

**Continuation of the October 20, 2020
PUBLIC HEARINGS ON LOCAL LAWS 5-13 of 2020
DEC 1, 2020**

The continuance of the Public Hearings on local laws 5-13 were held on **December 1, 2020** in the Town Hall, 1 Town Hall Way, Ulster Park, NY followed by the regularly scheduled Town Board Workshop Meeting with the following persons in attendance via zoom:

**Supervisor Shannon Harris
Councilperson Evelyn Clarke
Councilperson Jared Geuss
Councilperson Kathie Quick
Councilperson 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 open to the public, with limited space to ensure social distancing; no public attended.

***Proposed Local Laws 5-11 were introduced on September 21, 2020 and Noticed in the Daily Freeman on September 27, 2020. Local Laws 12 & 13 were introduced October 6, 2020 and Noticed in the Daily Freeman on October 9, 2020. Laws have been referred to the Ulster County Planning Board and Town of Esopus Planning Board on October 16, 2020. On October 20, 2020 the motion was made to continue all of the public hearings for laws 5-13 on December 1, 2020. All proposed laws were available for review at www.esopus.com

PROPOSED LOCAL LAW #5

AT 7:05 PM SUPERVISOR HARRIS MADE A MOTION TO CONTINUE THE PUBLIC HEARING FOR **Local Law No. 5 of the Year 2020, ENTITLED A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO AMEND CHAPTER 123, “ZONING”, OF THE ESOPUS TOWN CODE BY AMENDING SECTION 123-26, TO INCLUDE THE **DEFINITIONS** OF WAREHOUSING, WAREHOUSE, SELF-STORAGE WAREHOUSE, FARM OPERATIONS AND TO AMEND THE DEFINITION OF JUNKYARD. THE MOTION WAS SECONDED BY COUNCILPERSON JARED GEUSS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

Supervisor Harris gave the following statement relating to Local Laws 5-7: The Town’s Zoning Task Force has identified junkyards as a use that should no longer be allowed in any zoning

district. The 2019 Comprehensive Plan recommended the Town evaluate all allowed uses in Chapter 123 to determine which uses may no longer be compatible with the 2019 Plan, desired community character as described in the Comprehensive Plan Vision and the future economic development vision. The 2019 Plan also focuses on improving the appearance of property in the Town, including properties that store junk and related debris. Therefore, it has been determined by the Zoning Task Force that junkyards, including scrap be removed.

PUBLIC COMMENT LOCAL LAW #5 – NONE

SUPERVISOR HARRIS MADE A MOTION AT 7:07 PM TO CONTINUE THE PUBLIC HEARING ON PROPOSED LOCAL LAW #5 OF 2020 ON DECEMBER 15, 2020 AT 7 PM; AT THE ESOPUS TOWN HALL. THE MOTION WAS SECONDED BY COUNCILPERSON CHRIS FARELL. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

PROPOSED LOCAL LAW #6

AT 7:08 PM SUPERVISOR HARRIS MADE A MOTION TO CONTINUE THE PUBLIC HEARING ON Proposed Local Law No. 6 of the Year 2020, Entitled A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO AMEND CHAPTER 123, "ZONING", OF THE ESOPUS TOWN CODE BY AMENDING SECTION 123-15, "PROHIBITED AND RESTRICTED USES". THE MOTION WAS SECONDED BY COUNCILPERSON EVELYN CLARKE. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

PUBLIC COMMENT LOCAL LAW #6 – NONE

SUPERVISOR HARRIS MADE A MOTION AT 7:08 PM TO CONTINUE THE PUBLIC HEARING ON PROPOSED LOCAL LAW #6 OF 2020 ON DECEMBER 15, 2020 IMMEDIATELY FOLLOWING THE PUBLIC HEARING ON PROPOSED LOCAL LAW #5; AT THE ESOPUS TOWN HALL. THE MOTION WAS SECONDED BY COUNCILPERSON JARED GEUSS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

PROPOSED LOCAL LAW #7

AT 7:09 PM SUPERVISOR HARRIS MADE A MOTION TO CONTINUE THE PUBLIC HEARING ON Proposed Local Law No. 7 of the Year 2020, Entitled A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO REPEAL CHAPTER 90, "JUNKYARDS". OF THE CODE OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK. THE MOTION WAS SECONDED BY COUNCILPERSON CHRIS FARRELL. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

PUBLIC COMMENT LOCAL LAW #7 – NONE

SUPERVISOR HARRIS MADE A MOTION AT 7:10 PM TO CONTINUE THE PUBLIC HEARING ON PROPOSED LOCAL LAW #7 OF 2020 ON DECEMBER 15, 2020 IMMEDIATELY FOLLOWING THE PUBLIC HEARING ON PROPOSED LOCAL LAW #6; AT THE ESOPUS TOWN HALL. THE MOTION WAS SECONDED BY COUNCILPERSON KATHIE QUICK. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

PROPOSED LOCAL LAW # 8

AT 7:11 PM SUPERVISOR HARRIS MADE A MOTION TO CONTINUE THE PUBLIC HEARING ON Proposed Local Law No. 8 of the Year 2020, Entitled A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO AMEND CHAPTER 123 “ZONING” OF THE ESOPUS TOWN CODE BY AMENDING 123 ATTACHMENT 1, SCHEDULE OF PERMITTED USES OF SECTION 123-10 TO ADD USE REGULATIONS FOR WAREHOUSE/WAREHOUSING AND SELF-STORAGE WAREHOUSE; AND TO REMOVE MOTOR FREIGHT TRANSPORTATION AND WAREHOUSING (42) IN ITS ENTIRETY. THE MOTION WAS SECONDED BY COUNCILPERSON CHRIS FARRELL. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

Supervisor Harris stated; The Comprehensive Plan also recommended the review of allowed uses to determine if adjustments should be made to which zoning districts, they should be allowed in. It has been determined that self-storage facilities are an inefficient use of land and can negatively impact community character if not sited in the appropriate districts. Therefore, it has been determined by the Zoning Task Force that self-storage facilities should only be permitted in the HI (High Industrial) district and this change should take place immediately.

PUBLIC COMMENT LOCAL LAW #8 – NONE

SUPERVISOR HARRIS MADE A MOTION AT 7:13 PM TO CONTINUE THE PUBLIC HEARING ON PROPOSED LOCAL LAW #8 OF 2020 ON DECEMBER 15, 2020 IMMEDIATELY FOLLOWING THE PUBLIC HEARING ON PROPOSED LOCAL LAW #7; AT THE ESOPUS TOWN HALL. THE MOTION WAS SECONDED BY COUNCILPERSON CHRIS FARRELL. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

PROPOSED LOCAL LAW # 9

AT 7:13 PM SUPERVISOR HARRIS MADE A MOTION TO CONTINUE THE PUBLIC HEARING ON Proposed LOCAL LAW NO 9 of the Year 2020, entitled A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK AMENDING VARIOUS PROVISIONS OF CHAPTER 123 “ZONING” OF THE ESOPUS TOWN CODE AS FOLLOWS: AMENDING SECTION 123-10, SCHEDULE OF PERMITTED USES PROVIDING FOR REGULATION OF BUS SHELTERS; AMENDING SECTION 123-

15, PROHIBITED AND RESTRICTED USES PROVIDING FOR REGULATION OF **BUS SHELTERS**; AND AMENDING SECTION 123-61 TO ADD A NEW DEFINITION FOR BUS SHELTER. **THE MOTION WAS SECONDED BY COUNCILPERSON KATHIE QUICK. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

Supervisor Harris stated; The need to regulate bus shelters is also supported by the Comprehensive Plan as there are shelters previously installed in the Town that are not serving as actual shelters, have not been placed in logical locations for public transportation services, and have resulted in negative community character impacts as a result among other concerns. Establishing new regulations for proper design and siting of new bus shelters is deemed necessary and the associated regulations should be adopted immediately.

PUBLIC COMMENT LOCAL LAW #9 – HARRY VAN VLIET SUBMITTED AN EMAIL DURING THE FIRST PUBLIC HEARING IN SUPPORT OF THIS LAW.

SUPERVISOR HARRIS MADE A MOTION AT 7:15 PM TO CONTINUE THE PUBLIC HEARING ON PROPOSED LOCAL LAW #9 OF 2020 ON DECEMBER 15, 2020 IMMEDIATELY FOLLOWING THE PUBLIC HEARING ON PROPOSED LOCAL LAW #8; AT THE ESOPUS TOWN HALL. THE MOTION WAS SECONDED BY COUNCILPERSON CHRIS FARRELL. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

PROPOSED LOCAL LAW # 10

AT 7:15 PM SUPERVISOR HARRIS MADE A MOTION TO CONTINUE THE PUBLIC HEARING ON **Proposed Local Law No. 10 of the Year 2020, Entitled A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO AMEND CHAPTER 123 “ZONING” OF THE ESOPUS TOWN CODE TO ADD A NEW SECTION 123-18 TO ESTABLISH A **MIXED-USED FLOATING ZONE**. THE MOTION WAS SECONDED BY COUNCILPERSON JARED GEUSS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

Supervisor Harris stated; The next two laws pertain to the establishment of a mixed use floating zone and is also in accordance with numerous recommendations of the Comprehensive Plan that seeks to promote compatible medium to high density development in areas served by municipal water and sewer, recommends the use of density bonuses and the facilitation of housing types and density necessary to meet the needs of current and future residents among other related recommendations. The Town has an opportunity to facilitate a mixed – use development supported by the Comprehensive Plan and therefore, The Zoning Task Force desires to move these regulations forward without delay.

PUBLIC COMMENT LOCAL LAW #10– NONE

SUPERVISOR HARRIS MADE A MOTION AT 7:17 PM TO CONTINUE THE PUBLIC HEARING ON PROPOSED LOCAL LAW #10 OF 2020 ON DECEMBER 15, 2020 IMMEDIATELY FOLLOWING THE PUBLIC HEARING ON PROPOSED LOCAL LAW #9; AT THE ESOPUS TOWN HALL. THE MOTION WAS SECONDED BY COUNCILPERSON JARED GEUSS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

PROPOSED LOCAL LAW # 11

AT 7:17 PM SUPERVISOR HARRIS MADE A MOTION TO CONTINUE THE PUBLIC HEARING ON Proposed Local Law No. 11 of the Year 2020, Entitled A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO AMEND CHAPTER 123, "ZONING", OF THE ESOPUS TOWN CODE BY AMENDING SECTION 123-6, "ZONING DISTRICT PURPOSES". THE MOTION WAS SECONDED BY COUNCILPERSON CHRIS FARRELL. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

PUBLIC COMMENT LOCAL LAW #11–NONE

SUPERVISOR HARRIS MADE A MOTION AT 7:18 PM TO CONTINUE THE PUBLIC HEARING ON PROPOSED LOCAL LAW #11 OF 2020 ON DECEMBER 15, 2020 IMMEDIATELY FOLLOWING THE PUBLIC HEARING ON PROPOSED LOCAL LAW #10; AT THE ESOPUS TOWN HALL. THE MOTION WAS SECONDED BY COUNCILPERSON KATHIE QUICK. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

PROPOSED LOCAL LAW # 12

SUPERVISOR HARRIS MADE A MOTION TO CONTINUE THE PUBLIC HEARING AT 7:19 PM ON Proposed Local Law No. 12 of the Year 2020 Entitled , A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO AMEND CHAPTER 123, "ZONING", OF THE ESOPUS TOWN CODE BY AMENDING SECTION 123-61, TO INCLUDE THE DEFINITION OF MOTOR FREIGHT TERMINAL. THE MOTION WAS SECONDED BY COUNCILPERSON KATHIE QUICK. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

Supervisor Harris stated; Regarding the last two local laws, the addition of the use "Motor Freight Transportation" to the Schedule of Permitted Uses is necessary to continue allowing trucking and related uses. The current Schedule of Permitted Uses includes the term "Motor Freight Transportation and Warehousing (42)" a combination of warehousing and trucking uses. This use is proposed to be removed from the Schedule of Permitted uses in its entirety as a part

of a separate local law to allow the Town to regulate self-storage warehousing, separate from trucking and larger warehousing uses.

PUBLIC COMMENT LOCAL LAW #12 – NONE

SUPERVISOR HARRIS MADE A MOTION AT 7:21 PM TO CONTINUE THE PUBLIC HEARING ON PROPOSED LOCAL LAW #12 OF 2020 ON DECEMBER 15, 2020 IMMEDIATELY FOLLOWING THE PUBLIC HEARING ON PROPOSED LOCAL LAW #11; AT THE ESOPUS TOWN HALL. THE MOTION WAS SECONDED BY COUNCILPERSON CHRIS FARRELL. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

PROPOSED LOCAL LAW # 13

AT 7:21 PM SUPERVISOR HARRIS MADE A MOTION TO CONTINUE THE PUBLIC HEARING ON **Proposed Local Law No.13 of the Year 2020, Entitled A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK TO AMEND CHAPTER 123 “ZONING” OF THE ESOPUS TOWN CODE BY AMENDING 123 ATTACHMENT 1, SCHEDULE OF PERMITTED USES OF SECTION 123-10 TO ADD **USE REGULATIONS** FOR **MOTOR FREIGHT** TERMINAL. THE MOTION WAS SECONDED BY COUNCILPERSON EVELYN CLARKE. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

PUBLIC COMMENT LOCAL LAW #13 – NONE

SUPERVISOR HARRIS MADE A MOTION AT 7:22 PM TO CONTINUE THE PUBLIC HEARING ON PROPOSED LOCAL LAW #13 OF 2020 ON DECEMBER 15, 2020 IMMEDIATELY FOLLOWING THE PUBLIC HEARING ON PROPOSED LOCAL LAW #12; AT THE ESOPUS TOWN HALL. THE MOTION WAS SECONDED BY COUNCILPERSON JARED GEUSS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

Respectively Submitted,

Holly A. Netter
Town Clerk, RMC