

TOWN OF ESOPUS PLANNING BOARD MINUTES
October 17, 2022

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

ALSO PRESENT: Planning Board Consultant Tom Shepstone (via Zoom)

Chairperson Pecora called the meeting to order at 7:36 p.m. with the Pledge of Allegiance.

Chairperson Pecora called for a Motion to approve the September 19, 2022 Minutes. Upon Motion of Member Michaud, seconded by Member Mastny and the affirmative vote of all Members present, the Motion passed.

VOUCHERS:

Administrative Assistant Lisa K. Mance	88.5 hours
VanDewater & VanDewater, services of Kyle Barnett, Esq.- Port Ewen Fire Department escrow	\$ 387.50
VanDewater & VanDewater, services of Kyle Barnett, Esq.- Lighthouse Village escrow	\$ 250.00
Refund Port Ewen Corp. Escrow	\$1,253.50
Shepstone Management Co. Services provided for September 2022	\$2,700.00

Chairperson Pecora called for a Motion to approve the submitted vouchers. Upon Motion of Member Anderson, seconded by Member Morello and the affirmative vote of all members present, the Motion passed 7-0.

PUBLIC HEARING (continuation from September 19, 2022):

**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 and Ablen Amrod, P.E. of Delaware Engineering and Mike Dauner were present.

Chairperson Pecora called for a Motion to open the Public Hearing. Upon Motion of Member Anderson, seconded by Vice-Chairman DeKoskie, and the affirmative vote of all Members, the public hearing was opened at 7:39 p.m.

Chairperson Pecora read the Public Hearing Notice continuation into the record.

Mr. Yagelski stated that his firm had been working on the stormwater treatment plan and requested an extension.

Mike Dauner – The applicant had a proposal for stormwater control with the Town of Esopus.

Chairperson Pecora called for a Motion to close the Public Hearing. Upon Motion of Member Michaud, seconded by Member Anderson, and the affirmative vote of all Members present, the Motion passed 7-0 by the following vote and the Public Hearing was closed at 7:43 p.m.

Roxanne Pecora	Aye
Darin DeKoskie	Aye
Mark Anderson	Aye
David Mastny	Aye
Dan Michaud	Aye
Greg McCord	Aye
Sal Morello	Aye

Hogan Subdivision – Case No. 2022-12; 39 Loughran Lane; SBL No. 71.4-1-16.210; R40 Zoning District

Applicant Dennis Hogan was present.

Chairperson Pecora called for a Motion to open the Public Hearing. Upon Motion of Member Mastny, seconded by Member Anderson and the affirmative vote of all Members, the public hearing was opened at 7:45 p.m.

Chairperson Pecora read the Public Hearing Notice into the record.

There being no persons present wishing to speak, Chairperson Pecora called for a Motion to close the Public Hearing. Upon Motion of Vice-Chairman DeKoskie, seconded by Member Anderson, and the affirmative vote of all Members present, the Motion passed 7-0 by the following vote and the Public Hearing was closed at 7:46 p.m.

Roxanne Pecora	Aye
Darin DeKoskie	Aye
Mark Anderson	Aye
David Mastny	Aye
Dan Michaud	Aye
Greg McCord	Aye
Sal Morello	Aye

OLD BUSINESS:

Hogan Subdivision – Case No. 2022-12; 39 Loughran Lane; SBL No. 71.4-1-16.210; R40 Zoning District

Planner Shepstone provided a review recommending that a SEQRA Negative Declaration be issued and that the application was ready to be voted upon.

Chairperson Pecora entertained a Motion to issue a Negative Declaration pursuant to SEQRA and grant approval of the subdivision conditioned upon the submission of a mylar and 6 paper copies. Upon Motion of Member Anderson, seconded by Member Mastny, and the affirmative vote of all Members present, the Motion passed 7-0 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
Mark Anderson	Aye
David Mastny	Aye
Dan Michaud	Aye
Greg McCord	Aye
Sal Morello	Aye

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

Applicant/Owner Gary Stone was present.

Planner Shepstone provided his comments, recommending that the Planning Board concur with items 1, 3 and 4 of the Ulster County Planning Board’s required modifications and to overrule items 2 and 5. The requested lighting details had been provided by the Applicant as well as confirmation that fire access was adequate. Member Michaud was satisfied with the water usage estimations provided.

Chairperson Pecora entertained a Motion to address the required modifications of the Ulster County Planning Board. Upon Motion of Vice-chairman DeKoskie to concur with the first, third and fourth requirements and override the second and fifth required modifications, seconded by Member Anderson and the affirmative vote of all Members present, the Motion passed 7-0 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
Mark Anderson	Aye
David Mastny	Aye
Dan Michaud	Aye
Greg McCord	Aye
Sal Morello	Aye

Chairperson Pecora entertained a Motion to issue a Negative Declaration pursuant to SEQRA. Upon Motion of Vice-Chairman DeKoskie, seconded by Member Anderson, and the affirmative vote of all Members present, the Motion passed 7-0 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
Mark Anderson	Aye
David Mastny	Aye
Dan Michaud	Aye
Greg McCord	Aye
Sal Morello	Aye

Chairperson Pecora entertained a Motion to approve. Upon Motion of Vice-Chairman DeKoskie to grant final approval, conditioned upon submission of Ulster County Board of Health Approval and six (6) copies of the site plan, seconded by Member Michaud, and the affirmative vote of all Members present, the Motion passed 7-0 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
Mark Anderson	Aye
David Mastny	Aye
Dan Michaud	Aye
Greg McCord	Aye
Sal Morello	Aye

NEW BUSINESS:

Withall Lot Line Adjustment – Case No. 2022-15; 1688 & 1690 Route 213 and 154, 152 & 144 Carney Road; SBL Nos. 63.3-3-13.20, 63.3-3-14, 63.3-3-15, 63.3-3-16 and 63.3-3-13.1, R-40 & GC-2 Zoning Districts

Michael Withall and Samantha Jones were present.

Planner Shepstone reviewed the content of his recommendations noting that the commercial property being considered in the lot line adjustment may require a site plan modification for the side setback and lot shrinkage and suggested that it be done simultaneously with the lot-line adjustment.

Chairperson Pecora noted that the lines being removed, and new lines created needed to be labeled, as well as referencing the ZBA decision granting the area variance.

Member Michaud requested that a road maintenance easement indicating a 25' from the center line right-of-way to the Town be noted on Carney Road for Lot 4.

Chairperson Pecora reviewed amendments needed to the maps which included labelling line changes, location of the septic, maintenance easement on Carney Road, and the ZBA variance notation.

Chairperson Pecora entertained a Motion to waive the Public Hearing pursuant to §107-16(A). Upon Motion of Member Mastny, seconded by Vice-Chairman DeKoskie, and the affirmative vote of all Members, the motion passed 7-0 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
Mark Anderson	Aye
David Mastny	Aye
Dan Michaud	Aye
Greg McCord	Aye
Sal Morello	Aye

Planner Shepstone was asked to repeat his recommendation which included waiving the public hearing for the Site Plan Amendment (waiver for site plan public hearing had not been provided) and approval of the site plan modification.

Chairperson Pecora conferred with Attorney Kyle Barnett who advised that a site plan application was needed in addition to the lot-line adjustment. Chairperson Pecora advised that the Planning Board could not vote on the request for the lot line adjustment and that an amended site plan application was needed, and the site plan and lot-line could then be taken together at a meeting.

Attorney Barnett stated that the Planning Board could vote on the lot-line adjustment if it wished but a site plan was still necessary and that it made sense to do it all at once. The Applicant was directed to fill out a site plan application who had permission from the commercial property owner and would be needed to be submitted for the site plan application. The Applicant was advised that there was a fee due for the site plan application.

The Applicants were unhappy with the additional fees and stated that the necessary information was not available to the public and they had not been advised of what would be required.

Attorney Barnett stated that with the form, fee and one map revised to include the requested revisions would be acceptable and could be addressed in one meeting.

Applicant Withall repeated what revisions would be required on the revised maps – septic, relabeled lines to be deleted and lines to be added, ZBA decision with number and date notation and the Carney Road reservation 25’ from the center line. The site plan was available on-line to be completed and given to the Administrative Assistant.

Ms. Jones asked if there was a fee waiver. Attorney Barnett directed that the request could be made to the Town Board for the waiver. The signature block also needed to be corrected and Vice-Chairman DeKoskie advised the Applicants that all property owners would be required to

sign the maps prior to Planning Board members signing the final maps. The deadline to submit for the next Planning Board meeting was November 7.

OLD BUSINESS:

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

Mike Dauner and Engineers Yagelski and Ablen Amrod were requested to provide an update as to where the application currently stood for the benefit of Attorney Barnett. Engineer Yagelski informed that the stormwater had been submitted for review by the Planning Board’s Engineering Consultant and asked that the application not be denied.

Chairperson Pecora entertained a Motion to enter into an attorney/client discussion. Upon Motion of Vice-chairman DeKoskie, seconded by Member Michaud, and the affirmative vote of all Members, the Planning Board entered into a discussion at 8:50 p.m.

Chairperson Pecora entertained a Motion to come out of the attorney/client discussion. Upon Motion of Member Mastny, seconded by Vice-Chairman DeKoskie, and the affirmative vote of all Members (with exception of Member Michaud who had temporarily left the room), the Planning Board came out of the discussion at 9:08p.m.

Chairperson Pecora entertained a Motion to waive the requirement to issue a decision within 62 days and with the mutual agreement of the Applicant, the time from which to make a decision was extended to 180 days from October 17, 2022. Upon Motion of Vice-Chairman DeKoskie, seconded by Member Anderson, and the affirmative vote of all Members, the motion passed 6-0-1 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
Mark Anderson	Aye
David Mastny	Aye
Dan Michaud	Aye
Greg McCord	Aye
Sal Morello	Aye

Chairperson Pecora read the list of materials needed to be submitted and reviewed by the Planning Board’s Engineer (TDE) Stellato and confirmed with the Applicant that they wished the Engineer’s review proceed based upon the documents submitted:

- Pre and Post Drainage Area Maps
- Pre and Post HydroCAD Models
- Water Quality Volume Calcs – All WQv is proposed to be infiltrated
- Dry Swale worksheet
- Soils information

Hardcopies were needed for the record and had been provided prior to the meeting. Vice-chairman DeKoskie noted that the stormwater drained to the southwest corner of the property, and it may be to the Applicant's benefit to tie into the existing system with the Town.

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 and Barry Medenbach, P.E. were present.

Planner Shepstone provided review of his notes stating a detailed SWPPP was essential for review and that sewage and water capacities of existing public systems needed to be documented to the satisfaction of the Planning Board.

Chairperson Pecora read letter of citizens Dennis Suraci and Kristy Nelson for the record.

Discussion ensued relative to the number of bioretention basins proposed. Vice-Chairman DeKoskie remarked that easements were often required for maintenance and that at least an easement to the Town for the largest basin be created for inspections. Member Michaud stated that his previous concerns involving stormwater runoff and system capacity were still a priority.

Chairperson Pecora stated that the residents could appeal a determination of the Code Enforcement Officer to the ZBA but there was a 60-day timeframe within which to appeal.

Higgs Subdivision (Patricia Brooks as Agent) – Case No. 2022-14; 2165 Route 9W; SBL No. 79.2-1-22; R40 Zoning District

Surveyor Patti Brooks was present as Agent for the Applicant.

Planner Shepstone provided a recap of this review notes.

Chairperson Pecora entertained a Motion to schedule a public hearing to be held on November 21, 2022 at 7:35 p.m. Upon Motion of Vice-Chairman DeKoskie, seconded by Member Anderson, and the affirmative vote of all Members, the motion passed 7-0 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
Mark Anderson	Aye
David Mastny	Aye
Dan Michaud	Aye
Greg McCord	Aye
Sal Morello	Aye

There were no ZBA referrals.

Upon Motion of Member Michaud, seconded by Vice-Chairman DeKoskie, the meeting was adjourned at 10:12 p.m.

Respectfully submitted:

Lisa K. Mance, Administrative Assistant

Date prepared: November 1, 2022

Date Approved: November 21, 2022