

**CONTINUATION OF PUBLIC HEARING ON LOCAL LAWS 8-12 of 2021
April 15, 2021**

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

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

THIS MEETING WAS held in person, 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.

***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 continued on 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 7:11PM **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 LAURA ROBINSON. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

PUBLIC COMMENT LOCAL **LAW #8**

DOUGLAS KLEESCHULTE Scrub –a-Dub car wash - Written comment received from owner regarding the wording of the permitted uses section of the law.

BUD SORBELLO Wood n Wheel – In complete support of what the Board is trying to accomplish with the laws regarding beautification . Comment for digital signage. Concerned it says you can only have one color. Feels it would be detrimental to their advertising message, the professionalism that we are trying to portray on signage and effectiveness of it. He wants to ensure he can continue to use multiple colors on the digital sign. They are planning on redoing their sign and he wants it to be effective and still fit into the character of the town as well.

**** Comments will be forwarded to Matt Rogers at Laberge Group.**

SUPERVISOR GEUSS MADE A MOTION AT 7:14 PM TO CLOSE PUBLIC HEARING. 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 7:14 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 CHRIS FARRELL. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

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

SUPERVISOR GEUSS MADE A MOTION AT 7:15 PM TO CLOSE PUBLIC HEARING. THE MOTION WAS SECONDED BY COUNCILMAN LAURA ROBINSON. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

SUPERVISOR GEUSS MADE A MOTION TO CONTINUE THE PUBLIC HEARING AT 7:15 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 EVELYN CLARKE. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.**

PUBLIC COMMENT LOCAL **LAW #10**

BUD SORBELLO Wood n Wheel – Looking for clarification on the beautification portion relating to abandon truck bodies. They use multiple shipping containers on their property for specific purposes, they are very tight and vermin proof. They were part of previous site plan approval on the property. The containers are painted and landscaped with bushes around them. Bud wasn't sure if they are considered truck bodies; it was not very clear from what he read on the proposed law. He was not sure on what impact that would have on them and was looking for clarification on whether they would be permitted or not permitted.

**** Comments will be forwarded to Matt Rogers at Laberge Group.**

SUPERVISOR GEUSS MADE A MOTION AT 7:18 PM TO CLOSE PUBLIC HEARING. THE MOTION WAS SECONDED BY COUNCILMAN LAURA ROBINSON ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

SUPERVISOR GEUSS MADE A MOTION TO CONTINUE THE PUBLIC HEARING AT 7:18 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 KATHIE QUICK. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

PUBLIC COMMENT LOCAL LAW #11 - NONE

SUPERVISOR GEUSS MADE A MOTION AT 7:19 PM TO CLOSE PUBLIC HEARING. 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 7:19 PM 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

ROGER BURHOLD, Esopus resident. Has been in town for 22 years, the first 18 were wonderful. Last 4 years have not been great between the use of heavy machinery and ATV's. Mr. Burhold submitted written comment from his attorney relating to local law 8 and 12. He would like to see regulations on ATV usage; limiting time of day, allowing only residents of the property, prohibiting use within 500 ft of neighboring residential property and ATV's having functioning mufflers. He said one of the first meetings he went to be heard; No resident has the right to disturb the peace and tranquility of another neighbor. He is hoping that can be held true and the Board looks at the proposed recommendations from the lawyer. (Addendum A) The letter included sample regulations from the Towns of Wappinger, Hyde Park and Rochester.

Barbara Carroll, neighbor of Mr. Burhold. She said she is pretty easy going about noise but a month and a half ago ATV's ran mid morning to dusk going up and down less than 100 ft from her house. When she mentioned it to Roger and he said there was no ordinance against it she became concerned for the future. She emailed people she knew from the neighborhood. These are the names she obtained in two days, she said if she had more time should could have tripled or quadrupled the numbers in Esopus. Of the people she contacted only 1 was hesitant to sign on because he had only been there for a few months. The letter that was read into the minutes for record:

Town of Esopus Town Board
1 Town Hall Way
Ulster Park, NY

Since our Town of Esopus is in the process of revising its noise ordinance and zoning laws, we, the undersigned, would like to voice our support for an ordinance or ordinances, similar to ones used in Hyde Park, Town of Wappinger, and the Town of Rochester regulating ATV use. These would include, but not be limited to:

- ATV use must not occur after 8 pm or before 9 am.
- ATV operation is limited to the owners of the property only, on the land they own.
- No ATV use shall occur within 500 feet of an existing neighboring residence.
- Said ATV's shall have a proper muffling system and not be operated in a repetitive or continuous manner that is disturbing or bothersome to neighboring property owners.

These small zoning and noise ordinance tweaks would go a long way to insure the current peaceful country way of life that is cherished by most citizens who have chosen Esopus as their home.

Barbara Carroll, 678 Old Post Rd.

Edward M. Milhaven, 58 Poppletown Rd.

Else & Gary Quist, 60-62 Poppletown Rd.

Elizabeth Kehl & John Dearth, 683 Old Post Rd.

Zeenat Furniturewala & Ubaid ul-Haq, 706 Old Post Rd.

Nancy Rosen & Andrea Lurie, 572 Old Post Rd.

Jane LaForge & Wilton McClain, 790 Old Post Rd.

Dennis & Susan Cooper, 603 Old Post Rd.

Michael Doyle, 774 Floyd Ackert Rd.

Roger Weiss & Inge Kraus, 25 Rousner Lane

GEORGE TURK, Esopus - called State Troopers four times on a neighbor for playing loud music all night long and said he's tired of calling. Noise from music should also be addressed in Law.

BARBARA CARROLL added one of the families in the neighborhood asked her to relay a message that they didn't want anything to affect Headless Horseman's ability to do business.

SUPERVISOR GEUSS MADE A MOTION AT 7:27 PM TO CLOSE PUBLIC HEARING. THE MOTION WAS SECONDED BY COUNCILMAN LAURA ROBINSON. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

Respectively Submitted,

Holly A. Netter
Town Clerk, RMC