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**Town of Esopus Local Waterfront Revitalization Program Update**  
**Waterfront Advisory Committee (WAC) Meeting #1**  
**December 16, 2020**  
**7 pm to 9 pm via Video Conference**  
**Summary Meeting Notes**

**Participants:**

**Waterfront Advisory Committee:** Members: Mercedes Ross, Co-Chair; Margaret Phelan, Co-Chair; Shannon Harris, Town Supervisor; Eli Schloss, Carol Carson Tomassetti, Dale Wolfield, Marion Zimmer, Vincent Coq, Chet Allen, Kathie Quick, Town Board Liaison; Diane Dintruff, Cynthia McVay, Environmental Board Liaison; Alex Dean, Community Outreach Coordinator; Jen Fuentes; Lisa Mance, Secretary.

**NYSDOS:** Joshua Hunn, NYSDOS Coastal Resources Specialist.

**Laberge Group:** Matthew Rogers, Senior Planner, Laberge Group.

**Guests:** Noel Russ; Chris DeCicco; Stephen Cerini; Mark Ellison; Laura Petit; Kristen Wilson, City of Kingston Grants Manager.

**Meeting Discussions:**

**1. Vision and Goals**

- The Waterfront Advisory Committee (WAC) has been working collaboratively through Google Docs on a draft Vision and a set of Goals.
- Two versions of the draft vision were prepared. The second one does not include the statement “centers of vitality” along the Town’s waterfront. Carol recommended that this statement remain in the draft vision as certain waterfront areas could be established as centers of vitality and used to draw residents and visitors to multiple waterfront locations in the Town. The City of Kingston has been able to create a center of vitality along Strand Street.
- Supervisor Harris recommended that the WAC clarify in the goals and the LWRP document, what is meant by vitality and who our (the Town’s) customers are. The Town of Esopus is very different than the City of Kingston which has a very heavy focus/center of gravity around commercial. If the Town of Esopus wants to become something similar along the waterfront, the LWRP should state this clearly. If there are existing public waterfront access locations that the Town wants to preserve or enhance for continued access or other public access areas that have historic elements such as Perrine’s Bridge or Lighthouse Park, the LWRP should make these definitive statements.
- Carol agreed with Supervisor Harris’ recommendations and stated that there are different aspects to what creates vitality along shorelines and it is not just restaurants and commercialization.
- There was general agreement on the current draft Vision and Goals.

- Matthew reminded the WAC that the Vision and Goals may be modified going forward as the Inventory and Analysis is completed, and new information or opportunities arise.
- The Draft Vision and Goals will be cleaned up and remain in Google Docs. The associated background information and specific recommendations that Committee members provided in support of the Vision/Goals will remain for future reference.

## **2. Waterfront Revitalization Area Boundary Map**

- Matthew reviewed the current WRA boundary established as part of the 1987 LWRP, then reviewed the proposed boundary expansion areas:
  - The first area of proposed expansion is to include the entirety of Port Ewen because it is the densest population area in the Town, borders the Hudson River and Rondout Creek, includes areas of steep shorelines on both waterbodies and primarily drains to both. Port Ewen has many existing and potential connections to the waterfront. In addition, the expansion would include more of Plantasie Creek, which is potentially compromised by contamination from the Dyno Nobel/Hercules Plant, a State Superfund Site that is undergoing remediation.
  - St. Remy/Rt. 213 Bridge over Rondout Creek.
    - There is a preference to use solid boundaries, such as roads and other infrastructure for the WRA boundary. Josh (NYSDOS) indicated that when drawing new boundaries, the WAC should look at connections to the waterfront, something that is justifiable.
    - Matthew indicated that a majority of the Rondout shoreline from the 213 Bridge and dam south to Sturgeon Pool, is fairly undeveloped.
    - Based on the discussion, there was general agreement to follow a short section of Rt. 213 from New Salem Rd. to Old Rt. 213, then to Alda Dr., then to Decker Ave., back to Old Rt. 213 then back to Rt. 213. This proposed boundary would be drawn due to the significant amount of undeveloped and natural shoreline. Future analysis would be conducted to review the existing conditions of the area to ensure sufficient justification of the new boundary.
  - The boundary would then follow Rt. 213 through Rifton, to and include the Town's two parcels on the east side of 213 that serve as a gravel parking lot for visitors to the Town's Perrine's Bridge Park.
  - The boundary would then continue south to Rt. 32 to the Town line with New Paltz, including three parcels consisting of unique agricultural fields along the Wallkill River.
  - Matthew moved to the eastern side of the Town and first reviewed the draft boundary along Mirror and Esopus Lakes. The existing WRA boundary in this area follows the Central Hudson Gas & Electric underground gas line ROW. The first draft of the new WRA was drawn to the eastern shorelines of Esopus and Mirror Lakes and included all of the associated wetlands. To ensure the entirety of the lakes are included in the WRA, it was suggested to draw the boundary along 9W to River Road.
  - South of River Road, there are no changes proposed to the WRA boundary.
  - Supervisor Harris agreed with the proposed expansion of the WRA to include the entirety of the lakes as they are major tributaries of the Hudson River (both lakes drain south and eventually into Black Creek, which discharges into the Hudson) and there is some concern about future development that might impact water quality. There was general agreement for revising the boundary as discussed among the WAC and Josh (NYSDOS).

- Matthew stated that the draft I&A would be updated to include land within the proposed expansion area agreed upon today.

### **3. Community Outreach Plan.**

- Matthew briefly reviewed the draft Community Outreach Plan and stated that the main focus for this discussion will be on the stakeholders.
- Alex stated that he has already prepared an Excel spreadsheet of the potential stakeholders. He will provide those to the Committee and could be placed into Google Drive for the Committee to review and add to.
- The final list of Stakeholders will not likely be finalized until the Inventory and Analysis is completed as additional stakeholders may be identified.

### **4. Vacant, Abandoned, & Deteriorated Sites.**

- Matthew reviewed seven potential sites.
  - Site 1: Former Kosco Site.
    - The WAC discussed the site and the current and past regulatory and legal issues. The current owner recently lost a lawsuit against the Town related to a request to utilize the property for a use not allowed under current zoning. The owners are considering appealing the decision. Despite losing the lawsuit, the owners continue to park their commercial vehicles on the property.
    - The site includes the northern terminus of North Broadway, which the Town no longer owns and therefore, complicates the Town's access to sewer infrastructure. The Town would like to reclaim ownership of this portion of the road.
    - The site has the potential to provide for deepwater access on the Rondout.
    - Matthew identified that the site is under existing deed restrictions put in place by a previous owner due to potential for continued contamination. The specifics of the deed restrictions will be detailed in the I&A.
    - Carol stated that the site did undergo past clean up, including the removal of contaminated soil. Matthew stated that Laberge Group would seek information on the past reclamation efforts in an effort to better understand the site's current conditions.
    - For a short period during the summer and at the invitation of the Port Ewen Corp. (owners of the Kosco site), the Hudson River Maritime Museum was allowed to temporarily dock Sloop Clearwater along the existing sea wall. According to Eli, that was a temporary situation related to COVID and there are no plans to dock there in the future as they plan to remain on the river once COVID restrictions are loosened. If in the future there was a dock installed at Kosco by the Town, there may be continued interest in docking Clearwater.
    - Supervisor Harris suggested that the LWRP, with WAC consensus, should include strong statements on recommended future uses for the former Kosco site that are more consistent with its location, proximity to Sleightsburgh Park and significant waterfront activity in Kingston. The LWRP is the correct vehicle in which to provide guidance to the Town Board on the type of uses the site could accommodate.

- Providing detailed information and guidance will assist the Town Board in their long-term planning and associated capital projects, as well as the Planning Board in the review of future projects. Reclaiming access to the end of North Broadway is a major priority of the Town Board. The Supervisor stressed that the LWRP should identify all of the uses the site can be used for and spend less time on what it cannot be used for.
- Concurrence from the WAC that this is an important site for consideration in the LWRP.
  - Site 2: Smith Property (Between the Rt. 9W and Wurts St. Bridges).
    - Matthew reviewed the site conditions and the current proposed zoning amendment seeking to change the site from R-40 to a new district, Rondout Gateway. The new zoning would allow for higher density uses. The site is within reach of water and sewer, which would be necessary for any significant development.
    - The property severely slopes down to the creek, with expected shallow depths to bedrock. Presence of bedrock may complicate construction efforts and the extension of water and sewer to the site.
    - Matthew also highlighted a past idea considered during the Riverfront Access and Comprehensive Plan processes, of connecting the end of North Broadway/Kosco site with the Smith property and Wurts Street Bridge via a creekside trail. Possible connections to the Empire State trail across the 9W Bridge were also discussed, which are also recommendations within the Comprehensive Plan and Riverfront Access Study.
    - A recommendation offered by Cynthia is to protect the site as open space.
    - The property was previously offered to the Town by the owner, although the asking price was too high.
  - Site 4 Rondout Yacht Basin – Plantasie Creek site:
    - Matthew summarized the property and discussed the proposed zoning change currently being considered by the Town (WR/R-12 to Waterfront). The intent of this proposed rezoning is to provide more flexibility to the marina, including allowing for restaurants. The WR zoning is quite restricting for a marina.
    - The area along the creek could be enhanced for a trail but boat access to the Rondout Creek is not being considered. The site appears dominated by wetlands according to the Nationwide Wetlands Inventory (NWI).
    - Dale indicated that the Plantasie Creek is only accessible at high tides and there is some concern about polluted runoff, originating from the Dyno Nobel site.
    - Supervisor Harris stated that the back area of the marina property is being considered for use as an RV park. No applications have been submitted to the Planning Board.
  - Site 5: Callanan Property.
    - The WAC discussed the site and the current barge building operations by Feeney Shipyard along the Rondout. It is referred to as Feeney's West Yard, and encompasses a 13 acre area along the Rondout Creek. There does not appear to be much activity in the upland portion of the property, the location of the original mine.

- The area along the Rondout is a key location for water dependent uses and the current use is consistent with this preferred use and LWRP.
- The upland area is relatively flat and may be suitable for a variety of forms of development. The entire property is zoned Heavy Industry (HI) and is the only remaining HI zoned property in the Town. The current zoning update is recommending allowing utility-scaled solar farms to be sited in HI and a portion of the site may be a good location for such a use, with good solar access.
- Matthew suggested that the property owner (including Feeney as the site is still owned by Callanan Industries, based on Ulster County Real Property) be invited to participate in discussions as a stakeholder to learn their future plans for the entire site. This would provide helpful guidance to the WAC when considering any zoning changes or reuse opportunities for upland property.
- Marion stated that the site was also once offered to the community for purchase.
- Site 5: Central Hudson Gas & Electric Property on Sturgeon Pool.
  - Supervisor Harris stated that the Town has reached out to CHGE about seeking public access to the property. CHGE has liability concerns regarding opening the site for public use. Supervisor Harris stated that the Town should continue dialogue with CHGE in hopes a mutually-acceptable solution can be found. Seeking public access was recommended in the Comprehensive Plan.
  - Matthew stated that the first step in considering future public access is to determine what type of use/access the Town would like for the CHGE property. Boat access would be limited with dams to the north and south. Fishing and swimming might be more appropriate future uses.
- Site 6: Perrine's Bridge Park.
  - Matthew described the Park and its close proximity to the County's Perrine's Bridge (historic covered bridge) to the north. There was some discussion about who owns the covered bridge and it is believed to be owned by Ulster County.
  - The Town's Park did receive funding through the NYS Clean Water Bond Act (previously thought to have been an EPF grant).
    - Marion discussed the past improvement project where the Town wanted to install a dock to launch kayaks/small boats. However, the state wanted the Town to conduct a second archeological assessment, although the cost was not covered by the grant. The project did not move forward.
    - There remains a Clean Water Bond Act sign at the site (last confirmed in 2019).
- Site 7: Town Water Treatment Plant.
  - This is the only Town-owned parcel on the Hudson River with deepwater access.
  - The Comprehensive Plan recommended a feasibility study on repurposing the treatment plant if the Town decides to utilize water from Kingston or if the site becomes too compromised by future sea level rise.
  - The Riverfront Access Study recommended the Town maintain ownership if the treatment plant is no longer used and not to sell or give up rights to the property due to unique deep water access opportunities.

- Accessing the property from the south is challenging due to the sharp turning movement required to enter the site.
- There was a discussion about the adjacent property and deteriorating house. There does not appear to have been much work done on the property except bulkhead repairs. The site also offers deep water access. If the site becomes available, it could be attractive to incorporate it into the Town's holdings. This might allow for the construction of a safer access road and more room for recreational uses, parking, etc.

#### **5. Review of Proposed Zoning Amendments in WRA:**

- Matthew summarized additional proposed zoning amendments within the WRA.
- Proposed Connelly Resort Overlay District.
  - This new district was intended to provide more flexibility for Certified Marina (now under new ownership) and property to the west and south to allow for compatible hospitality uses, a campground and restaurants.
  - Supervisor Harris summarized the recent desire by Rondout Yacht Basin and Certified Marina to diversify and allow for RV camping as a way to improve business.
  - The Town Building Department did interpret the existing zoning law to allow for RVs at marinas with site plan approval. However, the current owners of the Certified Marina property began allowing RVs with no Town approval. They remained in violation all summer. In addition, there are no existing zoning standards for RV parks at marinas that the applicant and Town could utilize in their design and review of projects, respectively.
  - Municipal water and sewer is available in Connelly.
  - Matthew recommended against pursuing the Connelly Resort Overlay District at this point due to continued enforcement concerns and the potential impacts of the rezoning on the Hamlet and Rondout which have yet to be fully evaluated, in addition to the fact that the Town is updating the LWRP. The LWRP should review the current development patterns and future opportunities in Connelly and make recommendations on future zoning changes.
  - In addition, due to the fact that the owners never sought to address the violation and seek approval of the RV park, the current zoning update should prohibit campgrounds/RVs at marinas and allow the WAC to consider this use and develop standards as part of the LWRP update.
- The Rondout Gateway District. This was discussed previously and Matthew recommends this rezoning go forward.
- Tilden Street Parcels. Proposed rezoning from WR/R-12 to R-40 of Parcels 56.6-7-7.1 & 7.2. Proposed as WR (which covers the area on the parcels occupied by single family homes) does not allow for residential uses. Zoning these properties may have occurred by accident. There is no reason to leave them as pre-existing non-conforming given the predominant residential nature of the area along the River. All other residential properties along the River are zoned R-40 and this zoning would not impact their ability to utilize their property.
- The Waterfront Advisory Board will be provided with an opportunity to conduct consistency reviews for all future proposed zoning amendments within the current WRA boundary.

**6. Next Steps:**

- a. Next LWRP meeting with Laberge Group will either be in March or could be moved up to February depending on progress being made. The WAC will meet in January to work on certain assignments to be discussed.
- b. The Community Outreach Plan and WRA will be revised and provided to the WAC and DOS for review.
- c. The Inventory and Analysis will be provided after the holidays for WAC review.
- d. Laberge Group will reach out to the Town's Highway Dept. and Water and Sewer Dept. for input on their concerns related to sea level rise and other shoreline infrastructure issues.
- e. Photographs Needed:
  - i. Photos of key waterfront areas in Town. Laberge Group will provide a list of sites/buildings, etc. that will be needed as part of the LWRP. Will ask WAC members to pull together existing photos and to take new photos in the spring as necessary.
  - ii. Photos of desired architecture and site design to assist in preparing the design guidelines and standards.

*Meeting Notes Submitted by Laberge Group December 28, 2020*