

RESOLUTION OF INTRODUCTION

Supervisor Danielle Freer, seconded by Councilman Kathie Quick introduced the following proposed local law, to be known as **Local Law No. 2 of 2022, entitled A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK AMENDING CHAPTER 123 OF THE ESOPUS TOWN CODE (ZONING) AS FOLLOWS TO PERMIT CAMPING AT MARINAS AND BOATYARDS AND CAMPGROUNDS AS A SPECIAL USE IN THE WATERFRONT DISTRICT**

BE IT ENACTED by the Town Board of the Town of Esopus as follows:

Section 1. Revise §123-10 to make “Campgrounds” a permitted Special Use (SUP) in the (W) Waterfront District on the Schedule of Permitted Uses.

Section 2. Delete §123-13.A(4)(h) of the Town of Esopus Code (Zoning).

Section 3. Add §123-13.A(11) to the Town of Esopus Code (Zoning), reading as follows:

- (11) Marina camping. Subject to Special Use Permit, camping may also be permitted in conjunction with Marinas and Boatyards in the W Waterfront District.
 - (a) A maximum of 12 campsites altogether shall be permitted at any Marina and Boatyard, subject to the standards of §123-13.A(10)(d) hereof.
 - (b) The camping activity shall not occupy more than one-third of the property and remain incidental and subordinate to of the Marina and Boatyard.
 - (c) Marina campgrounds shall only operate between April 1 and October 31 of each year. No campsite shall be occupied between November 1 and March 31 or be the residence of the owner or any other occupant.
 - (d) All campsites shall be physically defined, numbered and designated by signs for purposes of emergency services.
 - (e) Campsites shall be separated by 10 feet from any specific marina operations, and from associated internal vehicle traffic.

- (f) Camping permitted at Marinas and Boatyards shall otherwise comply with §123-13.A(10)(e) through (i) hereof, provided the Planning Board may modify such standards during Special Use application where appropriate to reflect the amount of camping proposed, the availability of services from the Marina and Boatyard operation and similar factors.
- (g) A detailed emergency preparedness plan for evacuation in the event of a fire, imminent flooding or other disaster situation shall be provided.
- (h) Marina camping campsites shall be used only for camping purposes and maintained in a transportable condition at all times. No improvement or living unit designed for permanent occupancy shall be erected or placed on any campsite. No permanent external appurtenances, including, but not limited to carports, cabanas, or patios, may be attached to any recreational vehicle, and the removal of wheels or placement of the unit on a foundation shall be prohibited.
- (i) If recreational vehicles are proposed to be on the property between November 1 and March 31, they shall be stored in a single designated storage area apart from the camping area located a minimum of 50 feet from the mean high-water mark of the Rondout Creek and a minimum of 20 feet from adjoining property boundaries, from which all recreational vehicles shall be fully screened. The number of recreational vehicles stored on the property shall not exceed the total number of approved campsites.
- (j) Other than incidental and emergency repairs needed to maintain drivability and/or to protect the health and safety of guests and staff, no on-site vehicle repairs shall be permitted.
- (k) All outdoor music and camping associated outdoor activities shall cease by 9:00 PM eastern standard time except for Friday and Saturday when the time shall be extended to 10 PM. No noxious or offensive activities or nuisances shall be permitted and fires shall be confined to designated fire pits that shall be provided by the operator, Fireworks shall be prohibited.
- (l) Pets shall be licensed, leashed and kept under control at all times.
- (m) All camping activities and improvements shall comply with Esopus Town Code Chapter 80, "Flood Damage Prevention."

- (n) The fire department shall have unimpeded access to the Rondout Creek to withdraw water as needed in case of a fire on or near the subject property.

Section 4. Add §123-14.G(5) to the Town of Esopus Code (Zoning), reading as follows:

- (5) Marina camping. Subject to Special Use Permit and §123-13.A(11) hereof, camping may be permitted in conjunction with Marinas and Boatyards in the W Waterfront District.

Section 5. Severability.

If any clause, sentence, paragraph, section, article or part of this Local Law shall be adjudicated in any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, article or part thereof directly involved in the controversy in which such and such invalidity shall not be deemed to affect the remaining portions thereof.

Section 6. Effective Date.

This local law shall take effect ten (10) days following publication and posting in accordance with Town Code Section 123-50(D) and filing of the local law with the Secretary of State in accord with Article 3 of the Municipal Home Rule Law.

Supervisor Freer advised the Town Board that, pursuant to the Municipal Home Rule Law of the State of New York, it will be necessary to hold a public hearing upon this law. She offered the following resolution which was seconded by **Councilman Kathie Quick**, who moved its adoption:

WHEREAS, on June 30, 2022, **Supervisor Danielle Freer** has introduced this local law for the Town of Esopus, to be known as “Town of Esopus **Local Law No. 2** of the Year 2022, A LOCAL LAW OF THE TOWN OF ESOPUS, ULSTER COUNTY, NEW YORK AMENDING CHAPTER 123 OF THE ESOPUS TOWN CODE (ZONING) AS FOLLOWS TO PERMIT CAMPING AT MARINAS AND BOATYARDS AND CAMPGROUNDS AS A SPECIAL USE IN THE WATERFRONT DISTRICT.

WHEREAS, the Town Board has determined that the action to amend the Town of Esopus Zoning Law is a Type I Action under the New York State Environmental Quality Review Act (SEQRA).

WHEREAS, that because only the Town Board can consider and adopt changes to the Town Code, that it is the only involved agency, and the Board hereby declares that it is the Lead Agency for purposes of coordinating the environmental review of this matter pursuant to Article 8 of the Environmental Conservation Law.

WHEREAS, the Town Board has determined that the amendments must be referred to the Ulster County Planning Board for review and recommendation pursuant to General Municipal Law §239-m and Town Code §123-51.

WHEREAS, the Town Board refers this matter to the Town of Esopus Planning Board pursuant to Town Code §123-51.

RESOLVED, that a public hearing be held in relation to the proposed changes as set forth in the form of notice, hereinafter provided, at which hearing parties of interest and citizens shall have an opportunity to be heard, to be held at the Town Hall, 1 Town Hall Way, Ulster Park, New York, on **July 21, 2022, at 6:50 p.m.**, Prevailing Time, and that notice of said meeting shall be published in the official newspaper of general circulation in the Town of Esopus, by the Town Clerk, at least ten (10) days before such hearing and that notice shall be in the following form:

NOTICE OF PUBLIC HEARING

TAKE NOTICE, that the Town Board of the Town of Esopus will hold a public hearing at the Town Hall, 1 Town Hall Way, Ulster Park, New York on **July 21, 2022, at 6:50 p.m.**, on **Local Law No. 2 of the Year 2022**, AMENDING CHAPTER 123 OF THE ESOPUS TOWN CODE (ZONING) AS FOLLOWS TO PERMIT CAMPING AT MARINAS AND BOATYARDS AND CAMPGROUNDS AS A SPECIAL USE IN THE WATERFRONT DISTRICT.

TAKE FURTHER NOTICE, that copies of the aforesaid proposed local law will be available for examination on the town website www.esopus.com and at the office of the Clerk of the Town of Esopus, at the Town Hall, 1 Town Hall Way, Ulster Park, New York between the hours of 9:00 a.m. and 4:00 p.m. on all business days between the date of this notice and the date of the public hearing.

TAKE FURTHER NOTICE, that all persons interested and citizens shall have an opportunity to be heard on said proposal at the time and place aforesaid.

DATED: Ulster Park, New York
June 30, 2022

HOLLY A. NETTER, TOWN CLERK, RMC

The foregoing resolution was voted upon with all councilmen voting as follows:

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

Resolution duly adopted.

DATED: Ulster Park, New York
June 30, 2022

HOLLY A. NETTER, TOWN CLERK