

TOWN OF ESOPUS PLANNING BOARD MINUTES
November 20, 2023

PRESENT: Chairperson Roxanne Pecora, Vice-Chairman Darin DeKoskie, David Mastny, Chris Marta, Dan Michaud, Sal Morello and Alternate Mark Anderson for Alexis Petro

EXCUSED: Alexis Petro

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

Chairperson Pecora called the meeting to order at 7:46 p.m. with the Pledge of Allegiance.

Chairperson Pecora called for a Motion to approve the October 16, 2023 revised Minutes. Upon Motion of Member Marta, seconded by Vice-Chairman Dekoskie, the affirmative vote of 7 Members, the Motion passed 7-0.

VOUCHERS:

Clough Harbor & Associates – Streamside Farms Site Plan/SUP Plan	\$ 200.00
Clough Harbor & Associates – Esopus Barns Site Plan/SUP	\$ 200.00
Whiteman, Osterman & Hanna – Planning Contractual Services	\$ 290.00
Chris Marta – reimburse for training seminar fee	\$ 5.00

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

PUBLIC HEARINGS:

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

Present for Esopus Barns was Steve Wilson, P.E., owner Jordan Goldberg, and Anthony Morando, Esq.

Chairperson Pecora called for a Motion to continue the Public Hearing. Upon Motion of Vice-Chairman DeKoskie, seconded by Member Michaud and the affirmative vote of all members present, the Motion passed 7-0 and Public Hearing was continued at 7:45 p.m. by the following vote:

Roxanne Pecora Aye

Darin DeKoskie Aye
David Mastny Aye
Sal Morello Aye
Mark Anderso Aye
Dan Michaud Aye
Chris Marta Aye

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

Heather Blaikie, Planner- Scenic Hudson – Had spoken at the prior month’s Public Hearing. Supported the project for the site and that the development was proactive for the Town of Esopus. A letter in support was submitted.

There being no additional persons signed up to speak and no person present wishing to speak, **Chairperson Pecora called for a motion to suspend the Public Hearing to be continued at the next meeting.** Upon Motion of Member Mastny, seconded by Vice-Chairman DeKoskie and the affirmative vote of all members present, the Motion passed 7 -0 by the following vote:

Roxanne Pecora Aye
Darin DeKoskie Aye
David Mastny Aye
Sal Morello Aye
Mark Anderson Aye
Dan Michaud Aye
Chris Marta Aye

Upon Motion of Member Mastny, seconded by Member Anderson and the affirmative vote of all members present, the prior motion was amended to state that the Public Hearing was to be continued on December 18, 2023 at 7:35 p.m.

Roxanne Pecora Aye
Darin DeKoskie Aye
David Mastny Aye
Sal Morello Aye
Mark Anderson Aye
Dan Michaud Aye
Chris Marta Aye

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

Owner Ernie and Stephanie Osterhoudt were present.

Chairperson Pecora called for a Motion to open the Public Hearing. Upon Motion of Member Mastny, seconded by Member Michaud and the affirmative vote of all members present, the Motion passed 7 -0 and Public Hearing was opened at 8:58 p.m. by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
David Mastny	Aye
Sal Morello	Aye
Mark Anderson	Aye
Dan Michaud	Aye
Chris Marta	Aye

Chairperson Pecora read the Public Hearing Notice for the record. The requested revised plan had not been provided prior to the Public Hearing. **Chairperson Pecora called for a Motion to continue the Public Hearing to be held on December 18, 2023 at 7:40 p.m.** Upon Motion of Vice Chairman DeKoskie, seconded by Member Marta and the affirmative vote of all members present, the Motion passed 7 -0 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
David Mastny	Aye
Sal Morello	Aye
Mark Anderson	Aye
Dan Michaud	Aye
Chris Marta	Aye

OLD BUSINESS:

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, James Bacon, Esq., Caleb Carr, P.E. and Architect Richard Thompkins were present. Engineer Carr stated that since the last meeting, Planner Franson’s comments had been reviewed and the site plans had been revised as a result. A trail around the site and gazebos had been added to the plans. The EAF Part I had been revised to indicate 8 buildings with a reduced footprint with an 1,100 average square footage per unit. Chairperson Pecora stated that issues being raised had been discussed previously and the Board was at a point where a decision may be made. James Bacon, Esq. requested that two (2) additional photographs of developments in the Town of Esopus be made part of the record.

Chairperson Pecora read the content of the proposed Resolution of Determination of Nonsignificance (Negative Declaration). Engineer Carr stated that the New York State Department of Transportation (NYSDOT) had been contacted and had responded that it would not make a final determination on the traffic impact until the Planning Board had issued a

decision. There had been a submission to the NYSDOT in June of 2022 but it had not provided a response. Planner Franson stated some indication from the NYSDOT that there was no traffic negative impact and final NYSDOT final approval could be a condition of approval. Planner Franson had created a list of items that may need to be addressed – stormwater needed to be updated, Port Ewen Fire District looked at location of fire hydrants and may need to review revised plan to determine locations, finalized engineering costs were needed, was Planning Board satisfied with the layout, was the buffer sufficient between the dwellings along Route 9W and the site, recreation fees would be required, sidewalks were not all connecting and the limits of disturbance needed to be corrected and incorporated into the final site plan. Planner inquired what level of information was needed to be able to issue a negative declaration. Chairperson Pecora stated that considering the open issues with the SWPPP final report, necessary input from the NYSDOT, and confirmation of floor level heights and bedroom counts on the site plans, the Resolution SEQRA Negative Declaration was tabled.

Attorney Bacon inquired if a response would be received from the Town Designated Engineer regarding the SWPPP and he felt that the review was beyond the SEQRA negative declaration stage.

Attorney Bakner stated that the SWPPP had not been updated to reflect the revised layout and that there were issues that arose during the onsite soil testing relative to the depth to groundwater. A signoff from Clough Harbor as TDE was needed for the plan modifications. Attorney Bakner stated that the lack of response from the NYSDOT relative to traffic was atypical and a response was preferred. Planner Franson stated that the NYS DOT representative would be contacted via email. (Applicant George Cuney read email between David Groucher and Kenneth Wersted).

Chairperson Pecora inquired if the revised SWPPP had been provided to CHA. Engineer Carr would be providing that information to Engineer Stellato. Vice-chairman DeKoskie requested that an additional copy of the revised SWPPP be provided to him as well.

Planner Franson requested that the Planning Board review the buffer between the dwellings on 9W and the site to confirm that it was sufficient and if the Board would like additional vegetation. Vice Chairman DeKoskie suggested that a meeting between himself, Engineer Carr and Engineer Stellato could take place to review the SWPPP. Member Morello requested that maintenance of all retention ponds be noted on the plans. Attorney Bakner would draft a stormwater agreement with the Town that could be utilized. The Planning Board requested that the plans match the building elevations.

Chairperson Pecora called for a Motion to table SEQRA determination until all information requested was provided. Upon Motion of Vice Chairman DeKoskie, seconded by Member Marta and the affirmative vote of all members present, the Motion passed 7 -0 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
David Mastny	Aye

Sal Morello Aye
Mark Anderson Aye
Dan Michaud Aye
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

Owner Jordan Goldberg, Engineer Steve Wilson and Anthony Morando, Esq. were present. Attorney Morando addressed the Board requesting that outstanding issues for the purposes of SEQRA be addressed. The maintenance building would be visible from Route 9W and the applicant was aware that adequate screening would be necessary and the design of the building would be consistent with the existing buildings. Attorney Morando requested that a “roadmap” be provided regarding specific items to be addressed. Engineer Wilson stated that the trails proposed in areas with steep slopes would be removed from the plans. Chairperson Pecora requested that conceptual renderings of the maintenance building with proposed colors be provided.

Site visits proved useful and Chairperson Pecora stated that any visits required that the applicant/owner be present. Vice-chairperson DeKoskie stated that there was a concern with the location of a proposed road in relation to the stream and the possibility of erosion. Planner Franson had provided a summary of items which needed to be reviewed pursuant to SEQRA such as traffic, water supply lighting plan, and visual analysis. Planner Franson suggested a workshop to review the site plan. Member Michaud offered to review the pump test results for two wells. The Applicant had provided the pump test protocol. Member Michaud noted that ultimately, UCDOH would sign off on both pumps but the site plans should show 100’ ownership and 200’ control circles around the wellheads and that nothing noncompliant was located within those boundaries. A draft Negative Declaration had been prepared and circulated internally with items highlighted for discussion which included the location of trails to reduce impact on steep slopes, stormwater discharges on the Site plan with location of outfall and to which wetland, outfall for wastewater treatment system, follow up with the TDE regarding his comments relative to the SWPPP, updated traffic impact study for review by NYSDOT and left turn lane from Route 9W, lighting plan, elevations of new buildings and visual assessment of the maintenance/WWTP building. The draft Negative Declaration would be provided to the Applicant when the outstanding items had been addressed.

Attorney Bakner noted that there were two (2) outstanding issues. SHPPO had provided a letter of “no adverse effect” and LOR would be needed or possibly an MOA. Planner Franson stated that prior to obtaining a building permit for the maintenance building, the process with SHPPO had been completed. NYSDEC statement needed to be provided relative to what mitigation would take place regarding the bat protocol.

Chairperson Pecora called for a Motion to refer the Application to the Waterfront Advisory Board. Upon Motion of Vice Chairman DeKoskie, 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
David Mastny	Aye
Sal Morello	Aye
Mark Anderson	Aye
Dan Michaud	Aye
Chris Marta	Aye

The Applicant was directed to email the Administrative Assistant when the locations of the proposed cabins had been staked which could be accomplished through GPS. The Application was to be placed on the December 7, 2023 Special Meeting Agenda as a workshop meeting. An additional site visit with the Owner/Engineer was to be coordinated through the Administrative Assistant prior to the Planning Board Special Meeting.

Attorney Bakner left the meeting.

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

Ernest and Stephanie Osterhoudt were present and had possession of revised paper copies of the proposed Subdivision which had not been provided prior to the meeting.

Chairperson Pecora called for a Motion to amend the prior Motion to ycontinue the Public Hearing to be held on December 7, 2023 at 7:35 p.m. Upon Motion of Member Mastny, seconded by Vice-Chairman DeKoskie and the affirmative vote of all members present, the Motion passed 7-0 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
David Mastny	Aye
Sal Morello	Aye
Mark Anderson	Aye
Dan Michaud	Aye
Chris Marta	Aye

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

Tiel Reardon was present and noted what changes had been made to the site plan to comply with the requests of the Planning Board. Member Mastny requested that the since the third parking spot had not been included in the variance, it be removed from the plans and would remain a grassy/landscaped area.

Chairperson Pecora called for a Motion to issue a SEQRA Negative Declaration. Upon Motion of Vice-Chairman DeKoskie, seconded by Member Marta and the affirmative vote of all members present, the Motion passed 7-0 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
David Mastny	Aye
Sal Morello	Aye
Mark Anderson	Aye
Dan Michaud	Aye
Chris Marta	Aye

Chairperson Pecora called for a Motion to grant approval conditioned upon the removal of the parking spot to the west, addition of a signature block for the owner, 2700 Kelvin lighting and landscaping adjustments and submission of four (4) copies. Upon Motion of Vice-Chairman DeKoskie, seconded by Member Marta and the affirmative vote of 5 members present, the negative vote of 1 Member and 1 Member abstaining, the Motion passed 5-1-1 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
David Mastny	Aye
Sal Morello	No
Mark Anderson	Abstain
Dan Michaud	Aye
Chris Marta	Aye

NEW BUSINESS:

Karl Subdivision (Caleb Carr, P.E. of Medenbach & Eggers as Agent) 2023-20; 672 Plutarch Road; SBL No. 79.1- 1-15.200; R40 Zoning

Engineer Carr provided an overview of the proposal. Planner Franson had provided a review Memorandum. The Short EAF Part I required items to be corrected. The building envelopes for each lots were needed, 2-foot contours in location of driveways were needed, wetlands and 100-year floodplain was needed to be shown, zoning requirements on the plan need to include a “provided” column for each lot, stone walls in the vicinity of areas where development would take place needed to be shown and set backs for each lot were needed.

Bridgeview Site Plan/SUP (Mike Jacobschang, Architect as Agent) – Case 2023-13; 160, 166 & 168 First Street, Connelly; SBL Nos. 56.50-1-3.100, 3.200 & 3.300; W Zoning

Architect Mike Jacobschang and Hugo Leung were present. Mr. Leung stated the plan was to now erect four (4) cabins for short-term rental to be listed with Air-B-N-B and to host small commercial/corporate events. The original plan had involved a proposal to work in conjunction with operations on the other two (2) adjacent parcels which had included a marina and camping area. Revisions to the site plan had been made to isolate the development to the wooded upper parcel and connect to services and access via Girard Street. The Applicant had been in contact with the Esopus Water & Sewer Superintendent regarding the water and sewer connections (as

well as fire hydrants). Chairperson Pecora stated that any comments from the Superintendent would be needed in writing. The Applicant was directed to contact the Connelly Fire Department as well. The proposed cabins were positioned on the site so as not to encroach on the drainage easement. The application would be referred to the Waterfront Advisory Board when the Planning Board determined sufficient information had been provided for review. The Applicant was directed to refer to Planner Franson's review memorandum which indicated what additional information was needed on the plans and what revisions to the Full EAF Part I were required. Planner Franson recommended that the Applicant review the campground special use requirements which requires that access is required from a public road.

ZBA referral of the Appeal for Lorine and Derick Karabec. The Planning Board had no comment. Chairperson Pecora had received opinion from the Attorney that pursuant to Town Law §267(a), the Planning Board could not entertain the application until the review had been completed by the ZBA.

Draft Planning Board fees had been drafted by Vice-chairman DeKoskie for review by the Members. The Members were asked for suggestions and Vice-chairman DeKoskie wanted to confirm some information with Attorney Bakner. **Upon Motion of Member Marta, seconded by Member Michaud and the affirmative vote of all Members, the proposed fee schedule would be forwarded to the Town Board when Vice-chairman DeKoskie had consulted with the attorney.**

Upon Motion of Member Mastny, seconded by ViceChairman DeKoskie, the meeting was adjourned at 11:20 p.m.

Respectfully submitted:

Lisa K. Mance, Administrative Assistant
Date prepared: December 6, 2023
Date Approved: December 7, 2023