

**CONTINUATION OF PUBLIC HEARING ON LOCAL LAWS 8-12 of 2021
March 16, 2021**

**Supervisor Jared Geuss
Councilman Evelyn Clarke
Councilman Kathie Quick
Councilman Chris Farrell**

Administrative Recorder: Holly A. Netter, Town Clerk, RMC

THIS MEETING WAS held VIA ZOOM , TELEVISED LIVE ON CHANNEL 23 PUBLIC ACCESS and LIVE-STREAMED ON “TOWN OF ESOPUS” FACEBOOK PAGE FOR PUBLIC COMMENT: call (845) 328-0483 to leave a voicemail or email outreach@esopus.com for assistance. The meeting was held via zoom due to predictions of an ice storm and in accordance with COVID -19 protocol and the Governor’s Executive orders.

***Proposed Local Laws 8-12 were introduced on February 2, 2021 and Noticed in the Daily Freeman on February 5, 2021. Laws have been referred to the Ulster County Planning Board, Town of Esopus Planning Board and neighboring municipalities. Public hearings were held on February 16 and were continued until March 16, 2021. All proposed laws were available for review at www.esopus.com

SUPERVISOR GEUSS MADE A MOTION TO CONTINUE THE PUBLIC HEARING AT 7:05 PM **Local Law No. 8 of 2021, entitled A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK REPEALING EXISTING CHAPTER 123, “TOWN OF ESOPUS ZONING LAW,” AND REPLACING WITH A NEW CHAPTER 123, “TOWN OF ESOPUS ZONING LAW,” OF THE ESOPUS TOWN CODE. THE MOTION WAS SECONDED BY COUNCILMAN KATHIE QUICK. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

PUBLIC COMMENT LOCAL **LAW #8**

Councilman Chris Farrell, Planning Board liaison, said the Planning Board met with Matt Rogers of Laberge Group and the Planning Board will be submitting some written comments through their consultant Tom Shepstone.

SUPERVISOR GEUSS MADE A MOTION AT 7:07 PM TO HOLD OPEN AND CONTINUE THE PUBLIC HEARING ON PROPOSED LOCAL LAW #8 OF 2021 ON APRIL 15, 2021 AT 7 PM; AT THE ESOPUS TOWN HALL. THE MOTION WAS SECONDED BY COUNCILMAN CHRIS FARRELL. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

SUPERVISOR GEUSS MADE A MOTION TO CONTINUE THE PUBLIC HEARING AT 7:07 PM **Local Law No. 9 of 2021, entitled A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK AMENDING CHAPTER 113, "ABANDONED VEHICLES LAW," OF THE ESOPUS TOWN CODE. THE MOTION WAS SECONDED BY COUNCILMAN KATHIE QUICK. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

PUBLIC COMMENT LOCAL **LAW #9 – NONE**

SUPERVISOR GEUSS MADE A MOTION AT 7:08 PM TO HOLD OPEN AND CONTINUE THE PUBLIC HEARING ON PROPOSED LOCAL **LAW #9 OF 2021 ON APRIL 15, 2021 AT 7 PM; AT THE ESOPUS TOWN HALL. THE MOTION WAS SECONDED BY COUNCILMAN CHRIS FARRELL. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

SUPERVISOR GEUSS MADE A MOTION TO CONTINUE THE PUBLIC HEARING AT 7:09 PM **Local Law No. 10 of 2021; entitled A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK REPEALING CHAPTER 96, "LAWN MAINTENANCE" AND REPLACING WITH CHAPTER 96, "PROPERTY MAINTENANCE LAW," OF THE ESOPUS TOWN CODE. THE MOTION WAS SECONDED BY COUNCILMAN KATHIE QUICK. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

PUBLIC COMMENT LOCAL **LAW #10 –NONE**

SUPERVISOR GEUSS MADE A MOTION AT 7:09 PM TO HOLD OPEN AND CONTINUE THE PUBLIC HEARING ON PROPOSED LOCAL **LAW #10 OF 2021 ON APRIL 15, 2021 AT 7 PM, AT THE ESOPUS TOWN HALL. THE MOTION WAS SECONDED BY COUNCILMAN EVELYN CLARKE. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

SUPERVISOR GEUSS MADE A MOTION TO CONTINUE THE PUBLIC HEARING AT 7:10 PM **Local Law No. 11 of 2021, entitled A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO CREATE CHAPTER 101, "RENTAL PROPERTIES REGISTRATION," OF THE ESOPUS TOWN CODE. THE MOTION WAS SECONDED BY COUNCILMAN CHRIS FARRELL. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

PUBLIC COMMENT LOCAL **LAW #11 – NONE**

SUPERVISOR GEUSS MADE A MOTION AT 7:10 PM TO HOLD OPEN AND CONTINUE THE PUBLIC HEARING ON PROPOSED LOCAL **LAW #11 OF 2021 ON APRIL 15, 2021 AT 7 PM; AT THE ESOPUS TOWN HALL. THE MOTION WAS SECONDED BY COUNCILMAN EVELYN CLARKE. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

SUPERVISOR GEUSS MADE A MOTION TO CONTINUE THE PUBLIC HEARING AT 7:11PM **Local Law Local Law No. 12 of 2021, entitled A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO CREATE CHAPTER 91, "NOISE CONTROL," OF THE ESOPUS TOWN CODE. THE MOTION WAS**

SECONDED BY COUNCILMAN CHRIS FARRELL. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

PUBLIC COMMENT LOCAL LAW #12

BURGOLD – Complaint deals with the new neighbor who purchased the land on three sides of his property. The neighbor went by his window at 4 am, when he complained to the individual about it they told him get over it and don't bother me with such petty things. Burgold has hired a lawyer who has submitted a letter for the Public Hearing on 2/16/2021 which addressed ATV usage. Rather than measuring the decibel of noise, they suggest using a distance of a trail from a property line. Mr. Burgold asked the Board to consider his lawyers' suggestion and find a resolution.

Donald Van Buren – East Stout Ave. noise issue. Mr. Van Buren said this situation had been brought up when Kyle Barnett was Supervisor but has gotten worse. Excessive noise and neighborhood nuisance coming from a particular home on East Stout Street. Mr. Van Buren said there is a tremendous amount of noise, loud music. They park on both sides of the street which is very narrow and they actually block off the street so you can't get through when they have parties. Homeowner is taking in outsiders who blast music. He said two neighbors are considering selling their homes because of the noise. Problem needs to be addressed; suggests no parking signs on both sides of the street.

Patty Williams – East Stout Ave. resident (one of the neighbors contemplating moving) Mrs. Williams tried talking to the adults in the house. She has tried to talk to the neighbors. The female owns the house, male very nasty & bad temper; nothing works. Every time the owner goes to work, he blasts the music. The owner said she knows and has spoken to him but says he's stubborn. These residents had a fight with the other neighbor on the other side of them because that neighbor lost the sale of their home because of the noise. There have been dog complaints; fence is not proper. The dog is a King Corso Mastiff and is a very aggressive dog. Mrs. Williams tried calling to say the dog got out and was running in the street after people and was told she couldn't call in because it didn't go after her. The dog has chased her, her husband and their cocker spaniel and nothing is being done.

Mrs. Williams said they smoke pot and are burning more than just wood outside. She said when the call comes over the scanner they hear it and the music goes off, fire is put out and they all scatter. Mrs. Williams suggests calling police on phone to send the car out and not putting it over the radio. They have called the Sheriff Department several times but they say the Town has no ordinance and the "Sheriffs don't want to do anything". Supervisor Geuss said he and Matt Rogers were working with the Sheriff Dept. and addressing the proper language that is needed to make the laws enforceable.

Rosemary Bloom – asked for clarification of the law because what she has been reading in the papers seems to be addressing commercial not residential. Matt Roger's gave an explanation and also mentioned this law addresses the time frame after hours; 9pm – 7 am.

Councilman Evelyn Clarke asked if a commercial business was restricted to the same hours. Matt; they are exempt from the decibel level but are subject to existing approvals given to them as long as they comply. Sometimes there is a 1 year reevaluation and the Planning Board would revisit to ensure the restrictions are being adhered to and are working.

Councilman Chris Farrell asked for confirmation that the Town does not have any authority over normal traffic and trains.

Matt confirmed authority; normal traffic (State) and trains (Federal) and gave examples of what may be addressed: squealing tires or bad muffler can be ticketed.

SUPERVISOR GEUSS MADE A MOTION AT 7:34 PM TO HOLD OPEN AND CONTINUE THE PUBLIC HEARING ON PROPOSED LOCAL LAW #12 OF 2021 ON APRIL 15, 2021 AT 7 PM; AT THE ESOPUS TOWN HALL. THE MOTION WAS SECONDED BY COUNCILMAN CHRIS FARRELL. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

ALL PUBLIC HEARINGS WILL REMAIN OPEN AND CONTINUE UNTIL AT LEAST APRIL 15, 2021 TO ENSURE AMPLE OPPORTUNITY FOR PUBLIC INPUT AND FEEDBACK FROM COUNTY AND LOCAL PLANNING BOARDS.

Respectively Submitted,

Holly A. Netter
Town Clerk, RMC