

**TOWN OF ESOPUS
TOWN BOARD MEETING
May 18, 7:00 PM**

A regularly scheduled Town Board Meeting was held on May 18, 2023 in person at 1 Town Hall Way, Ulster Park. Meeting was also available on TV 23, and Live Streamed on the Town of Esopus Facebook page. The following persons in attendance:

**Councilman Laura Robinson
Councilman Evelyn Clarke
Councilman Kathie Quick
Councilman Jared Guess
Supervisor Danielle Freer**

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

4 WAYS TO GIVE PUBLIC COMMENT:

- 1.) **In-Person – Attend the Workshop**
- 2.) **Phone in: Leave voicemail on 845 331 0676 prior to the meeting**
- 3.) **EMAIL – lreynolds@esopus.com with the subject line “Public Comment”**
- 4.) **MAIL – mail written comments to:
*Town of Esopus, P.O. Box 700
Port Ewen, NY 12466***

Supervisor Danielle Freer called the meeting to order at 7 pm.

PLEDGE TO THE FLAG

PUBLIC COMMENT

Dennis Suraci, 177 Lindorf Street read the following letter to the Board:

I am here this evening to make the Town Board aware of two items regarding the Lighthouse Village Project before the Town Planning Board;

The first being the fact that my application for an Appeal and Public Hearing for the 16 May 2023 meeting were denied even though my check and application were accepted. It is my belief that it was denied due to a letter the ZEO, Mark Jaffee, wrote to the ZBA Chairperson Karl Wick, dated 12 May 2023, which I have just handed to each of you.

This letter being the second item I wanted to inform the Town Board about.

The letter was written in response to my Appeal and referenced the items I felt the ZEO failed to realize were in non-compliance with the Town of Esopus Zoning. This letter actually changes how the project has been presented to the Planning Board as of the 15 May 2023 Planning Board meeting. This now has

the applicants' project being reviewed as two (2) individual lots GC-1 and R-12 and not removing the property and zone boundary lines that exist today. This letter also reflects the lack of compliance with the zoning laws with the fact it presents multiple dwellings in a GC-1 without having a mixed-use occupancy as required. My reason for bringing this issue to the Town Boards attention is to inform the Planning Board and the Applicant, along with his design professionals, that this would mean a new submission for the applicant as well as an explanation as to how they will approach the new requirements with the zoning, i.e. setbacks from property lines, 100 foot buffers in the GC-1 zone against a R-12, which does not allow any roadways to access the rear buildings of this project. In addition, a new Public Hearing should be required for this new application.

I am hoping the Town Board and their Planning Board liaison will look into this matter as soon as possible and include my public comments, along with the ZEO's letter dated 12 May 2023 in the minutes of this meeting. Thank you for your time in this matter.

Dylan LaComb 334 Broadway said he has not been as involved in town politics before but plans to be in the future. The reason for his involvement now is the proposed apartment project (Lighthouse Village) before the Planning Board and ZBA which is within 45 feet of his property boundary. He has been attending meetings and is seeing unsettling trends. Neighbors have spent numerous hours and have been on the top of their game following three proposed projects. It has been noticed that the determinations that have been made violate the Town Code. In the interest of time, he said they are being kept on record for later use. Mark Jaffee, who is an appointee from Supervisor Danielle Freer, has a plethora of hats worn under the Town of Esopus employment. Ranging from Building Inspector to Director of Planning, Zoning, Fire Inspector and Code Enforcement Officer. Mark has made several determinations regarding the Lighthouse Village Project which will be a detrimental project to the neighborhood community and a devaluation of his property. When concerns are brought up by the neighbors they are never addressed by the Planning or Zoning Boards. At Tuesday's ZBA meeting, appeal letters that were submitted at the 4/18/23 ZBA meeting were going to be looked at or have a response. When they were asked if they would have an answer from the ZBA they sat in silence. It is his opinion that the responsibilities of these boards are being loosely applied at best. The Town liaison member should be looking at these Boards and getting them on task and in collaboration with each other. With many large projects in a small town, many heads should be collectively involved to discuss the long-lasting ramifications these projects can inflict on the town. With so much opposition to these projects, he said he finds it alarming that the Supervisor and Town Board are willing to take no opinions from their tax paying landowners to heart. One can only conclude that this political charade is being delivered to adhere to the Town's Comprehensive Plan to deliver more housing to meet their political agendas.

Linda Laestadius, 374 Broadway sent in a letter and asked if it was received. She is concerned about zoning changes. She is proud of her property that she has renovated. She understands what the zoning laws are now and what is being proposed. If they push through the project as it is now, she will lose the right to develop anything there. She is a chef in Kingston and had plans to build an outdoor greenhouse and outdoor kitchen. She is unsure if she will be able to use her half-acre piece of land the way she would like to, and the property value will also be in jeopardy. She realizes something must come to that lot at some point but this project with large buildings and zoning that is "wonky", is not it. She is concerned about having proper coverage, because the vegetation that is there now is only 4 to 5 feet high and would have no buffer between her house and the proposed project.

Ann Suraci 174 Lindorf St. Two issues (1) The Stormwater Infrastructure Assessment and Capital Improvement Plan of September 2019 reported easements needed to be obtained on Clay Road and Lindorf Street properties. She asked, are they in place so the Highway Superintendent can start and complete the work prior to the Lighthouse Village construction? The second question was between 2019 and today, did the Town Supervisors get the easements and asked if the Board could give them an update of the easements?

(2) Traffic Study- She believes a new one is needed for the following reasons. The Creighton Manning traffic study dated 8/26/2020 was done during the pandemic and during summer when no school was in session. The only study done was on Broadway; not Lindorf Street or Clay Road. Why has there been no request for a new study? She asked if the Town Board and the Planning Liaison would please look into this matter.

Stephanie Lettieri 219 Clay Rd Thanked Supervisor Freer for dealing with an issue she had a few weeks ago. Supervisor Freer promptly had the Highway Superintendent Mike Cafaldo respond to address Mrs. Lettieri's issue. She said she feels the concerns relating to these two projects have come because there have been some simmering situations that haven't been addressed and they don't have answers for. Concerns of the issue of the traffic and speed on Clay Rd and stormwater still exist aside from the proposed projects. She asked questions relating to the Goals set in the Comprehensive Plan and where to find them. Councilman Guess responded – implementation Matrix end of first section.

She mentioned what she found in the minutes of the 7/23/2019 Town Board meeting where the Board was going to discuss speed limits with DOT and asked if it was done or followed up on?

Stephanie Lettieri stated the speed on Clay Road is 35 but people travel faster on that road.

She said she is so impressed with the time the volunteers on all the Boards are giving and for her neighbors who have been coming out to all the meetings getting involved and showing interest.

She is concerned there is little communication between the Boards. She attends the Planning Board and ZBA meetings, asks questions but she doesn't get the questions answered. She asked how the flow chart works for the town. She was told by the ZBA the Town Board oversaw the planning and zoning and other boards. She asked if the Town Board has input on their decision.

Councilman Guess said the Town Board is the general governing body appointing people to the Boards, but the ZBA and Planning Boards are autonomous in their decision making. Along with our code they have state and county laws they must follow. He also added that members of Planning and Zoning cannot serve on both boards because it is a conflict of interest.

Stephanie asked if it is legal to speak between Boards? She feels there is no communication between the Planning and ZBA members and feels there should be.

Karen Mitchell 198 Lindorf St. wondered if the various Board Members get the letters that are sent and if anyone looks at the letters. She had dropped by letters to the Chair of ZBA and Planning and has mailed numerous letters. When she asked them if they had received it, she was told they hadn't. It is discouraging that they get no feedback to know if a letter was received and then only have 3 minutes to talk when they come to a meeting. This whole project (Lighthouse Village) has a negative impact on the town, the neighborhood and the people residing here.

She read a quote from the Esopus Red book from 1978 -Character of Neighborhood

Written 45 years ago; The greatest asset of the Town of Esopus is the unspoiled beauty of its land. Those who leave for economic opportunity, return here to retire. It is a land that calls one back. The Hudson River is one of the most beautiful rivers in the world especially here... This project does not belong in a neighborhood. She noted surrounding apartment complexes in Esopus and Kingston which were not located in a neighborhood such as Lake Shore Villas, Riverview, Hidden Harbor, Rondout Gardens. Colonial Gardens, Orchard Hills etc.

Tim Triscari Clay Rd wrote several papers to the Planning Board on topics such as traffic speed, traffic data counts, light pollution, and character of a neighborhood.

He asked what came out of the traffic study. He noted on Washington Ave in Kingston by the George Washington School, there are blinking signs that are lit during the school day. He suggested having them on Clay and Mountain Road for Robert Graves School.

He attended the Planning Board meeting on Monday and there was a discussion to have the developer remove a story from the three-story building. Tim asked if that would start the process over again? He felt it should since it would be a drastic change of plan looking for new design and can they make a comment on those.

Stephen Britton 174 Lindorf St. previous Zoning Board member for 7 years; Chairman for a while. He has been attending these meetings. There seem to be some procedural issues, especially with the Planning Board, that are in the code and state statute that are not being followed. It has been frustrating for a lot of people who have been involved. They (neighborhood) feel there was a lot they could have contributed to this project early in the process that didn't happen. Some letters that have been sent to the Planning Board members never got past the Chairman; he had to redistribute the letter at the Public Hearing. He asked this Board to investigate this which is in their purview.

Issues that were looked at by Planning and ZBA regarding decisions by the Building Department should be looked at. He doesn't want something to get approved that is against zoning, even if all the Boards looking at it didn't catch it. He wants to make sure all the proper variances are in place in order to make sure there is no liability on the town.

Councilman Guess asked what project his comments were relating to, and he said he has been following the Lighthouse Village Project. He offered another good example of improper procedure:

He was at the Planning meeting on Monday, there was a presentation regarding the Streamside Farms Project. There was a sign-in sheet located in the back of the room if you wanted to speak. Many may have missed it because it was crowded. He said he wasn't planning on speaking but after he heard the presentation, he had a few questions. The Public Comment was held after the presentation. They only called the names on the list to speak. A Planning Board member asked if there was anyone who wanted to speak who didn't sign in and the Chairperson said no if they didn't sign in they couldn't speak. He wanted to speak and was denied the opportunity. He said he didn't have a question until he saw the presentation and others could have had questions as well. A lot of things could be improved with better communication. Steve recalled his years on the ZBA and said there is an allowance for communication back and forth between the different Boards to a degree; factual explanation or clarity not opinion

related conversation. Also, open meeting laws need to be adhered to if there are more members involved which may create a quorum.

Supervisor Freer thanked everyone for coming to all of the meetings. She said she has been listening and watching. She wanted everyone to know she is always trying to improve and streamline the process. The Town Board has made some recent additions to various boards, she is also working with the Building Department on ways that we can get more information up on the website that is readily available for everyone. She said she thinks the Town has been doing a pretty good job with that but again there is room for improvement. There are a lot of projects on the table right now. It is nice to see groups come together as a community to talk as they did during the comprehensive plan. We hear you; she reassured Karen Mitchell she reads every letter she is copied on. She said she is learning from them too. She reiterated Councilman Guess's earlier comment of needing to let these processes take their own course with the Planning and Zoning Boards. In the meantime, we will continue to work on better communication. She offered anyone to come in a chat with her and does not want anyone to feel there is a boundary or they are unable to communicate with her. She thanked them for their passion for the community.

Councilman Geuss responded to some of the questions:

All easements have not been attained but Superintendent Cafaldo has the majority and will be able to get started on the lower section.

Gov. Hochul recently changed a Home Rule Article that allows towns to change the speed more easily in their town; the Town Board needs to investigate this. Supervisor Freer said she thinks there is some work that needs to be done versus the Board just going and lowering all the speed limits. She said she would like to do our own study so we can be strategic in the changes that we are going to make. This will also take funding; they can look to see how much it will cost. The issue of 20mph speed signs near the school can be investigated more rapidly.

Councilman Jared Guess- Mark Jaffee wears a ton of hats and the new position was given to help the flow between the ZBA and Planning Board and to improve communication as well as streamline the process. Supervisor Freer said the easiest way to describe his position is he is "Grand Central Station". He is the first stop for a lot of this and it is his role to then direct who needs to go where.

Dennis Suraci continued to ask if someone could talk to the Building Inspector. Dennis keeps writing letters, but they are told they can't do anything until the project is approved. Meanwhile the code states that there needs to be a mixed-use permit to allow multifamily dwellings in GC1. The ZBA told him they had to wait until the project had been approved and go for an article 78 or object to it then. Dennis asked if the Building Inspector made a mistake, can he admit to it?

Councilman Guess continued to explain the matrix mentioned earlier to Stephanie Lettieri. The Implementation Matrix of the Comp Plan states goals and wants of the people and what board, entities or clubs are associated with it. He said it would be nice to put out a list of accomplishments from the goals because we have hit a lot of them as a Board. It also serves as a good check list for the boards. Councilman Guess said in his opinion, Dave Mastny from the Planning Board had some great ideas on the Lighthouse Village Project, he wishes some of them would have come sooner. That is the kind of conversation that is needed on these projects early on.

SUPERVISOR FREER MADE A MOTION TO CLOSE THE PUBLIC COMMENT. THE MOTION WAS SECONDED BY COUNCILMAN JARED GUESS. ALL MEMBERS WERE IN FAVOR. MOTION CARRIED.

REQUEST TO WAIVE PARK RENTAL FEE

A MOTION WAS MADE BY SUPERVISOR FREER TO WAIVE THE RENTAL FEE FOR BOCES ALL STAFF BBQ ON JUNE 23 AT ROSS PARK AND FOR THE SUMMER SCHOOL YEAR END PICNIC ON AUGUST 18TH AT FREER PARK. THE MOTION WAS SECONDED BY COUNCILMAN DANIELLE GEUSS. ALL MEMBERS WERE IN FAVOR. MOTION CARRIED.

COMMITTEE & BOARD APPOINTMENT DISCUSSION

A MOTION WAS MADE BY SUPERVISOR FREER TO APPOINT GUY BROUGHT TO THE ZBA WITH A TERM TO EXPIRE 12/31/24 AND TO APPOINT MARK ANDERSON AS PLANNING BOARD ALTERNATE WITH A TERM TO EXPIRE 12/31/2023. THE MOTION WAS SECONDED BY COUNCILMAN LAURA ROBINSON. ALL MEMBERS WERE IN FAVOR. MOTION CARRIED.

****Recent appointments were made at the May 4th Workshop Mtg. and as a result Guy Brought will move from ZBA Alternate to a ZBA Board member. Mark Anderson who recently resigned from his Planning Board position has agreed to continue his service as an Alternate to the Planning Board.**

**A MEMORIALIZING RESOLUTION IN SUPPORT OF THE
ULSTER COUNTY CENTRALIZED ARRAIGNMENT PART LOCATED AT THE
ULSTER COUNTY LAW ENFORCEMENT CENTER**

WHEREAS, New York State law allows counties to create off-hours, centralized arraignment parts ("CAP courts") to facilitate timely court processing and an individual's rights to counsel at first appearance after arrest; and

WHEREAS, CAP courts aim to foster efficiency and ease logistical and administrative burdens by assigning off-hours arrangements to local criminal court judges according to a rotating, predetermined schedule; and

WHEREAS, CAP courts ensures that a judge within the county is always available to handle an arraignment; and

WHEREAS, the Ulster County Magistrate's Association ("UCMA") has approved the creation of a CAP court in Ulster County ("Ulster CAP court") and submitted a proposal to the Hon. Gerald W. Connolly, Administrative Judge New York State Third Judicial District for approval; and

WHEREAS, the Third Judicial District is in the process of approving both plans and the protocol for the Ulster CAP court to be located at the Ulster County Law Enforcement Center (“UCLEC”); and

WHEREAS, the Ulster County Legislature has approved the funding for the assignment of Court Clerks and a public defender to be available for the Ulster CAP court; and

WHEREAS, the Ulster County CAP court shall assure consistency in representation as well as the afterhours schedules of the various town and village justice; and

WHEREAS, the Ulster County CAP court will result in a more efficient and effective process by removing the burdensome and time-consuming task of attempting to recruit a local Judge and public defender to perform an afterhours arraignment; now

THEREFORE, BE IT RESOLVED, that the Town of Esopus hereby supports the creation of a CAP Court in Ulster County.

OFFERED BY: SUPERVISOR DANIELLE FREER
SECONDED BY: COUNCILMAN EVELYN CLARKE

COUNCILMAN LAURA ROBINSON	AYE
COUNCILMAN EVELYN CLARKE	AYE
COUNCILMAN KATHIE QUICK	AYE
COUNCILMAN JARED GEUSS	AYE
SUPERVISOR DANIELLE FREER	AYE

RESOLUTION ADOPTED

SIGN & APPROVAL OF THE 2023 EXPENDITURE OF HIGHWAY MONEY - 284 AGREEMENT

As discuss in the May Workshop Mtg. paving will be performed on Main Street St. Remy between Rt 213 and leading to Rt 213 (\$300,000), on Horton Lane from Bayard Street to Prospect Street (\$78,120) and Prospect Street from Horton Lane to Gurney St (\$8,530).

SUPERVISOR DANIELLE FREER MADE A MOTION TO SIGN THE 284 AGREEMENT AND APPROVE THE EXPENDITURE OF HIGHWAY MONEY FOR REPAIRS AND IMPROVEMENTS FOR MAIN STREET ST. REMY, HORTON LANE, AND PROSPECT STREET. THE MOTION WAS SECONDED BY COUNCILMAN LAURA ROBINSON. ALL MEMBERS WERE IN FAVOR. MOTION CARRIED.

TOWN BOARD LIAISON UPDATES

Kathie Quick:

Waterfront Advisory Board continues to work on the LWRP.

Assessor & Assessment Board of review will be here for Grievance Day 5/23 from 3-5 pm and 6-8 pm. Information is available on the town website www.esopus.com.

Zoning Board- Kathy was concerned about some people who started shouting out at the past ZBA meeting. The ZBA is not required to take/answer questions. Public Hearings are the only time people can speak. She asked everyone to remember these are volunteers. She commended Carl Wick for listening and being thoughtful about what he says, he does a good job.

Seniors meeting - the MHVFCU talked about preventing identity theft. The meeting was well attended with approximately 75 people. The seniors will be going to Lake George on a field trip which is sold out; two other trips will be coming up. On June 21, 2023 there will be an ice cream social at Freer park for all of the Seniors.

Laura Robinson

Parks and Rec: Planters are complete and distributed throughout the 9W corridor. They plan on having 2 movie nights with food trucks and Family Day also with food trucks and games.

St. Remy Fire Department is hosting an open house on May 20th from 11 am – 3 pm, bring the family and get tips on fire safety- 564 Main St. St. Remy.

Evelyn Clarke

EDC -Updating Kiosks around town - get more local businesses involved.

Environmental Board – Discussion of the Hudson Lane project -some discussion relating to wetlands, how much of the wetlands are wetlands and how does that affect the environmental impacts that could occur. A lot of discussion but no decisions were made. Some felt the Environmental Committee should be leading the charge, but the Chair feels they should be neutral for now. They are receiving information but not making a statement at this point.

Lee Gough, Connelly received permission to plant the pollinators in Rieker Park. It will help complete one of the grants that were written. Climate Smart Committee work continues.

Councilman Clarke said she needs to work with Laura Petite soon to complete the documentation to get the funds from the grant we were awarded.

Jared Guess:

New electric poles have been set at the Transfer Station. Compactors were previously purchased, and concrete pads were poured for the compactors. They hope to have the compactors hooked up once the polls are in. They will be able to save money because there will be less pulls needed and the Transfer Station will operate more efficiently.

PORT EWEN WATER	234061-234074	\$53,535.38
Capital Water	235004-235005	\$91,184.00
ARPA	237003-237004	\$16,388.88
Visa		
		\$263,356.01

OFFERED BY: SUPERVISOR DANIELLE FREER
SECONDED BY: COUNCILMAN JARED GEUSS

COUNCILMAN LAURA ROBINSON	AYE
COUNCILMAN EVELYN CLARKE	AYE
COUNCILMAN KATHIE QUICK	AYE
COUNCILMAN JARED GEUSS	AYE
SUPERVISOR DANIELLE FREER	AYE

Resolution duly adopted.

KEY UPCOMING DATES – CHECK WEBSITE FOR MORE DETAILS:

5.23 BOARD OF ASSESSMENT REVIEW MEETING: 3PM-5PM & 6PM-8PM

5.27 ESOPUS REPAIR CAFÉ HOSTED BY ENVIRONMENTAL BOARD

5.29 MEMORIAL DAY PARADE IN PARTNERSHIP WITH AMERICAN LEGION 1298

TOWN HALL CLOSED

6.1 NEXT TOWN BOARD WORKSHOP

ADJOURNMENT

A MOTION TO ADJOURN THE MEETING WAS MADE BY SUPERVISOR FREER AT 8:15 PM. THE MOTION WAS SECONDED BY COUNCILMAN JARED GEUSS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

Respectively Submitted,

Holly A. Netter
Town Clerk, RMC