

TOWN OF ESOPUS PLANNING BOARD MINUTES
October 16, 2023

PRESENT: Chairperson Roxanne Pecora, Vice-Chairman Darin DeKoskie, David Mastny, Chris Marta and Alexis Petro

EXCUSED: Dan Michaud and Sal Morello

ALSO PRESENT: Bonnie Franson, AICP, CEP, Partner of Nelson, Pope & Voorhis, LLC

Chairperson Pecora called the meeting to order at 7:45 p.m. with the Pledge of Allegiance.

Chairperson Pecora called for a Motion to approve the September 18, 2023, revised Minutes. Upon Motion of Vice Chairman DeKoskie, seconded by Member Marta, the affirmative vote of 5 Members, and 2 Members being absent, the Motion passed 5-0-2.

VOUCHERS:

Whiteman, Osterman & Hanna – Black Creek Preserve Amended Site Plan	\$ 292.50
Whiteman, Osterman & Hanna – Black Creek Preserve Amended Site Plan	\$ 82.50
Whiteman, Osterman & Hanna – Profession Services to Planning Board August 2023	\$ 1,624.00
Bonnie Franson, AICP – Contractual Services	\$ 800.00
288 LLC – digitizing prior Town Code and 2021 revisions	\$ 265.36
Whiteman, Osterman & Hanna – Streamside Farms Site Plan/SUP	\$ 1,012.50
Whiteman, Osterman & Hanna – Castlemore Holdings (Yan) Site Plan	\$ 65.00

Chairperson Pecora called for a Motion to approve the submitted vouchers. Upon Motion of Member Marta, seconded by Vice-Chairman DeKoskie and the affirmative vote of all members present, the Motion passed 5-0-2.

Chairperson Pecora stated that there were three (3) scheduled Public Hearings followed by old and new business. The written comments of Planner Franson were for review by the Applicants and would not be reviewed in depth at the meeting.

PUBLIC HEARINGS:

Simmons Subdivision – Case No. 2023-6; 136 Hamilton Court; SBL No. 56.60-1-24; R12 Zoning (ZBA granted variances on 8/15/23)

Chairperson Pecora called for a Motion to open the Public Hearing. Upon Motion of Vice-Chairman DeKoskie, seconded by Member Marta and the affirmative vote of all members present, the Motion passed 5-0-2 and Public Hearing was opened at 8:02 p.m. by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
David Mastny	Aye
Sal Morello	Absent
Alexis Petro	Aye
Dan Michaud	Absent
Chris Marta	Aye

There being no persons signed up to speak and no person present wishing to speak, **Chairperson Pecora called for a motion to close the Public Hearing.** Upon Motion of Member Mastny, seconded by Vice-Chairman DeKoskie and the affirmative vote of all members present, the Motion passed 5-0-2 and Public Hearing was closed at 8:03 p.m. by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
David Mastny	Aye
Sal Morello	Absent
Alexis Petro	Aye
Dan Michaud	Absent
Chris Marta	Aye

Cross Subdivision/LLA (Terry Ringler, Agent) – Case No. 2023-15 &18; 166 New Salem Road; SBL No. 56.18-1-11.112; R40 Zoning

Chairperson Pecora called for a Motion to open the Public Hearing. Upon Motion of Vice-Chairman DeKoskie, seconded by Member Marta and the affirmative vote of all members present, the Motion passed 5-0-2 and Public Hearing was opened at 8:03 p.m. by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
David Mastny	Aye
Sal Morello	Absent
Alexis Petro	Aye
Dan Michaud	Absent
Chris Marta	Aye

Chairperson Pecora read the Public Hearing Notice into the record. There being no persons signed up to speak and no person present wishing to speak, **Chairperson Pecora called for a motion to close the Public Hearing.** Upon Motion of Vice-Chairman DeKoskie, seconded by Member Petro and the affirmative vote of all members present, the Motion passed 5-0-2 and Public Hearing was closed at 8:05 p.m. by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
David Mastny	Aye
Sal Morello	Absent
Alexis Petro	Aye
Dan Michaud	Absent
Chris Marta	Aye

Esopus Barns Resort Hotel Site Plan/SUP – Case No. 2022-11; 1398 & 1466 Rte. 9W; SBL #71.4-4-31.11 & 26; R40 Zoning District

Chairperson Pecora called for a Motion to open the Public Hearing. Upon Motion of Vice-Chairman DeKoskie, seconded by Member Marta and the affirmative vote of all members present, the Motion passed 5-0-2 and Public Hearing was opened at 8:06 p.m. by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
David Mastny	Aye
Sal Morello	Absent
Alexis Petro	Aye
Dan Michaud	Absent
Chris Marta	Aye

Chairperson Pecora read the Public Hearing Notice for the record. The following individuals wished to speak:

Joan Burroughs (John Burroughs Association) – Ms. Burroughs spoke on behalf of herself and on behalf of the John Burroughs Association and supported the proposed development and restoration of the historic structures. Ms. Burroughs noted the development of the John Burroughs/Black Creek trail planning in partnership with Scenic Hudson to develop a trail from the Town of Lloyd, running the length of the Black Creek to the Black Creek Preserve with the hope that a section of the Esopus Barns property could be included in the future.

Heather Blaikie, Senior Park Planner (Scenic Hudson) – Voiced general support on behalf of Scenic Hudson. The plan proposed to tie the historic value of the property and provided the best reuse of the structures. Concerns of Scenic Hudson included safe traffic operations, design details, visual impacts, historic character of the landscape and appropriate screening mitigation of new structures from 9W. As partner with the John Burroughs Association, Planner Blaikie supported the venture of the extension of the Burroughs/Black Creek Trail and felt the visions

were beneficial to each other, and working with the owner at the right time, felt that it would make an outstanding destination for the Town of Esopus.

Chairperson Pecora called for a Motion to suspend the Public Hearing to be held open until the November 20, 2023 meeting at 7:35 p.m. Upon Motion of Vice-Chairman DeKoskie, seconded by Member Petro and the affirmative vote of all members present, the Motion passed 5-0-2 and Public Hearing was opened at 8:06 p.m. by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
David Mastny	Aye
Sal Morello	Absent
Alexis Petro	Aye
Dan Michaud	Absent
Chris Marta	Aye

OLD BUSINESS:

Simmons Subdivision – Case No. 2023-6; 136 Hamilton Court; SBL No. 56.60-1-24; R12 Zoning (ZBA granted variances on 8/15/23)

Sandra, Mark and Dominic Simmons were present.

Chairman Pecora noted that although the ZBA variances had been noted, the exact variances needed to be included on the Plans under “notes.” Vice-Chairman DeKoskie requested that the Table of Bulk Regulations include proposed as well as existing conditions. The Planning Board determined that a referral to the Local Waterfront Revitalization Program was not necessary as well as any requirement to plant street tree(s).

Chairperson Pecora called for a Motion to issue a SEQRA Negative Declaration. Upon Motion of Vice-Chairman DeKoskie, seconded by Member Mastny and the affirmative vote of all members present, the Motion passed 5-0-by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
David Mastny	Aye
Sal Morello	Absent
Alexis Petro	Aye
Dan Michaud	Absent
Chris Marta	Aye

Chairperson Pecora called for a Motion to issue final approval conditioned upon payment of a \$2,000.00 recreational fee, submission of a mylar and six (6) paper copies, Bulk Table to show proposed as well as existing, detailed note for ZBA variances, revised EAF Part I and removal of references to the manufactured home and drawings from the plan. Upon

Motion of Vice-Chairman DeKoskie, seconded by Member Mastny and the affirmative vote of all members present, the Motion passed 5-0-by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
David Mastny	Aye
Sal Morello	Absent
Alexis Petro	Aye
Dan Michaud	Absent
Chris Marta	Aye

Cross Subdivision/LLA (Terry Ringler, Agent) – Case No. 2023-15 & 18; 166 New Salem Road; SBL No. 56.18-1-11.112; R40 Zoning

Surveyor Terry Ringler was present.

Chairperson Pecora called for a Motion to grant lot line adjustment approval. Upon Motion of Vice-Chairman DeKoskie, seconded by Member Marta and the affirmative vote of all members present, the Motion passed 5-0-by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
David Mastny	Aye
Sal Morello	Absent
Alexis Petro	Aye
Dan Michaud	Absent
Chris Marta	Aye

The proposed minor subdivision was reviewed and the Board concurred that the base density calculations were not required given the size of the lots.

Chairperson Pecora called for a Motion to issue a Negative Declaration. Upon Motion of Vice-Chairman DeKoskie, seconded by Member Marta and the affirmative vote of all members present, the Motion passed 5-0-2 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
David Mastny	Aye
Sal Morello	Absent
Alexis Petro	Aye
Dan Michaud	Absent
Chris Marta	Aye

Chairperson Pecora called for a Motion to grant final subdivision approval for Case No. 2023-15 conditioned upon submission of a \$2,000.00 recreational fee and a mylar and six

(6) paper copies. Upon Motion of Vice-Chairman DeKoskie, seconded by Member Marta and the affirmative vote of all members present, the Motion passed 5-0-2 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
David Mastny	Aye
Sal Morello	Absent
Alexis Petro	Aye
Dan Michaud	Absent
Chris Marta	Aye

Esopus Barns Resort Hotel Site Plan/SUP – Case No. 2022-11; 1398 & 1466 Rte. 9W; SBL #71.4-4-31.11 & 26; R40 Zoning District

Anthony Morando, Esq., Steve Wilson, P.E. and owner Jordan Goldberg were present.

The Applicant had prepared a presentation which was a summary of the project over the course of the past months which included visuals and responses to Planner Franson’s recent memorandum would be submitted. The Applicant requested any additional comments from the Planning Board that could be addressed in their next submission. Their goal was to move the application forward and provide information in response to Planner’s memorandum.

Chairperson Pecora inquired if CHA’s October 9, 2023 comments had been addressed. Attorney Morando stated that responses would be submitted in conjunction with responses to Planner Franson’s reviews and would be addressed in one document. Responses to the UCPB and CHA comments had been addressed by Bohler Engineering in its September 5, 2023 letter to the Planning Board. Bohler Engineering (Steve Wilson, P.E.) was working with the New York State Department of Transportation (NYSDOT) which had requested a left hand turn lane from Route 9W. The onsite stormwater system would not be affected by the creation of the left hand turn lane.

Members of the Planning Board requested to coordinate a site visit prior to the next Planning Board meeting. Proposed dates would be provided through the Administrative Assistant to Mr. Goldberg to confirm.

Planner Franson stated that confirmation that SHPPO submission had been completed and all cultural and historical addressed, specifically with alterations to the buildings. Mr. Goldberg stated that members of SHPPO had visited the site early in the process to ensure that any alterations to the existing structures, especially the barns, would not be an issue. Planner Franson requested that documentation be provided confirming all SHPPO comments had been addressed. Planner Franson requested that documentation be provided that SHPPO was satisfied with the designs from a SEQRA prospective. The October 5, 2023 SHPPO documentation would be submitted for the November meeting.

The Planning Board addressed the June 7, 2023 Ulster County Planning Board (UCPB) required modifications.

Wastewater – In agreement, SPDES permit would be required for wastewater discharges.

Ulster County Health Department – In agreement that permitting for the water supply, food service and proposed swimming pool construction will be required.

NYSDOT – In agreement that permit will be required for proposed modifications to existing and proposed driveways.

Event Traffic and Parking Plan – In agreement. A detailed plans had been submitted and could be a condition of approval. (Chairperson Pecora read content of the plan).

Sustainability – The Planning Board was in agreement, noting that heat pumps and EV charging stations (number of stations dictated by demand in the future) were proposed. Other recommendations to incorporate green practices that may change the historical value were dictated by SHPPO.

Chairperson Pecora called for a Motion to support the UCPB required modification to incorporate sustainable green practices to the extent that the EV stations would be installed but any other sustainable modifications were dictated by the requirements of SHPPO and installation of solar was not viable. Upon Motion of Member Marta, seconded by Member Petro and the affirmative vote of all members present, the Motion passed 5-0-2 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
David Mastny	Aye
Sal Morello	Absent
Alexis Petro	Aye
Dan Michaud	Absent
Chris Marta	Aye

The Applicant was provided correspondence submitted by Scenic Hudson and John Burroughs Association for consideration. Chairperson Pecora stated the Planning Board had no jurisdiction over the proposal by Scenic Hudson/John Burroughs Association.

Lighthouse Village (George Cuney) Site Plan/SUP– Case No. 2020-8; 364 Broadway; SBL Nos. 56.83-4-10.123 & 124; R12 & GC 1 Zoning Districts

Applicant George Cuney, Rich Hopkins of Mauri Architects, Barry Medenbach, P.E. and Caleb Carr, P.E. of Meddenbach & Eggers were present.

Modified plans had been submitted and Architect Hopkins reviewed the plans. The plan now proposed eight (8) structures with a 4300-sf footprint per building. The third floor had been removed from buildings #7 and #8 (closed to Route 9W). 71 units were proposed – six (6)

buildings with 10 units, one building with six (6) units and one (1) building with five (5) units and an office space.

Member Mastny stated that the Applicant had been requested to consult with the Ulster County Planning Board. Engineer Medenbach responded that two meetings had taken place with the Ulster County Planning Office and that there was no County standard proposed for apartment size.

One of the revisions to the Plans was to remove the gate proposed at the secondary access. Planner Franson stated from her perspective, buffers and transitions needed to be adhered to. Measurements of building heights had been modified to meet Code requirements acknowledge there were two (2) front yards for the structures. SHPPO comments had been included in the SWPPP previously submitted and would be addressed in a memorandum in response to Planner's most recent review.

Engineer Medenbach stated that two (2) acres of the drainage that was flowing to Clay Road was being kept onsite and discharged into the wetlands. Discussion ensued relative to the bioretention basins and drainage flows.

The Applicant was requested to submit a cost estimate for a performance bond for the site work which would be forwarded to the Town Designated Engineer (TDE) for review. A clean engineering review from CHA was needed for the next meeting.

355 Broadway Site Plan/SUP (Matt Gray) – Case No. 2023-9; 355 Broadway, SBL No. 56.76-2-27; GC-1 Zoning

Matt Gray and Tiel Reardon were present.

The applicant had been referred to the UCPB which had responded that there was “no County impact.”

- Lighting – acceptable – 2-foot candles were acceptable on site but not acceptable off site.
- Operating plan – acceptable
- Sign – monument design, exterior lit and located behind the fence was requested
- Fence – Brown color
- Adequate ADA vehicle access was required
- Vegetative plantings outside fence

NEW BUSINESS:

Mirror Lake Site Plan/Special Use Permit (Kenneth Stickle, Agent) – Case No. 2023-17; 13-18 Mirror Lake Park; SBL No. 64.3-1-1.100; R40 Zoning

Kenneth Stickle was present.

The application proposed the conversion of an existing garage to create two (2) studio apartments. Chairperson Pecora stated that the classification should be revisited to clarify whether the proposal fell under mix-used or apartment dwelling pursuant to the Code.

Planner Franson stated that the site plan needed to be revised to address lighting, parking calculations, bulk table, density calculations, signage, floor plans, and the 120' easement (areas identified were less than 120').

Osterhoudt Subdivision – Case No. 2020-11; 48 Hussey Hill Road; SBL No. 64.3-1-10; R40 Zoning

Owner Ernie Osterhoudt was present.

UCBOH approvals had been provided as well as approval from the Highway Superintendent for the curbcut. UCBOH approval would be required for lot #3. Planner Franson stated that steep slopes were referenced in the Code. Vice-Chairman DeKoskie calculated that the grade was acceptable for building with the exception of the back of parcel #3 and requested that the requirement be waived. Planner Franson confirmed with the Board that base density would only be necessary when the calculations were close to the thresholds. Lot #3 was a flag lot and was required to be a minimum of 60,000 sf. The bulk table needed to be updated to indicate the zoning requirements and what was proposed for each lot. The end of Hussey Hill Road needed to be shown on the map. The wetland delineation date needed to be added.

Yan Site Plan/SUP – Case No. 2023-19; 38 Hudson Lane, Ulster Park; SBL No. 64.3-5-2.320; R40 Zoning District

Matt Towne, P.E. and Derek Leung were present. Engineer Towne stated that a new Site Plan/Special Use Permit application had been submitted pursuant to the September 2023 determination of CEO Jaffee. The number of cabin units had been reduced from 48 to 39.

Member Mastny requested that name of applicant throughout the documents should be consistent.

There was bollard lighting proposed throughout the site and the Applicant was asked if lighting could be spaced further apart. A number of the cabins needed to be turned on the site so that the decks were away from the road (units 17 – 22 and 32-39). The Planning Board requested a business plan stating what retreat services and shared amenities were to be provided, management, staffing, hours of operation, contacts for emergency services, how nuisance calls would be responded to, etc. as well as justification for the revenue projections. Vice-Chairman DeKoskie requested that a visual resource analysis be provided. The Planning Board members were coordinating with the Applicant to conduct a site visit.

A floor plan for the maintenance building was requested which included location of rooms for caretaker. Location for storage of wood needed to be shown. Helical piles were planned for the installation of the cabin units. The Applicant was considering applying for an IDA Pilot.

Chairperson Pecora called for a Motion to classify as a SEQRA Type I action and circulate Notice of Intent for the Planning Board to serve as lead agent on the SEQRA review. Upon Motion of Vice-Chairman DeKoskie, seconded by Member Marta and the affirmative vote of all members present, the Motion passed 5-0-2 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
David Mastny	Aye
Sal Morello	Absent
Alexis Petro	Aye
Dan Michaud	Absent
Chris Marta	Aye

Osterhoudt Subdivision – Case No. 2020-11; 48 Hussey Hill Road; SBL No. 64.3-1-10; R40 Zoning

The Planning Board revisited the application to consider the scheduling of a public hearing.

Chairperson Pecora called for a Motion to schedule a public hearing at 7:40 p.m. conditioned upon the submission of revised maps. Upon Motion of Vice-Chairman DeKoskie, seconded by Member Marta and the affirmative vote of all members present, the Motion passed 5-0-2 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
David Mastny	Aye
Sal Morello	Absent
Alexis Petro	Aye
Dan Michaud	Absent
Chris Marta	Aye

Streamside Farms Site Plan/SUP (owner Paul Page) – Case No. 2021-16; 263 Mountainview Avenue; SBL No. 56.75-1-56.11; R-12 Zoning District

The Planning Board reviewed the cost estimates for the inspection fee and requested the estimate of the total construction costs be revised to 7-10%.

Upon Motion of Member Marta, seconded by Member Petro, the meeting was adjourned at 12:15 a.m.

Respectfully submitted:

Lisa K. Mance, Administrative Assistant
Date prepared: October 30, 2023
Date Approved: November 20, 2023