

**TOWN OF ESOPUS
TOWN BOARD WORKSHOP
MARCH 2, 2021 – Starting at 7:00 PM TOWN BOARD WORKSHOP
March 2, 2021 - 7 PM**

A regularly scheduled Town Board Meeting was held on March 2, 2021 via zoom and Live Streamed on the Town of Esopus” Facebook page due to the ongoing pandemic with the following persons in attendance:

**Supervisor Shannon Harris
Councilperson Evelyn Clarke
Councilperson Jared Geuss
Councilperson Kathie Quick
Councilperson Chris Farrell**

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

Public Comment: *One Comment under YMCA Camp

**THIS MEETING WILL BE HELD VIA ZOOM
AND LIVE-STREAMED ON:
[“TOWN OF ESOPUS” FACEBOOK PAGE](#)
AND TELEVISED ON LOCAL ACCESS
CHANNEL 23**

3 WAYS TO GIVE PUBLIC COMMENT:

1. ZOOM – Use the “Raise Hand” feature in Zoom
2. PHONE IN – Call in live at 7 PM or leave a voicemail on [\(845\) 328-0483](tel:8453280483)
3. EMAIL - outreach@esopus.com

TO JOIN THE MEETING VIA ZOOM:

[Click Here](#) or use the call-in number below:

Conference #: 1-646-558-8656

Meeting ID: 831 8209 9333

Passcode: 162608

NOTE: Dial *6 to mute/unmute. Dial *9 to raise your hand.

PUBLIC HEARINGS: *The following laws were proposed and set for public hearing on Tuesday, 2/2/2021. Background on these proposals is available at Esopus.com under ‘Announcements.’ The Public Hearing was held February 16, 2021 and a motion was made to continue the public hearings on March 16, 2021. ALL PUBLIC HEARINGS WILL REMAIN OPEN UNTIL AT LEAST 3/16/2021 TO ENSURE AMPLE OPPORTUNITY FOR PUBLIC INPUT AND FEEDBACK FROM*

COUNTY AND LOCAL PLANNING BOARDS.

Local Law No. 8 of 2021 – Repealing Esopus Town Code § 123, “Zoning”, and Replacing it with a New § 123, “Zoning”

Local Law No. 9 of 2021 – Amending Esopus Town Code § 113, “Abandoned Vehicles”.

Local Law No. 10 of 2021 – Repealing Esopus Town Code § 96, “Lawn Maintenance”, and replacing it with a New § 96, “Property Maintenance”

Local Law No. 11 of 2021 – Creating a new § 101 of the Esopus Town Code, “Rental Properties Registration”

Local Law No. 12 of 2021 – Creating a new § 91 of the Esopus Town Code, “Noise Control”

PUBLIC COMMENT

Doug Kleeschulte – 33 year resident of Kingston owns and operates Scrub A Dub Car Wash and said his purchase and investment in the business was based on the existing code would like to see more language to protect existing business. He asked the Board to consider people who have made large investments; the gateway no longer allows the use of a car wash. Matt Roger explained that he can continue to do business there for 20+ more years if he desired. If the business was vacant and no longer in use for a year property use would revert to the proposed code. This would also cover a business should a future pandemic or economic crisis arise and an owner had to shut down for an extended period of time.

DRAFT PUD & HOUSING LAW – Matt Rogers

Matt Rogers gave a presentation on PUD; Draft is about 95% complete

Planned Unit Development Revisions

- **Existing Chapter 123 Article XI**
- Provides opportunities for landowners and developers to seek approval of a project that might not otherwise fit with existing zoning regulations.
- Projects must be consistent with the purpose, intent and objectives of the Law, Comprehensive Plan and other requirements.
- Legislative action by the Town Board after a joint review with the Planning Board.
- Town Board rezones the subject property for the proposed use.

Planned Unit Development Revisions

- **Request to revise the PUD regulations to bring projects to the Town Board for initial review:**
 - All applications would require an initial review of merit by the Town Board before the Planning Board begins their review.
 - Town Board bases their initial decision on the Law, Comprehensive Plan, local and regional needs and other relevant criteria.

Planned Unit Development Revisions

- **Request to revise the PUD regulations to bring projects to the Town Board for initial review:**
 - Planning Board would then conduct a review of the sketch plan and issues a report (Favorable or Unfavorable).
 - Applicant can appeal an Unfavorable report to Town Board – supermajority vote after a public hearing.
- **Remainder of review process unchanged.**

Planned Unit Development Revisions

- **Reduce from 25 acres to 5 acres:**
 - Current law restricts PUD applications to 25 acres.
 - Lowering to 5 acres will increase opportunities for redevelopment of smaller abandoned, underutilized & vacant sites within the water and sewer districts.
 - 25 acre limit unintentionally encourages large-scale greenfield projects – inefficient and not consistent with the Comprehensive Plan.

Planned Unit Development Revisions

- **Requirement for Public Benefit Projects:**
 - Recreation: Park improvement, acquisition, trails, access sites, pedestrian and bicycle improvements.
 - Infrastructure: Sidewalks, water and sewer, roads, etc.
 - To be guided by Comprehensive Plan, Riverfront Access & Connections Study, LWRP & other plans.
- **Open Space Requirement to Remain:**
 - Option to provide two public benefit projects instead of permanent protection of on-site open space.

Planned Unit Development Revisions

- **Density calculation – Will not be required to remove constrained lands.**
- **Compliance with proposed Workforce and Essential Worker Housing regulations required.**

Workforce & Essential Worker Housing

- **Draft Requirements:**
 - Housing projects of 5 or more units (based on historic low number of units built in Esopus).
 - 10% of units shall meet affordability requirements (rent or purchase).
 - 5 to 14 units proposed = requires 1 workforce unit.
 - 15 to 24 units proposed = requires 2 workforce units.
 - Provision to address phased projects.
 - Applies to all residential projects (e.g., single family subdivisions, apartments, mixed-uses, redevelopment).
- 7 • Building Department would address compliance.

Workforce & Essential Worker Housing

• Next Steps:

- Deciding on data sources to calculate eligibility:
 - Median Family Income for Kingston Metropolitan Statistical Area (MSA); or
 - Town of Esopus Median Family Income
- Calculating affordable rents.
- The threshold for jurisdiction and % required units may be adjusted.
- Prepare full draft Law for review.

Mixed-Use Floating Zone Expansion

- Will propose expanding the MFZ into the proposed Rondout Gateway District.
- Will provide additional incentives and opportunities for redevelopment and continuation of mixed-use development styles.





Proposed Noise Law Changes

- Remove Section 91-7(B) related to commercial & industrial property.
- Internal discussions and discussions with business owners.

~~B. No person shall cause or permit to be caused any noise that originates from commercial or industrial property that, in the opinion of the Building Inspector/Code Enforcement Officer, either annoy, disturb, injure or endanger the comfort, repose, health, peace or safety of a reasonable person of normal sensibilities. Such determination by the Building Inspector/Code Enforcement Officer may be based on one or more of the following: The type of commercial or industrial use in question, current status of compliance with applicable Special Use and/or Site Plan approvals, the sound levels being generated, the length of time the current noise levels have occurred, the types of surrounding land uses, the existing ambient noise levels of surrounding land uses, and other variables deemed relevant. ¶~~

~~(1) If in the opinion of the Building Inspector/Code Enforcement Officer, the noise levels originating from a commercial or industrial use violates the purpose, intent and relevant restrictions of this law, they shall have the authority to work with the owner/authorized representative of the such use to mitigate the noise impacts and/or refer the owner/authorized representative of such use to the Planning Board to for a Site Plan approval or amendment to an existing Site Plan approval for the purposes of identifying opportunities to mitigate the noise impacts. ¶~~

~~(2) If the owner/authorized representative of the subject commercial or industrial use refuses to work with the Building Inspector/Code Enforcement Officer or to obtain Site Plan approval or amendment to an existing Site Plan Approval from the Planning Board for the purposes of mitigating the noise impacts, said commercial or industrial use shall be deemed to be in violation of this chapter. ¶~~

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Proposed Noise Law Changes

- Recognized difficulty in administering without specific requirements.
- Specific requirements for all forms of businesses are not feasible.
- Enforcement to be focused on Site Plan and Special Use Permit approvals.
- Exemption: Sound and vibration associated with a legally operating non-residential use.
- Will be a work-in-process.

Proposed Noise Law Changes

- Addressing residential noise complaints:
 - Draft Language – “No person shall cause or permit to be caused at any time any noise that originates from any property resulting from the use of obscene, abusive, or threatening language or as a result of fighting or violent, tumultuous or threatening behavior.”
 - Internal discussion on constitutionality.
 - Coordinating with Ulster County Sheriff’s Dept.

Businesses need to be in conformance with the special use permits and not a specific sound level.

Noise ordinance is a work in progress. If it is adopted it will continue to be tweaked as issues arise.

Residential noise complaints need clarification from penal law.

Councilman Farrell asked if he talked to Planning Board. Matt Rogers said they were setting up a meeting to talk to Planning Board Consultant Tom Shepstone. He has also talked to Dennis Doyle, Chairman of the Ulster County Planning Board and they have agreed to send interim comments. A joint meeting will be set up with Planning Board Attorney, Kyle Barnett later in March.

WATER DEPARTMENT

Supervisor Harris said the Water Superintendent is requesting permission from the Town Board to increase the purchasing budget for additional security cameras at the Esopus Water Treatment Facility; 1 for the chemical room /side door, 1 for main door/storage shed and 2 additional facing the water frontage. The estimated cost is \$2,050 which is \$1,050 more than what was approved at last meeting. The cameras require an upgraded 8 channel platform that will be connected to the Town Hall surveillance system.

Councilperson Chris Farrell asked if the external cameras were being used to look for barges. Supervisor Harris said yes and they can see the surface level turbidity. When the big dredging project starts we will want to have cameras available to monitor the water.

Councilman Farrell also asked if the cameras will be monitored 24 hours? Supervisor Harris replied, They will be monitored but we are still working on the policy in terms of monitoring certain things. Supervisor Harris said the footage will be visible and accessible to personnel. Councilperson Farrell asked what the cameras are going to pick up that employees wouldn't see. Supervisor Harris said they have a limited view. The north side has no windows, the south side view is better but still limited.

Councilman Geuss asked if Liberty Security had been there for a site assessment with Don. Based on Dons recommendations and these recommendations there shouldn't be any more surprises after this point? Supervisor Harris replied, no.

Councilperson Kathie Quick said the security of water supply is very important. We need to be aware and we would feel better if it was better patrolled. Personnel that would be monitoring will have the ability to pull images up on mobile device. The Water Plant has existing cameras but are not viewable at this time so they are bringing the existing cameras online. Councilman Clarke said it's important that we have the camera in place but there needs to be protocols in place to make sure the cameras are being utilized otherwise we just have cameras. Supervisor Harris said they are working with other water plants within The Hudson 7 to compare protocols. Councilman Clarke said we need to know Turbidity ranges and would like a presentation given to the Board so

they have a better understanding. Councilperson Clarke said it can't hurt to have cameras if something happens. If they are not installed and a situation occurred she wouldn't want to find out that if we had a camera it could have been prevented. Councilperson Farrell said protocols should be in place, if you see a boat anchored call the Coast Guard.

A MOTION WAS MADE BY COUNCILMAN CLARKE TO PURCHASE CAMERA AND EQUIPMENT FOR THE WATERFRONT IN THE AMOUNT OF \$2,050 WITH PROTOCOLS TO UTILIZE TO THE BEST OF ITS ABILITY. THE MOTION WAS SECONDED BY COUNCILPERSON GEUSS BASED ON PROTOCOLS BEING PUT IN PLACE AND GIVEN TO THE BOARD TO ENSURE THE EQUIPMENT IS BEING USED TO THE BEST OF ITS ABILITY. MOTION CARRIED WITH A VOTE OF 4 AYE (HARRIS, CLARKE, QUICK & GEUSS)

1 NO – FARRELL made the following comment: "Until protocols are in place I think it's a useless purchase"

BEAUTIFICATION CAMPAIGN

Town Supervisor Shannon Harris presented a power point of the plan for the beautification campaign which is to be implemented by the Town of Esopus Parks and Recreation Commission and Economic Development Committee. This plan will have some improvements that will be implemented over the next 1-5 years. Some work will be in the spring of 2021. Sign designs were shared and park improvements were reviewed. Short term and long term goals have been set. Volunteers are needed for the Beautification Committee. The plan will include community coordinators and park stewards who will help with maintain and implement the improvements. It will be a fulfillment of our Comprehensive Plan.

Councilman Farrell said he would like to see the incorporation of the Spitzenburgh Apple in the plan, since it is native to the area

YMCA Camp

The Town intends working in partnership with the YMCA to provide summer camp this year at Ross Park with possible excursions to other parks within the Town. Programming has not been fully ironed out. Camp runs for a total of 8 weeks; 4 separate 2 week sessions. Esopus camp operated from 9am – 3 pm. The YMCA runs 9am – 4:30 pm and they have options for pre camp care starting at 7:30 am and post camp care ending at 6 pm.

Our price was \$325 for the 8 week summer program and the YMCA is \$319 for 2 weeks. \$10,000 was set aside in the Esopus budget last year to help defray the cost to Town residents for this program. Once there is a concrete proposal, they will present to the Town Board a reallocation of that money to help defray residents who want to attend camp this year. The program needs 30 local participants. COVID restrictions were in place at the YMCA camps last summer and they operated all year without incident. The YMCA hires Counselors who are 18 and older. Any Esopus Counselors who have worked at the camp in the past can apply online at the YMCA website. Scholarships are also available through the YMCA.

Supervisor Harris said what was charged in the past lost the Town a tremendous amount of money. While it helped certain parents it cost the tax payer a lot of money. Supervisor Harris said they will do everything to get the cost down to make it affordable for everyone who wants to attend. Supervisor Harris continued to say it was an unsustainable model losing money, it could not continue much longer in a responsible way. More information will be forth coming.

Councilperson Evelyn Clarke said it benefits for the Town to partner with the YMCA. They have staff dedicated to get grants, this is their business. The camp will be run by the YMCA and provide the trained counselors and are also insured. The only thing the Town provides is the space. Some kids will qualify for the entire program because they will qualify for social service program and grants. Councilman Jared Geuss said this is the first effort to work with the YMCA in partnership and there will be bumps to iron out. There is hope to get bigger and better next year and bring the cost down.

The programming itself may have more amenities such as weekly or bi weekly swim lessons at the YMCA on Friday; details haven't been worked out yet. Supervisor Harris said there will be more field trips and excursions and better programming overall. The YMCA has a lot more options.

PUBLIC COMMENT TAKEN DURING THE DISCUSSION : Mary Kaiser said she would like to point out it cost \$325 for 8 weeks for the Esopus camp program last year and the YMCA camp cost is \$319 for 2 weeks; almost 4 times the cost; large difference. Supervisor Harris said the price did not take into consideration the offset of the funds that were put aside but acknowledged that her point was well taken. Mrs. Kaiser said she recognized it lost the Town money but wished it didn't quadruple.

APPOINTMENT – PLANNING BOARD

A MOTION WAS MADE BY COUNCILMAN GEUSS TO APPOINT SALVATORE MORELLO III TO THE ESOPUS PLANNING BOARD, TERM EXPIRING 12/31/2023. THE MOTION WAS SECONDED BY COUNCILMAN QUICK. ALL MEMBERS WERE IN FAVOR. MOTION CARRIED.

UPDATES

Highway Department Plans for 2021

- a. Excavation and preparation for pavilions in Town parks
- b. Paving the upper parking lot in Freer Park
- c. 400' pipe replacements on:
 - i. Sentar Lane
 - ii. Doris Street
 - iii. Lindorf Street
- d. Road paving on:
 - i. VanWagenen Rd. (full)
 - ii. Carney Rd. (partial)

- iii. Main St. in Saint Remy from Union Center Rd. to Alma Dr.
- iv. Dashville Rd. from Old Post to Dubois
- v. Main St. in Esopus

RESIGNATION OF SUPERVISOR HARRIS

Supervisor Harris announced she would be resigning from office on March 5, 2021 at noon. She thanked people of Esopus did not envision the year we had and planned to service as long as she could everyone who supported her. The Board has accomplished so many things and addressed many important projects in a bi-partisan way. She said the future looks bright for Town of Esopus. Although she was not able to say where she would be going, she said she was resigning to explore other opportunities that will allow her to spend more time with her 3 children.

A special meeting will be held on March 5, 2021 at 2pm to appoint an interim Supervisor and Deputy Supervisor.

EXECUTIVE SESSION

A MOTION WAS MADE BY COUNCILMAN FARRELL TO ENTER INTO EXECUTIVE SESSION AT 9:03 PM FOR THE PURPOSE OF DISCUSSING THE HISTORY OF SPECIFIC EMPLOYEES. THE MOTION WAS SECONDED BY COUNCILMAN GEUSS. ALL MEMBERS WERE IN FAVOR. MOTION CARRIED.

COUNCILMAN FARRELL MADE A MOTION TO COME OUT OF EXECUTIVE SESSION AT 9:22 PM AND WAS SECONDED BY COUNCILMAN KATHE QUICK. ALL MEMBERS WERE IN FAVOR. MOTION CARRIED.

ACTION: NONE

ADJOURNMENT

A MOTION WAS MADE BY COUNCILMAN FARRELL TO ADJOURN THE MEETING AT 9:23 PM. THE MOTION WAS SECONDED BY COUNCILMAN GEUSS. ALL MEMBERS PRESENT WERE IN FAVOR. MOTION CARRIED.

Respectively submitted,

Holly A. Netter
Town Clerk, RMC