

TOWN OF ESOPUS PLANNING BOARD MINUTES
October 9, 2019

PRESENT: **Roxanne Pecora, Chairperson**
 Fred Zimmer, Vice Chairperson
 Mark Anderson
 Darin DeKoskie
 Dan Michaud
 Greg McCord
 Brian Cournoyer

ALSO PRESENT: **Alan Sorensen, Consultant, Town Board Member Gloria VanVliet**

The meeting of the Town of Esopus Planning Board was called to order at 7:36 P.M.

Chairperson Pecora commenced the meeting with the Pledge of Allegiance and the emergency exit advisory and welcomed Brian Cournoyer as a new member to the Planning Board.

MINUTES: Chairperson Pecora asked if the Board had read the minutes of the September 11, 2019 meeting and **called for a Motion to approve the Minutes as presented.** Upon Motion of Member Dan Michaud, seconded by Member Darin DeKoskie and the affirmative vote of 7 members, the abstention of 0 members, the motion passed 7-0.

VOUCHERS:

Planning Consultant Alan Sorensen, Planit Main Street - Services provided for September 2019	\$2,300.00
CHA Escrow Voucher (Old Stockade Site Plan review)	\$ 1,857.50
Administrative Assistant, Lisa K. Mance	81.50 hours

Chairperson Pecora called for a Motion to approve the submitted vouchers. Upon Motion of Member Dan Michaud, seconded by Vice-Chairman Fred Zimmer and the affirmative vote of all members, the Motion passed with a vote of 7-0.

PUBLIC HEARING:

Hudson Shore Estate Site Plan/Special Use Permit (Lyvnn Pincus) – Case No. 2019-12; 9 Chambers Road; SBL No. 80.1-3-25

Chairperson Pecora entertained a Motion to open the Public Hearing. Upon Motion of Member Mark Anderson, seconded by Vice-Chairman Fred Zimmer and the affirmative vote of all members, the Public Hearing commenced at 7:40 p.m. Chairperson Pecora read the Public Hearing Notice for the record.

John Kalin, P.E. as agent and Jillian Weimer were present.

Neighbor Steve Grim was present and inquired as to 40' setback indicated on the Site Plan in relation to his property located on the Northern boundary. Engineer Paul Kalin noted that there was an error and that it would be corrected to 30' on the final site plans. Mr. Grim added his concerns with regard to traffic on Route 9W.

Chairperson Pecora called for a motion to close the Public Hearing. Upon Motion of Member Darin DeKoskie, seconded by Member Mark Anderson and the affirmative vote of 6 members, the negative vote of 0 members and the abstention of 1 member, the Motion passed with a vote of 6-0-1 as follows:

Roxanne Pecora	Aye
Fred Zimmer	Aye
Mark Anderson	Aye
Dan Michaud	Aye
Darin DeKoskie	Aye
Greg McCord	Aye
Brian Cournoyer	Abstain

OLD BUSINESS:

Hudson Shore Estate Site Plan/Special Use Permit (Lynn Pincus) – Case No. 2019-12; 9 Chambers Road; SBL No. 80.1-3-25

Chairperson Pecora called for a motion for the Planning Board to declare its self lead agency. Upon Motion of Member Darin DeKoskie, seconded by Member Mark Anderson and the affirmative vote of 6 members, the negative vote of 0 members and the abstention of 1 member, the Motion passed with a vote of 6-0-1 as follows:

Roxanne Pecora	Aye
Fred Zimmer	Aye
Mark Anderson	Aye
Dan Michaud	Aye
Darin DeKoskie	Aye
Greg McCord	Aye
Brian Cournoyer	Abstain

The application had been referred to the Ulster County Planning Board (UCPB) for review. Chairperson Pecora read the Recommendations from the October 2, 2019 meeting of the UCPB. The Planning Board members accepted the recommendations of the UCPB for New York State Department of Transportation (NYSDOT) review of the proposed 9W curb cut closure and access off of Chambers Road and confirmation from the Ulster County Department of Health (UCDOH) that the existing sanitary facilities were adequate.

Chairperson Pecora called for a motion to classify the action as Unlisted under SEQRA.

Upon Motion of Member Dan Michaud, seconded by Member Greg McCord and the affirmative vote of 6 members, the negative vote of 0 members and the abstention of 1 member, the Motion passed with a vote of 6-0-1 as follows:

Roxanne Pecora	Aye
Fred Zimmer	Aye
Mark Anderson	Aye
Dan Michaud	Aye
Darin DeKoskie	Aye
Greg McCord	Aye
Brian Cournoyer	Abstain

Chairperson Pecora called for a motion to issue a SEQRA Negative Declaration. Upon Motion of Member Greg McCord, seconded by Member Mark Anderson and the affirmative vote of 6 members, the negative vote of 0 members, and the abstention of 1 member, the Motion passed with a vote of 6-0-1 as follows:

Roxanne Pecora	Aye
Fred Zimmer	Aye
Mark Anderson	Aye
Dan Michaud	Aye
Darin DeKoskie	Aye
Greg McCord	Aye
Brian Cournoyer	Abstain

Chairperson Pecora called for a motion to grant Site Plan and Special Use Permit approval with conditions that UCDOH and NYSDOT approvals were obtained. Upon Motion of Member Dan Michaud, seconded by Member Darin DeKoskie and the affirmative vote of 6 members, the negative vote of 0 members and the abstention of 1 member, the Motion passed with a vote of 6-0-1 as follows:

Roxanne Pecora	Aye
Fred Zimmer	Aye
Mark Anderson	Aye
Dan Michaud	Aye
Darin DeKoskie	Aye
Greg McCord	Aye
Brian Cournoyer	Abstain

P.Z.R. Construction (Ruggieri) – (Jeffrey Hogan, P.E. of Praetorius & Conrad, P.C., as Agent) – Case No. 2018-4; 8-Lot Subdivision/Lot Line Adjustment; Clay Road (Route 9W), Ulster Park, SBL No. 56.83-4-10.121

Planning Consultant Sorensen reviewed the content of his project review notes. The current application proposed 7 residential lots and 1 “stormwater” lot. Application was also amended to

include a lot line adjustment to transfer 2.022 acres from SBL 56.83-4-10.123 to SBL 56.83-4-10.124 which combine property lying in the R-12 Residential District with property which lay entirely within the General Commercial Zoning District. This raised a potential concern with regard to SEQRA segmentation and Planner Sorensen recommended that the Planning Board determine whether “permissive segmentation” would be warranted. The fact that this property originally was subdivided into two lots, now one of the two lots was proposed for a 7 lot subdivision and there may be plans for commercial development of the other lot, the issue of segmentation should be raised to determine how best to address same. The primary issue raised in Planner Sorensen’s review dealt with stormwater.

Engineer Hogan noted that the limits of disturbance were less than five (5) acres as it pertained to this project and the current proposal dealt with stormwater runoff specific only to the proposed subdivision. Member Dekoskie noted that if the disturbance on the adjacent commercial property owned by the same applicant were taken into consideration, disturbance would be well over five acres. The subject property adjoined another parcel under the same ownership which is zoned commercial and has been looked into by various investors to develop. Engineer Jeffrey Hogan conceded that the disturbance on the proposed subdivision/lot-line adjustment, if added to possible development of the commercial lot, would result in over 5 acres of disturbance and require a full Storm Water Pollution Prevention Plan. Engineer Hogan indicated that the developer was willing to create a storm drainage system as well as repave Clay Road upon completion of the installation of utilities. Member DeKoskie stated that he was inclined to consider permissive segmentation if analysis of runoff from the commercial lot was included in the stormwater calculations that were being submitted to Town Engineer for review. It was noted that a preliminary calculation may be acceptable for the Engineers to determine that the stormwater runoff would be adequately addressed. Tighe & Bond had conducted an analysis of the stormwater issues within the Town and the Planning Board wanted to refer to Tighe & Bond as well as the Planning Board Engineer to ensure that existing areas in crisis were not exacerbated. Taking a rough look at the stormwater management relative to the commercial property in conjunction with the proposed subdivision was desired by the Planning Board. What currently was presented was a drainage study. Members Darin DeKoskie and Dan Michaud indicated that submitting, at the least, drainage studies for both the commercial and proposed subdivision properties to Tighe & Bond – not providing the drainage study for both parcels wouldn’t provide a complete picture to Tighe & Bond for review. Separate study should accompany the drainage study provided for the proposed subdivision when presenting to Tighe & Bond. Engineer Hogan confirmed that the Board was requesting runoff calculations. The Planning Board indicated that an email to the Town Board inquiring as to what the Applicant needed to provide with regard to the possible development of the adjacent commercial property would be sufficient for Tighe & Bond to have adequate information to provide an informed recommendation.

Pursuant to his project review notes, Planner Sorensen noted that there was clearly an issue of segmentation and the Planning Board needed to justify the conditions under which it would be allowed. The lot-line adjustment now affects both parcels. Member Michaud felt segmentation should be addressed prior to asking Applicant to provide additional water drainage calculations but it was the consensus that the lot-line adjustment was necessary for stormwater management for the commercial lot and drainage for both lots should be addressed at this time. Planner

Sorensen noted that the Planning Board could allow segmentation by documenting justification for allowing it to proceed in such a manner and that by documenting the stormwater runoff that would support the Board's decision adding that it may be years before the commercial site may be developed. The Board indicated to Engineer Hogan that by providing the runoff drainage analysis report, the Planning Board could then make a decision on allowing the segmentation. Chairperson Pecora read minutes from the approval of the original subdivision wherein concerns of segmentation were raised.

The Planning Board discussed the review of the drainage study and how the review by Pete Lilholt, Jr., P.E. and referral/input from Tighe & Bond should be handled. Chairperson Pecora indicated that a conference call with Darin DeKoskie, Roxanne Pecora, Pete Lilholt, Dan Valentine and Shannon Harris was needed to be scheduled to determine how to coordinate the drainage (stormwater) review.

Chairperson Pecora entertained a motion to establish escrow in the initial amount of \$10,000.00. Upon Motion of Member Darin DeKoskie, seconded by Member Dan Michaud and the affirmative vote of 7 members, the negative vote of 0 members and the abstention of 0 members, the Motion passed with a vote of 7-0 as follows:

Roxanne Pecora	Aye
Fred Zimmer	Aye
Mark Anderson	Aye
Dan Michaud	Aye
Darin DeKoskie	Aye
Greg McCord	Aye
Brian Cournoyer	Aye

Planner Sorensen indicated that his review notes relative to permissive segmentation could be modified to incorporate Member DeKoskie's recommendations.

Litts/Tienken Lot Line Adjustment – Case No. 2019-10; 7 DeSantis Court; SBL Nos. 63.4-1-28 & 29

Don Brewer, L.S. was present as agent for the Applicants. Maps revised September 24, 2019 reflecting a Right-of-Way over DeSantis Court were reviewed.

Chairperson Pecora entertained a motion to classify as a Type II action Under SEQRA. Upon Motion of Member Mark Anderson, seconded by Vice-Chairman Fred Zimmer and the affirmative vote of 7 members, the negative vote of 0 members, the negative vote of 0 members and the abstention of 0 members, the Motion passed with a vote of 7-0 as follows:

Roxanne Pecora	Aye
Fred Zimmer	Aye
Mark Anderson	Aye
Dan Michaud	Aye
Darin DeKoskie	Aye

Greg McCord Aye
Brian Cournoyer Aye

Chairperson Pecora entertained a motion to waive the Public Hearing pursuant to §107-16(a). Upon Motion of Member Greg McCord, seconded by Member Mark Anderson and the affirmative vote of 7 members and the abstention of 0 members, the Motion passed with a vote of 7-0 as follows:

Roxanne Pecora Aye
Fred Zimmer Aye
Mark Anderson Aye
Dan Michaud Aye
Darin DeKoskie Aye
Greg McCord Aye
Brian Cournoyer Aye

Chairperson Pecora entertained a motion to grant final approval of the proposed Lot-Line Adjustment. Upon Motion of Member Greg McCord, seconded by Member Dan Michaud and the affirmative vote of 7 members and the abstention of 0 members, the Motion passed with a vote of 7-0 as follows:

Roxanne Pecora Aye
Fred Zimmer Aye
Mark Anderson Aye
Dan Michaud Aye
Darin DeKoskie Aye
Greg McCord Aye
Brian Cournoyer Aye

Nichols with Town of Esopus LLA – Case No. 2019- 13; 138 Second Street, Connelly; SBL No. 56.50-3-38

Applicant/owner Nina Nicholas was present.

Chairperson Pecora entertained a motion to classify as a Type II action Under SEQRA waive the requirement for a Public Hearing and to grant final approval of the proposed Lot-Line Adjustment. Upon Motion of Member Mark Anderson, seconded by Vice-Chairman Fred Zimmer and the affirmative vote of 7 members and the abstention of 0 members, the Motion passed with a vote of 7-0 as follows:

Roxanne Pecora Aye
Fred Zimmer Aye
Mark Anderson Aye
Dan Michaud Aye
Darin DeKoskie Aye
Greg McCord Aye

Brian Cournoyer Aye

Member Mark Anderson confirmed he would be attending the October ZBA meeting relative to their interpretation of the Code referred to it by the Planning Board.

Chairperson Pecora advised members of the upcoming Ulster County Planning Board Training Seminar and requested Secretary to make that all wishing to attend were signed up.

Upon Motion of Member Darin DeKoskie, seconded by Member Mark Anderson, and the affirmative vote of all members, the meeting was adjourned at 9:20 p.m.

NEXT MONTHLY MEETING: November 13, 2019

DEADLINE DATE: October 30, 2019

NEXT PRE-SUBMISSION: November 20, 2019

Respectfully submitted:

Lisa K. Mance, Administrative Assistant

Date prepared: October 23, 2019

Date approved: November 13, 2019