Chairperson Pecora called for a motion to open the Public Hearing pertaining to the Lighthouse Village Lot Line Adjustment application. Upon Motion of Member Marta, seconded by Alternate Member Anderson and all present in favor, the motion passed by a vote of 6-0 and the Public Hearing commenced at 7:47 p.m.

PUBLIC HEARING (CONTINUATION):

Lighthouse Village (George Cuney) Lot Line Adjustment – Case No. 2020-8A; 364 Broadway; SBL Nos. 56.83-4-10.123 & 124; R12 & GC 1 Zoning Districts

Chairperson Pecora read the Public Hearing Continuation Notice for the record.

Steve Britton, 174 Lindorf Street, Port Ewen – Read written comment prepared by Dennis Suraci (submitted for the record).

Dylan LaComb 354 Broadway, Ulster Park – Thanked the Planning Board for providing opportunity to provide public comment. Chairperson Pecora stated that questions to the Applicant could not be addressed and the Public Hearing was for public comment only. Mr. LaComb read excerpt of the ZBA Minutes from May 2023. The Planning Board had put the

Town Board in a position for an Article 78 not only the Applicant but the taxpayers. Mr. LaComb asked what the need for the lot-line adjustment and that the proposal was against the Code. Roadways were not allowed, zoning was not changing and if it did, it would affect his property.

Chairperson Pecora called for a motion to close the Public Hearing pertaining to the Lighthouse Village Lot Line Adjustment application. Upon Motion of Member Marta, seconded by Member Bailer and all present in favor, the motion passed by a vote of 6-0 and the Public Hearing was closed at 8:09 p.m.

Castlemore Holdings, LLC Site Plan/SUP – Matt Towne, P.E. as Agent – Case No. 2023-19; 38 Hudson Lane, Ulster Park, SBL No. 64.3-5-2.320; R40 Zoning District

Time was given to the public to sign up for public comment.

Tommy Yan and Derek Leung were present to represent the Application.

Chairperson Pecora called for a motion to open the Public Hearing. Upon Motion of Member Marta, seconded by Vice-Chairman DeKoskie and all present in favor, the motion passed by a vote of 6-0 and the Public Hearing was commenced at 8:10 p.m.

Chairperson Pecora read the Public Hearing Notice for the record. The Public Hearing comment protocol was provided allowing the Applicant 5-10 minutes to present, expert testimony would be allowed 5 minutes, with all other comments allotted 3 minutes and additional time could be donated from one individual to another.

Owner Tommy Yan introduced Derek Leung who re-introduced the project which proposed a hospitality experience, stating that 120 parcels of land had been considered and felt that that Hudson Lane parcel best fit the proposal. The Applicant had reviewed the Town's Comprehensive Plan and felt it was clear what was supported and wanted by the Town. The land had been vacant for 14 years and had been available for development. Mr. Leung recounted environmental studies which had been conducted and approval would be a positive development for the Town. The goal was to work with the Town and provide a use which was supported by the Town's Comprehensive Plan.

Paul Rubin Tivoli, NY– Professional geologist that provided documentation labelled “Hydro Quest Report” which was submitted for the record. The report had been prepared at the request of the residents Hudson Esopus Alliance and read excerpts of the report. Mr. Rubin referenced the changes in the wetland regulations that were taking effect in January 2025. Barbara Jocelyn donated her time to speak to Mr. Rubin. He stated that the Planning Board could determine that the “summer cottage colony” was inconsistent with existing community character and should not be permitted.

Kenneth Stenger, Esq. – Provided a written traffic report on behalf of Stephan Moffia who was not present. Attorney Stenger referenced which included traffic patterns which were different

and incongruous from data provided. Charlie Parsell donated time to Attorney Stenger to continue presentation relative to traffic.

John DiMarco 9 Acre Drive, palmville, NY– Provided a Financial Analysis Report for the record. He was asked to provide impact analysis based upon his real estate experience and the impact on property owners if the project was improved. He had evaluated the characteristics of the neighborhood and his conclusion was that the project, were it to be approved, with the increase in traffic, lighting and visual impacts would affect the adjoining the properties and the character of the neighborhood. His conclusion was that it would have an impact on properties values. If the project didn't succeed, how would the cabins be repurposed? Love Debberman donated her time for Mr. DiMarco to continue. Mr. DiMarco provided his analysis of property value evaluations.

Tom Barron 50 Appletree Road, Esopus– Mr. Barron provided written comment for the record. He felt that the project was not economically viable. Based upon an 8-month operation, the reduction of the number of units and bedrooms, the revenue projections were not accurate. Christine Hjorth and Maria Restivo donated time for Mr. Barron to continue.

Lorine Karabec 38 Hudson Lane, Ulster Park - Ms. Karabec read letter which was submitted for the record.

Betty Stanzione Dorio 47 Hudson Lane, Ulster Park – Ms. Dorio provided written comment for the record. Her residence was located directly across from the proposed site entrance and traffic exiting the property would result in headlights shining directly into her living room and bedrooms. The sign and driveway lighting would also be visible directly from her property. Ms. Dorio felt the project didn't fit in the location and was in direct conflict of the statute. Oscar Carlson donated time for Ms. Dorio to continue. She requested that the Public Hearing be kept open.

Julie Brinkman, Ralph and Maria DiCicco – Donated time to Kenneth Stenger, Esq.

Michael Thorne 29 Hudson Lane, Ulster Park - Agreed with previous comments provided.

Sam Hawkins 34 Hudson Lane, Ulster Park – Agreed with previous comments provided and requested that the Public Hearing remain open.

Kristie Mazzaccari 95 Hudson Lane, Ulster Park – Submitted and read written comment for the record. Ms. Mazzaccari noted that the property had been designated as an area of statewide significance. Stormwater runoff and the clearing of trees would change the stormwater runoff and the effectiveness of the proposed retention ponds. She asked that the Planning Board deny the application and hold the Public Hearing open.

Jenna Ice Brookview Lane, Ulster Park - Submitted and read written comment for the record. Ms. Ice was a new member of the Town's Environmental Board and objected to the development.

David Mercer 1001 Broadway, Esopus – Represented Mount Academy School and stated the concern of transient visitors to the proposed development going onto the property of the School. He proposed a barrier be constructed to deter trespassing and requested that the Public Hearing remain open.

Jessica Winchell 365 River Road, Ulster Park – Previous owner of the Global Palate Restaurant which was not End Cut and was a founding member of the Esopus Business Alliance. While pro-business, she felt that the proposed project was not suited for the location.

Joseph Doreo 47 Hudson Lane, Ulster Park – Provided written comment for the record which he summarized. His concern was if the project would affect wells and notification of well-testing. The proposal wasn't appropriate for the neighborhood.

Robert Hare 130 Carney Road, Ulster Park – Provided written comment for the record. Mr. Hare had previously served as a Member of the Esopus ZBA, Zoning Review Board and Wallkill Valley Land Trust. He addressed bulk density and true tax values.

Iza Trapani 130 Carney Road, Ulster Park – Supported previous comments.

Rich Lanzarone Bone Hollow Road, T/O Marbletown– He had served as a Member of the Marbletown Planning Board for 20 years. He lived near the Innis project in Accord which had no significant impact. The property values had actually gone up and he felt there was a low impact project. He urged approval stating that public opposition was not a basis for denial.

Kenneth Stenger, Esq.- Stated that there were four (4) appeals currently pending before the ZBA.

Derrick Karabec 24 & 34 Hudson Lane, Ulster Park – Provided written comment for the record. He stated that the business plan would not work and that there were many environmental and safety concerns. Lisa Jacobs donated her time. He requested that the Public Hearing be held open.

Mercedes Karabec 259 Ulster Park Road, Ulster Park– Agreed with previous comments made except those in support of the project.

Meagan Bianco 41 New Paltz Road, Highland – Ms. Bianco was the Director of Community Engagement with Hudson Strong. She supported the project development, that it aligned with the Town's Comprehensive Plan and did not present a negative impact.

Brian Jacobs 91 Hudson Lane, Ulster Park – Much of the land was swampland which would result in visitors leaving in search of restaurants and recreation given the lack of amenities on the property. This would result in an increase in traffic.

Tom Hermance 24 Hermance Road, Ulster Park – Read written comment provided for the record. Lynn Hammerle donated her time. He referenced the prior written comment from the Esopus Environmental Board addressing water systems, sewer system, steep slopes, lighting, site

chemicals, fire and smoke, pets, trees and traffic. He requested the Planning Board deny the proposal.

Tony Marmo 9 Valley Drive, Ulster Park – Mr. Marmo supported the proposal stating that the Planning Board should base its decision on the Comprehensive Plan. He stated that the developers had been cooperating and had provided the required studies.

Jon Lindgren 87 Hudson Lane, Ulster Park – He echoed previous concerns of the neighbors and was concerned with the validity of the traffic studies and requested the Public Hearing remain open until the application was complete.

Richard Ferri 151 Hudson Lane, Ulster Park – Provided and read written comment for the record. Requested that the Planning Board deny the proposal stating that it changed the character of the neighborhood.

Mitchell Donner 41 Hudson Lane, Ulster Park – Read written comment provided for the record. He provided documentation regarding the proposed use of Solo Stoves and raised concerns regarding guests, trespassing and community management. Kathy Kiernan donated her time.

David Krueger 8 Hudson Lane, Ulster Park – Provided and read written comment provided for the record. He stated that the nearest proposed cabin located within proximity to his deck was 300'. He referenced past proposed subdivision that was reduced from 15 to 4 approved lots and questioned how the Planning Board could now approve this proposal given the number of units. Robert Hammerle donated his time.

Duane North 44 Hudson Lane, Ulster Park – Provided written comment which he read into the record. He felt there were existing unsafe conditions existing on Hudson Lane. He noted recommendations of the Ulster County Planning Board, the traffic assessment provided by CHA which only concerned the main entrance and supported paving the entrance. Debra Vermilyea donated her time.

Tori Brewer 11 Hudson Lane, Ulster Park – Support previous comments in opposition to the proposed development.

Eric Jacobs 42 Dunwoody Drive, Kingston – Former Hudson Lane resident. Spoke in opposition to the proposed development. Stated applicants promote tax benefit to the Town but fail to state intention to file for an PILOT. Requested Public Hearing remain open.

Nathaniel Rahav 174 Hudson Lane, Ulster Park – Provided written comment. Specific concern relative to the operations plan and Guest Management Practices and the ability to implement the plans.

Thomas Maynard 326 River Road, Ulster Park – Read comment submitted for the record. Owns existing farm adjacent to the parcel being proposed for development. The farming operation as well as hunting was not compatible with the proposed campground project.

Caulie Brewer 11 Hudson Lane, Ulster Park – Submitted written comment for the record. Stated that there will be more traffic and noise. Felt the noise generated from the proposed development would increase.

Brian Jacobs 91 Hudson Lane, Ulster Park – Concerned with increased traffic.

Chairperson Pecora noted there were pending applications before the ZBA which were required to be disposed of prior to any action by the Planning Board.

Chairperson Pecora called for a motion to keep the Public Hearing open until October 2024. Upon Motion of Vice-Chairman DeKoskie, seconded by Member Marta and all present in favor, the motion passed by a vote of 6-0 and the Public Hearing held open to be continued in October by the following vote:

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

Chairperson Pecora stated that given the late hour, the only old business to be heard would be the Lighthouse Village application and any other business would be put over until October.

The Planning Board took a short break at 11:02 p.m. at which time Member Anderson left the meeting, five (5) members remained present.

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, Caleb Carr, P.E. and James Bacon, Esq. were present.

Attorney Bacon had submitted a letter to the Planning Board which reviewed the chronology of the Application.

Engineer Carr stated that the plan had been updated to ensure parking and roadways were out of the 50' setback for the GC1 District.

Planner Franson had provided a Resolution which could be revised to provide updates and confirm case numbers with the Planning Board Administrative Assistant. Vice-Chairman DeKoskie recommended that a condition of approval be revised to reflect that the Applicant will contact the Ulster County Department of Health and determine if that agency or the DEC was required to review the sewer extension. Chairperson Pecora read the proposed Resolution.

There being no further discussion, **Chairperson Pecora called for a Motion pursuant to the Resolution for the Site Plan/Special Use Permit.**

Upon Motion of Member Bailer to grant approval, seconded by Member Marta and all present in favor, the motion failed to pass 2-3-0 by the following vote:

Roxanne Pecora	No
Darin DeKoskie	No
Chris Marta	No
Sal Morello	Absent
David Mastny	Aye
Steve Bailer	Aye

Attorney Bacon asked if Members could explain their vote. Vice-Chairman DeKoskie stated that the lot-line adjustment zoning amendment had not been resolved; Member Marta stated the requests for alternate designs were never addressed, Member Bailer stated he did not understand why it had taken 4 ½ years to come to the vote.

Chairperson Pecora called for a Motion to enter into an attorney/client meeting. **Upon Motion of Member Marta, seconded by Vice-Chairman DeKoskie and all present in favor, the Board entered into an attorney/client meeting.**

ZBA Referral - Density and Structure appeal of Kenneth Stenger – No comment.

Upon Motion of Member Mastny, seconded by Member Bailer and all in favor, the meeting was adjourned by a vote of 5-0 at 12:0 a.m.

Respectfully submitted,

Lisa K. Mance

Dated: September 30, 2024
Approved: October 21, 2024