

PLANNING BOARD MEETING
OCTOBER 14, 2015

PRESENT: Roxanne Pecora
Fred Zimmer
Michael Minor
Margaret Yost
Darin Dekoskie
Dan Michaud

EXCUSED: Mark Anderson

ALSO PRESENT: Myles Putman, Consultant

Chairperson Pecora called the meeting of the Town of Esopus Planning Board to order at 7:30 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.

MINUTES: Chairperson Pecora asked if the Board read the minutes from the September 9, 2015 meeting and if there were any changes or corrections.

MARGARET MADE A MOTION TO APPROVE THE SEPTEMBER 9, 2015 MINUTES AS SECONDED BY MICHAEL. ALL MEMBERS WERE IN FAVOR. MINUTES PASSED WITH A VOTE OF 5-0.

VOUCHERS:

M.L. Putman Consulting (September 2015).....\$2,300.00
M.L. Putman Consulting (Scenic Hudson).....\$ 260.00
April Oneto (secretarial services).....46 hours

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

NEW BUSINESS:

SUSAN BRISBOIS: SPECIAL USE PERMIT -15-17 Rifton Terrace, Rifton

Chairperson Pecora thanked Susan for coming to the meeting. Roxanne explained to Susan that the Board wanted to talk to her about the property and what her understanding was of the Special Use Permit. She said that she was told by the previous owner and his attorney that the property would remain the same as what it was. She said that the Special Use Permit was a condition of purchasing the property. She understood from them that an inspection would be done once a year by the Building Department to make sure that everything was done properly.

Roxanne stated that one of the things that was an issue with the previous owner was that the permit had expired over 40 years ago and that it needed to be renewed. We need to understand what the use of the property will be.

Susan gave the Board a copy of a brochure for the property named Serenity House along with a copy of a letter that she gave to the neighbors. She stated that it is going to be used to board women who are coming out of recovery and staying in recovery. They have to work, go to school or be enrolled in an out patient program. She will be helping them to get their children back and move on.

Margaret asked if this was a temporary house for individuals to adjust to society and move on. Susan stated that this is correct. Susan said there is no treatment. They will attend NA and AA Meetings. She stated that she gutted it as far as all the men and alcoholics. She said that there has been no police there. There is no garbage lying around the property. Susan said that the place is spotless and the Board is welcome to visit at any time. She asked that the men call ahead so that she knows that they are coming. Margaret made arrangements to visit the house on Thursday morning at 8:30 a.m. Susan was asked if she has any State license. She said she does not since there is no treatment on site. She stated that she has a CASAC and a Recreational Therapy license but she is not doing treatment. Roxanne asked how many people will be residing in the home. Susan stated that there are 12 bedrooms and two of the rooms are large enough for two people so she will have a maximum of 14. Susan stated that all of the previous tenants are gone except for one female who has been going to treatment and meetings. There is no alcohol or drugs allowed on the property. They sign a list of rules when they arrive and they are drug tested monthly. There is a curfew of 10:00 p.m. during the week and 11:30 p.m. on the weekend. Fred asked if she resides on the premises. She stated that she lives in Tillson about 6 minutes away and she is there every morning and every evening. Her son lives in a cottage on the property. There are security cameras that monitor the place. She stated there will be nobody in the house during the day. They will be working or in a program.

Roxanne stated that she is not sure where we go at this point. Mike pointed out that our code no longer supports boarding houses but your property was approved many years ago. There is some question about whether the Special Use Permit is still good. He feels that this permit was granted by the Planning Board many years ago. If some of the conditions were not met to keep it in effect, that was not the previous owner's problem. He obtained a series of building permits over this period of time. Margaret asked if it was up to fire code, etc. and she asked if the Building

Inspector has been there. Susan stated that he has not but he is welcome to come there to inspect. She stated that she has had an electrician in and Central Hudson. She has had a plumber in to check the plumbing and make sure it was up to code. She had a pest inspector and the place has been stripped, painted and cleaned. The yard has been cleaned up. She stated that she has received good responses from the neighbors and she will be having an open house the first week in December and she will invite the Board members.

Roxanne stated that if the Board is in agreement one of the first things to do would be to have the Building Inspector visit the house. If he is happy, we would consider granting the permit again with or without conditions. Fred stated that he would think that we would want to limit the permit to one year initially. After the first year we can review it and adjust the timeframe accordingly. Michael stated that we should be specific about what we are looking at. Roxanne stated that it was approved for 12 people. Susan planned on housing 14. Two rooms are large and they will have two women in each of these rooms.

We will be asking the Building Inspector to give us a maximum number of people allowed. Myles stated that after listening to the Board he thinks that we should handle this as a continuance of the boarding house use and we are really talking about a renewal. Building Inspector, Tim Keefe, was present in the audience and came forward to introduce himself to Susan.

MICHAEL MADE A MOTION TO GRANT A ONE YEAR RENEWAL FOR THE SPECIAL USE PERMIT CONTINGENT UPON THE BUILDING INSPECTOR'S REPORT TO THIS BOARD. THERE WILL BE NO FEE AND THIS WILL BE REVIEWED 12 MONTHS FROM THE DATE OF APPROVAL, SECONDED BY MARGARET. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 6-0. VOTE WAS AS FOLLOWS:

Fred.....yes
Margaret.....yes
Darin.....yes
Dan.....yes
Michael.....yes
Roxanne.....yes

Margaret arranged with Susan to visit the site tomorrow morning at 8:30 a.m.
Susan said that other Board members are welcome but please call first.

Susan asked for clarification. Roxanne said that the Building Inspector will inspect the property and if he says everything is good and the maximum number of people to be housed there will be 14. That is what the permit will state. If he finds any violations, she will be contacted. Applicant will receive a copy of the minutes and the Building Inspectors Report.

BRITT & GRAFF: Case #2015-11 – Site Plan Review – 2 Liese Lane (private road), Ulster Park; SBL: 63.002-2-2.1

Phil Schaeffer, Ray Navarra (owner), Matt Hiltz and Timothy Keefe present in his capacity as Building Inspector.

Myles reviewed M.L. Putman Consulting Report dated 10/6/15. Copy was given to applicants and copy placed in file.

Roxanne stated that anything that is handed out this evening to the Board will be reviewed at the next meeting. New maps are for next month and tonight's review will consist of what we received previously.

Myles stated that the dwelling on the site does not have a Certificate of Occupancy.

Phil stated that the tanks are 70 feet long, 9 feet wide and 5 feet between the two tanks and they hold 30,000 gallons each. Michael asked how often they would be filling the tanks. He was told that depended upon the time of the year. During the winter months the maximum would be twice a month depending on the severity of the winter. The exit from the site will be off the southern part of Ulster Avenue.

Matt stated that everything is installed based upon the NFPA Code. There are separation distances and setback requirements. He stated that they are actually exceeding the Town Code. All safety measures are based on the code. The code requires all tank appurtenances to be fenced in with a minimum of a 6 foot commercial chain link fence. It does not require the tank itself to be fenced in. Phil stated that there is a mandatory light above the main building. This will be shining towards the rear of the building. Darin questioned the number of tanks filled per day. Ray stated that they are typically filled once a day depending on the weather and this is done during the day. DEC Permits are not required. It is New York Home Rule. Ray stated that propane heat is growing. Margaret asked what the operation hours are. Ray stated 8-5 unless it is really busy and then it would be 7-5. She asked about emergencies at night. Ray stated that he has approximately 10 a year for propane and 10 for oil. The trucks will be parked underneath the pavilion. There will be minimal grading done for the pedestals that hold the tanks.

Applicant completed questions 9 & 14 on the short EAF. Ray stated that he talked to most of the surrounding property owners and they have no problem with this project. He stated that the building without the Certificate of Occupancy is being vacated by November 1st. He is using the garage to store items.

MICHAEL MADE A MOTION TO CLASSIFY THIS AS A TYPE 2 ACTION PURSUANT TO SEQR, SECONDED BY DAN. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 6-0. VOTE WAS AS FOLLOWS:

Fred.....yes
Margaret.....yes
Darin.....yes
Dan.....yes
Michael.....yes
Roxanne.....yes

MICHAEL MADE A MOTION TO REFER BRITT & GRAFF, CASE #2015-11, SITE PLAN REVIEW TO THE ULSTER COUNTY PLANNING BOARD, SECONDED BY DAN. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 6-0. VOTE WAS AS FOLLOWS:

Fred.....yes
Margaret.....yes
Darin.....yes
Dan.....yes
Michael.....yes
Roxanne.....yes

MICHAEL MADE A MOTION TO WAIVE THE PUBLIC HEARING PURSUANT TO SECTION 107.16.A FOR BRITT & GRAFF, CASE #2015-11, SITE PLAN REVIEW, SECONDED BY DAN. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 6-0. VOTE WAS AS FOLLOWS:

Fred.....yes

Margaret.....yes

Darin.....yes

Dan.....yes

Michael.....yes

Roxanne.....yes

BARRON: Case #2015-10 – Minor re-subdivision – 14 Lamont Landing & Appletree Drive (private road), Esopus; SBL: 72.009-3.5.31 & 3

Chris Zell was present to represent the applicant.

Myles reviewed M.L. Putman Consulting Report dated 9/24/15. Copy was given to applicant and copy placed in file.

Applicant is proposing a subdivision and a lot line adjustment. The house on Lot 1A has been removed but the garage is still there. Myles said that this has a national registered structure under SEQR, however, we do not have to do coordinated review because the Planning Board is the only involved agency unless a variance is being asked for density in Lot 3B. Preparation of SEQR documents will be done by Myles.

Fred stated that there is no frontage on Lot 3B. Myles stated that they have frontage on Parker Lane which is a Town highway. Chris stated that Fred means because of the flag portion of Lot 3A. Discussion continued regarding this issue. They are looking at the 50' wide road reservation. Fred stated that if they want to own to the center of the road then they do not have any frontage. Fred said that this is an ongoing problem and the roads should be dedicated and turned over to the Town. The previous landowner did not want to do that. Roxanne stated that when this comes back before this Board and it is a new application it is the

Board's opportunity to bring it up to the code and now is the time to do that. The road in question would be Parker Avenue. The Town has been plowing and maintaining this road for years. It is a user road and the turnaround was granted by an easement. Michael Moriello, Esq. was asked about this. He said that the previous owner was alright with the Highway Department on the road going down to the dock and turning around but she did not want everyone else using it. They were asked to discuss the road situation with the applicant and get back to the Board. Roxanne asked why they were separating the dock out again. Chris Zell stated that the applicant plans on keeping the dock if in fact he plans on selling anything; which he is not saying that the applicant is. Chris stated that he understands what the Board is asking and he will go back and speak to Mr. Barron.

Roxanne stated that we cannot do anything with this until we understand whether or not we have a zoning violation. If the second dwelling on the site is deemed to be an "accessory apartment" by the Building Department as per Section 123-11. G, then we do not have a violation. Building Inspector, Tim Keefe, was present and was asked to let us know what he determines and get back to this Board.

**TAPPER: Case #2015-12 – Special Use Permit/Site Plan Review –
1689 Broadway (US Rt. 9W; State Hwy 5508) West Park;
SBL: 80.001-3-23.1**

Applicant Seth Tapper, Michael Moriello, Esq., Alan Dumont, Brinnier & Larios and Scott Dutton, Architect were present for this application.

Myles reviewed M.L. Putman Consulting Report dated 10/14/15. Copy or report was given to applicant and copy placed in file.

Applicant proposes to establish lodging facilities, a restaurant and assembly space

in the older building on the site. Rental rooms will be available in the second floor of the old house. Four guest cottages are proposed. A total of 12 rental rooms are proposed. A twelve seat restaurant is proposed along with a bar. Myles informed the applicant that if the restaurant were to be opened in the future to the general public this would be a separate special use permit by the Planning Board. It is up to the applicant to tell us if it is going to be opened to the general public or just for use by the hotel patrons. Would like some estimates on traffic. There are no plans to merge the two abutting properties owned by Mr. Tapper. This application will require coordinated review and the Planning Board should serve as Lead Agency.

Scott handed out visuals of the site. They prepared a computer simulation, 3D model based on topographic and survey information provided by Brinnier & Larios. The Board was given a few snapshots of what they put together.

Seth stated that he purchased the property and has been trying to think of a way to bring it to life. His plan is to build a really beautiful garden that cascades down to the cliff. The lot he is developing is just above the cliff. The lot will be a very beautiful garden with a mixture of vegetables and flowers. He built a building called the Flower Box in the city which is similar. There are nine rooms not twelve. There will be a 12 seat tasting menu restaurant using things from the garden. They are building very little. They are taking the existing structure and rebuilding. They will be building 4 cottages on the site that will be 720 sq. ft. each with a deck. They will be 14ft. in height, single story nestled into the tree line with grass roofs. From the back they will disappear into the landscape and the front will be glass. Scott stated that there are two small additions proposed to the main structure. If you look at the structure today, it is lopsided. You have the elegant Greek revival structure that looks like it has an appendage attached to it. The one addition is to echo that on the opposite side to bring back the symmetry. This is

natural and it is obvious. It is a 600 sq. ft. addition to the north. They are proposing a 600 sq. ft. addition to the south, an exact replica. The other minor addition is 1,045 sq. ft. and this will serve the purpose of linking the main house to the other adjacent structures and allow you to go from one to the other. The restaurant and bar will be in the existing building.

Margaret asked if the restaurant and the bar were only for the guests who stay there. Seth stated that this is honestly a decision that he has not made at this point. Seth stated that the reason they are doing this is mainly for the guests that are staying. He stated that he would rather not preclude others from coming to the restaurant but it is only 12 seats. Michael stated that in the future if they needed to support restaurant they may want to look at this. Roxanne stated that this Board needs to look at the whole picture with the parking and the traffic. He has plenty of parking but we need to look at this. Seth stated that the point of the restaurant and the bar is to service the guests. However, he has not made a decision to foreclose the public who may want to come. He was asked about his plans for events. Seth stated that he has no plans for this at this time but he cannot honestly say he will never do this. He is aware that if he decided to do this in the future he knows that he will have to come back.

Alan stated that they will be doing minor upgrades to the existing building. Seth was asked about the lower lot that he owns and the side lot that he owns. He stated that they are not part of the application. Seth will have them removed from the plans.

They will be putting in a small outdoor swimming pool that will be fenced in. There will be 5 rooms in the existing building and four cottages that will house guests. Each cottage will have one bedroom, kitchenette and one long living room. Guests will move around the property with golf carts. There will be no hot tubs in the

cottages.

Darin questioned the area of disturbance. He stated that they have plenty of parking now and would be able to remove some of the parking area to offset the area of disturbance. Alan stated that the cottages would be built off-site and brought in. Alan stated that the total disturbance is actually low. Darin stated that if they are approaching the acre or getting close to it perhaps a parking count could remove some of that impervious area.

Scott stated that they would like to shield the garden from Route 9W with the fencing. Michael Moriello stated that they may need a variance for the wall and a side yard variance for the south cottage. They discussed moving or turning the building but this is the perfect spot for the cottage. Scott stated that the further you bring it to the north the more it encroaches on the view from the main house. Discussion took place regarding a way that this could be done. He owns the adjoining lot but since it is a flag lot he cannot do a lot line adjustment. Darin stated that maybe this could be considered an accessory structure which would require only a 5 ft. setback. Myles read the code regarding accessory buildings and it was decided that the applicant should seek the variance from the ZBA.

Scott stated that they have already done their reconnaissance in the photos of the Vanderbilt Mansion and superimposed them with the 3D model and it is almost impossible to see the alterations. The additions are so small.

Michael Moriello questioned if it is possible for him to supply what the Board asks for then circulate the Lead Agency Coordination next month. Myles was agreeable to this.

MICHAEL MADE A MOTION TO DECLARE TAPPER, CASE #2015-12, SPECIAL

USE PERMIT/SITE PLAN A TYPE 1 ACTION PURSUANT TO SEQR, SECONDED BY FRED. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 6-0. VOTE WAS AS FOLLOWS:

- Fred.....yes
- Margaret.....yes
- Darin.....yes
- Darn.....yes
- Michael.....yes
- Roxanne.....yes

MICHAEL MADE A MOTION TO DECLARE OUR INTENT TO BE LEAD AGENCY FOR TAPPER, CASE #2015-12, SPECIAL USE PERMIT/SITE PLAN CONDITIONED UPON RECEIPT OF ADDITIONAL INFORMATION, IN THE FORM OF ATTACHMENTS TO THE FEA (FULL ENVIRONMENTAL ASSESSMENT FORM) OR ADDITIONAL PLAN SHEETS, THAT PROVIDE INFORMATION ON THE TOTAL PROPOSED GROSS FLOOR AREA, THE PROPOSED FLOOR AREA OF RESTAURANT AND BAR, THE ANTICIPATED NUMBER OF EMPLOYEES, A CALCULATION OF REQUIRED PARKING AND TRAFFIC GENERATION FIGURES, EVEN IF THESE ARE ROUGH ESTIMATES. MOTION SECONDED BY MARGARET. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 6-0. VOTE WAS AS FOLLOWS:

- Fred.....yes
- Margaret.....yes
- Darin.....yes
- Dan.....yes
- Michael.....yes
- Roxanne.....yes

MARGARET MADE A MOTION TO ESTABLISH AN ESCROW ACCOUNT FOR TAPPER, CASE #2015-12, SPECIAL USE PERMIT/SITE PLAN, IN THE AMOUNT OF \$5,000.00, SECONDED BY ROXANNE. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 6-0. VOTE WAS AS FOLLOWS:

Fred.....yes

Margaret.....yes

Darin.....yes

Dan.....yes

Michael.....yes

Roxanne.....yes

ESCAPES REALTY LLC (LEWIS): Case #2015-13 – Minor Re-subdivision –
183, 192 Martin Sweedish Rd. (Town
Highway 830); SBL: 71.003-5-26.114

Applicants Abram Lewis and David Pakenham were present to represent this application.

Myles reviewed M.L. Putman Report dated 10/8/15. Copy was given to applicant and copy was placed in file.

Myles stated that we will need a map. There are three options to accomplish this. Option one is whether or not the Assessor's Office will allow the 50 acres on the east side of Martin Sweedish Road to continue to be attached to the lands on the west side of Martin Sweedish Road if we carve out a parcel for the existing road to be dedicated to the Town. Option #2 and #3 are predicated on the fact that we have to declare the lands east of Martin Sweedish Road as a separate lot. We will

call it Lot #5. Option #2 basically says we make them demonstrate that Lot #5 is buildable with a septic, driveway, etc. If the Board looks at the maps from the previous subdivision, you can see that there is a large portion of this property that is wetlands. Option #3 given the acreage of the property and some of the regulatory features that are present we can do what we did with another applicant that had 10 acres of road on Old Post Road and were not going to develop it and keep it as open space/hunting lands. We agreed that given the acreage we waived all of the development requirements. Myles stated that for all three options we will need a map and a deed for the road.

Fred stated that as long as the lot is contiguous, which it is, we can link them. Fred stated that we will need two deeds. They will need one for road parcel that will be conveyed and a deed for the old lot with an exception or the parcel that is coming out for the road.

Abram stated that they do have driveway and septic approval and they have placement of a house on the remainder lot. Abram said that the only obstacle they would have would be getting a permit to do a driveway for part of the wetlands. Myles stated that these plans date back to March, 2012. Dave stated that there is certainly a building site there.

Following some discussion Myles wanted to make it clear that Lot #5 would be considered 50 acres, buyer be were. The ultimate decision is up to the applicants. Dave felt that Option #3 is the best for them. Mike stated that if they do the linkage of the two parcels they would not have to pay the recreation fee and if in the future they decided to do a separate lot they would have to come back before this Board for a subdivision and pay the recreation fee. Abram felt that if they have to do a whole set of maps to show the road as a separate lot anyway and then they would have to do another set in the future. Abram stated that he thinks they

would want to do the subdivision now. They will discuss it further and make their decision. Abram asked if the Board is amenable to waiving the development requirements on Lot #5 since it is 50 acres. Myles repeated that Option #3 is to set the 50 acres aside and make it Lot #5. This Board will not require you to do development information or curb cut approvals. It will be 50 acres, buyer beware. You will pay the \$2,000.00 recreation fee, have a public hearing and make sure that the map is complete. Applicant was told that if they submit this information by October 28th they will be on the agenda for the November meeting.

OLD BUSINESS:

**ALDEN – DINOME: Case #2015-06 – Lot Line Adjustment – 685 & 687
Broadway (US Rt. 9W), Ulster Park; SBL: 64.003-
1-17 & 18**

Applicant was represented by Chris Zell, Brinnier & Larios.

Myles reviewed M.L. Putman Report dated 10/5/15. Copy was given to applicant and copy placed in file.

Applicant received the required variance from the ZB. Copies placed in the Planning Board files. Myles completed Parts 2 & 3 of the Short EAF (Environmental Assessment Form) to support the Negative Declaration.

MICHAEL MADE A MOTION TO CLASSIFY THIS ACTION AS AN UNLISTED ACTION PURSUANT TO SEQR FOR ALDEN-DINOME, CASE #2015-06, LOT LINE ADJUSTMENT, SECONDED BY FRED. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 6-0. VOTE WAS AS FOLLOWS:

Fred.....yes
Margaret.....yes
Darin.....yes
Dan.....yes
Michael.....yes
Roxanne.....yes

MICHAEL MADE A MOTION TO GRANT SKETCH PLAN APPROVAL FOR ALDEN-DINONE, CASE #2015-06, LOT LINE ADJUSTMENT, SECONDED BY FRED. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 6-0. VOTE WAS AS FOLLOWS:

Fred.....yes
Margaret.....yes
Darin.....yes
Dan.....yes
Michael.....yes
Roxanne.....yes

MICHAEL MADE A MOTION TO WAIVE THE PUBLIC HEARING AS PER SECTION 107.16.A(1) FOR ALDEN-DINOME, CASE #2015-06, LOT LINE ADJUSTMENT, SECONDED BY FRED. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 6-0. VOTE WAS AS FOLLOWS:

Fred.....yes
Margaret.....yes
Darin.....yes
Dan.....yes
Michael.....yes

Roxanne.....yes

MICHAEL MADE A MOTION TO MAKE A DECLARATION OF NON-SIGNIFICANCE (NEGATIVE DECLARATION) PURSUANT TO SEQR FOR ALDEN-DINOME, CASE #2015-06, LOT LINE ADJUSTMENT, SECONDED BY FRED. ALL MEMBERS WERE IN FAVAOR. MOTION PASSED WITH A VOTE OF 6-0. VOTE WAS AS FOLLOWS:

Fred.....yes
Margaret.....yes
Darin.....yes
Dan.....yes
Michael.....yes
Roxanne.....yes

MICHAEL MADE A MOTION TO GRANT CONDITIONAL FINAL PLAT APPROVAL FOR ALDEN-DINOME, CASE #2015-06, LOT LINE ADJUSTMENT CONDITIONED UPON RECEIPT OF 6 PAPER MAPS AND 1 MYLAR SIGNED BY THE LANDOWNERS, SECONDED BY FRED. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 6-0. VOTE WAS AS FOLLOWS:

Fred.....yes
Margaret.....yes
Darin.....yes
Dan.....yes
Michael.....yes
Roxanne.....yes

Roxanne stated that we have been told that these cabins are seasonal. Darin

asked if they figured out where the septic is. Chris stated that all the cabins have their own septic but they all share one well.

**SCENIC HUDSON LAND TRUST: Case #2015-08 – Special Use Permit/Site
Plan Review – 132 River Rd., Ulster Park;
SBL: 56.020 & 64.001**

Heather Blaikie, Scenic Hudson present for this application.

Roxanne stated that we have not received the County Planning Board comments at this point. She attended this meeting and is under the impression that the County will send an Advisory Comment stating that the entire PUD (Planned Unit Development) should be dissolved because it goes against code and the law. Discussion took place regarding the recommendation of the removal of the entire PUD. It was agreed that this is a Town Board decision.

MICHAEL MADE A MOTION TO INFORM THE TOWN BOARD THAT THE PLANNING BOARD SUPPORTS REMOVAL OF THE PUD FOR THE SCENIC HUDSON PORTION OF THE PUD, SECONDED BY MARGARET. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 5-1. VOTE WAS AS FOLLOWS:

Fred.....yes
Margaret.....yes
Darin.....yes
Dan.....yes
Michael.....yes
Roxanne.....abstained

MICHAEL MADE A MOTION THAT THE PLANNING BOARD WILL FOLLOW THE TOWN BOARD’S LEAD REGARDING THE REMAINING PORTION OF THE PUD AND THE EASEMENTS FOR BOHAN AND CASELLINI, SECONDED BY DAN. MOTION PASSED WITH A VOTE OF 5-1. VOTE WAS AS FOLLOWS:

Fred.....yes
Margaret.....yes

Darin.....yes
Dan.....yes
Michael.....yes
Roxanne.....abstained

MICHAEL MADE A MOTION TO DECLARE THE PLANNING BOARD AS LEAD AGENCY FOR SCENIC HUDSON LAND TRUST, REZONING AND SPECIAL PERMIT, SECONDED BY DARIN. ALL MEMBERS WERE IN FAVOR. MOTION PASSED WITH A VOTE OF 6-0. VOTE WAS AS FOLLOWS:

Fred.....yes
Margaret.....yes
Darin.....yes
Dan.....yes
Michael.....yes
Roxanne.....yes

ZBA REFERRALS:

Christopher Cole – 143 Prospect Street, Port Ewen, NY

This application is for an appeal to the interpretation by the Building Inspector regarding an application of the Town Code.

Following some discussion the Planning Board members agreed that they have no comment at this time.

Vladimir and Laura Klimenchenko – 850 Old Post Road

They are requesting a variance from Section 123-11.A and Section 123-13-L(1). Applicants are requesting a subdivision with an area variance to reduce existing summer cottage colony to under 10 acres.

Cottage colonies require 10 acres minimum and house lot single family requires 40,000 sq. ft. Therefore, there is not enough land to do a subdivision. A 100 ft. setback is required between buildings and any lot lines. The attached write –up supersedes the handwritten pre-submission notes for this applicant.

MISCELLANEOUS:

We received a referral from the Town of Lloyd for a public hearing because they are changing their sign code. The Board had no comment.

Letter of Credit/Materials and Performance Bond:

Following some discussion it was agreed that in the future applicants will be told that **they have to provide an insurance policy naming the Town of Esopus for the amount of the Letter of Credit to remain in effect until project completion.**

BUILDING DEPARTMENT LIAISON:

Fred has nothing to report this month.

DAN MADE A MOTION TO ADJOURN, SECONDED BY DARIN. THE MAJORITY OF THE MEMBERS WERE IN FAVOR. MEETING ADJOURNED AT 10:05 PM.

NEXT PLANNING BOARD MEETING: NOVEMBER 11, 2015

DEADLINE DATE: OCTOBER 28, 2015

NEXT PRE-SUBMISSION MEETING: NOVEMBER 18, 2015

Respectfully submitted:

April Oneto
Planning Board Secretary