

**TOWN OF ESOPUS PLANNING BOARD MINUTES
December 18, 2023**

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

EXCUSED: Alexis Petro, Sal Morello and Dan Michaud

ALSO PRESENT: Town Board Liaison Jared Geuss, Planner Bonnie Franson and Terresa Bakner, Esq.

Chairperson Pecora called the meeting to order at 7:50 p.m. with the Pledge of Allegiance.

Minutes – There were no Minutes presented.

VOUCHERS:

Nelson, Pope & Voorhis – Streamside Farms Escrow	\$ 1,395.00
Whiteman, Osterman & Hanna – Lighthouse Village Escrow	\$ 910.00
Whiteman, Osterman & Hanna – Castlemore Holdings Mima Escrow	\$ 162.50
Whiteman, Osterman & Hanna – Contractual Services	\$ 116.00
Scenic Hudson Land Trust Escrow refund	\$ 4,625.00
355 Broadway Escrow refund	\$ 125.00

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 5-0-2.

OLD BUSINESS:

Karl Subdivision – (Medenbach & Eggers as Agent) 2023-20; 672 Plutarch Road; SBL No. 79.1- 1-15.200; R40 Zoning

Michael Morehouse of Mededenbach & Eggers was present.

Planner Franson stated the comments from her November 2023 Memo had not been addressed. A number of items on the Short EAF Part I needed to be corrected and/or completed. Planner Franson requested that an inset be provided for the two lots with steep slopes and setbacks shown. Planner Franson’s recommendations included that the sketch plan needed to be updated, a site visit may be considered, and whether the Planning Board wished to schedule a public hearing conditioned upon receipt of updated material. No public hearing was set given the number of items to be addressed. Chairperson Pecora noted that the Highway Superintendent needed to provide written approval for the driveway cut.

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

Derek Leung, Matt Towne, P.E., and Amy Lavine, Esq. were present.

Planner Franson had provided a Memo with recommendations and comments. Due to the property's location in the LWRP, a referral to the Esopus Waterfront Advisory Board was needed. Full scale architectural floor plans submitted as one package were requested for the buildings. The Applicant confirmed that an IDA PILOT was being considered and would impact the fiscal benefits if obtained.

An 11" x 17" steep slopes map had been provided but Engineer Towne was requested to provide a full-scale map with buildings and limits of disturbance and should be included as an additional page to the plan set. There were standards that require the protection of ridgelines and buildings and areas below the ridgelines but "ridgelines" was not defined in the zoning.

Planner's comments included providing signage along the long drives for no parking and highlighting walking paths.

A detailed landscaping plan had been provided but the plan as presented suggested tree clearing in the limits of disturbance. Planner Franson recommended that the tree note should be revisited and possibly removed and any trees being preserved should be noted on the plans.

A monument sign with downward lighting was proposed. The Applicant was requested to provide sign details for review.

Attorney Bakner noted that an appeal was presently pending before the ZBA and that "seasonal occupancy" indicated in the CEO's determination was an item being reviewed by that ZBA.

A review of the revised SWPPP was to be continued by Tony Stellato, P.E.

Planner Franson noted that given the 10-acre threshold and proposed disturbance, the Planning Board may determine if additional ecological studies were warranted. The Applicant had provided a Threatened and Endangered Species Report which provided information recorded by NYS DEC and New York Fish and Wildlife Services and given the size of the parcel, the Planning Board should consider whether a habitat assessment was warranted. Attorney Bakner suggested Ecologist Nowicki could provide a list of his observations of habitats and species on the site while conducting the wetland delineation.

Engineer Towne noted that there were portions of the internal drive that were greater than 12% . Planner Franson noted Chapter 88 of the Town Code addressed driveways which grading shall not be greater unless waived by the Building Inspector or Highway Superintendent. Chairperson Pecora polled the Board to determine if it wished to recommend a 17% slope for the internal drive which would alleviate site disturbance.

Member Mastny revisited the request to reduce the number of the cabins. The number of cabins had been reduced subsequent to the initial submission (which had been withdrawn). Chairman Pecora requested that the application be referred to the Environmental Board to look at the locations of proposed tree clearing, and the presence of smoke being generated from installation of firepits at the cabins. The Environmental Board was an advisory Board that may have pertinent information to provide relative to those subject matters. The Board agreed that a referral to the Waterfront Advisory Board be made as well since the property was located within the LWRP.

Upon Motion of Vice-Chairman DeKoskie, seconded by Member Anderson, and the affirmative of all Members present, the Motion passed 5-0-2 for the Administrative Assistant to forward the file and minutes to the Waterfront Advisory Board and Environmental Board for their comment by the following vote:

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

Discussion ensued relative to what constituted a ridgeline within the Code. **Chairperson Pecora called for a Motion to refer to the ZBA to provide a definition of ridgeline pursuant to Section 123.22(1)(a).** Upon Motion of Member Mastny, seconded by Vice-Chairman DeKoskie, and the affirmative vote of all Members present, the Motion passed 5-0-2 for the Administrative Assistant to forward the file and minutes to the Waterfront Advisory Board and Environmental Board for their comment by the following vote:

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

Chairperson Pecora called for a Motion to refer the application to the Ulster County Planning Board. Upon Motion of Vice-Chairman DeKoskie, seconded by Member Marta, and the affirmative vote of all Members present, the Motion passed 5-0-2 for the Administrative Assistant to forward the file and minutes to the Waterfront Advisory Board and Environmental Board for their comment by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye

David Mastny	Aye
Sal Morello	Absent
Alexis Petro	Absent
Mark Anderson for	
Dan Michaud	Aye
Chris Marta	Aye

Upon Motion of Vice-Chairman DeKoskie, seconded by Member Marta and the affirmative vote of all Members present, **the Planning Board agreed to make a recommendation to the Building Inspector, Highway Superintendent and Fire Department that internal drives be allowed at greater than 12% grading.**

2024 Meeting Schedule – January 2024 meeting would be held on the 25th and February 2024 would be on the 22nd with all other meetings to take place on the third Monday of each month.

Unanticipated human remains encounter protocol would be provided by Attorney Bakner relative to the Esopus Barns Project and could be made a condition of approval if granted.

Streamside Farms Costs Estimate – Chairperson Pecora called for a Motion to approve the cost estates calculated at 7%. Upon Motion of Vice-Chairman DeKoskie, seconded by Member Mastny and the affirmative vote of all Members, the Motion passed 5-0-2.

Contracts- All consultant contracts were to be reviewed and voted on in the January 2024 meeting.

Upon Motion of Member Mastny, seconded by Vice-Chairman DeKoskie, the meeting was adjourned at 9:20 p.m.

Respectfully submitted:

Lisa K. Mance, Administrative Assistant
Date prepared: January 2, 2024
Date Approved: January 25, 2024