PLANNING BOARD MINUTES
July 21, 2025
Town Hall, 284 Broadway
Port Ewen, New York 12466

Present: Chairperson Roxanne Pecora, Vice-Chairman Darin DeKoskie, Member Christina Hill, Member Steve Bailer and Member Ephie Trataros

Excused: Member Sal Morello and Member David Mastny

Also present: Planner Bonnie Franson, AICP and Dylan Harris, Esq. and Town Board Liaison Jared Geuss.

The meeting commenced at 7:36 p.m. with the Pledge of Allegiance.

Chairperson Pecora called for a motion to approve the June 16, 2025 Minutes. Upon Motion of Member Trataros, seconded by Vice-Chairman DeKoskie and all present voting in favor, the Minutes were approved by a vote of 5-0-2. Member Hill asked for an explanation of portion of the minutes that recounted authority of the CEO and the Planning Board to determine completeness of an application. Chairperson Pecora stated that the Planning Board determined when applications were ready to go to public hearing, make referrals and send to the Ulster County Planning Board.

Vouchers:

Nelson Pope & Voorhis – Planner Service May 2025	$ 2,700.00
Whiteman, Osterman & Hanna LLP – Hardenburgh Escrow	$ 182.37

A Voucher for the services of Dylan Harris for Lighthouse Village site plan was tabled.

Chairperson Pecora called for a motion to approve the vouchers. Upon Motion of Vice-Chairman DeKoskie, seconded by Member Trataros, and all present voting in favor, the Motion passed 5-0-2.

OLD BUSINESS:

Hardenburgh Subdivision – Matt Towne, P.E. – Case No. 2021-7; SBL No. 71.1-3-31.100; 171 Hardenburgh Road; R40 Zoning District

Matt Towne, P.E. and John Cappello, Esq. were present. Attorney Harris stated that he had reviewed the Irrevocable Offer of Dedication and Stormwater Management Covenant and had no issues except to revise dates and he would contact the Town Board to advise accordingly. Planner Franson had provided a memo reflecting how the Application had advanced which included the updated SWPPP and documents had been provided to the Attorney for review.

Attorney Cappello noted that in 2022 the Applicant was before the Town Board relative to the Petition for a drainage district but there had been no action. If the Town did proceed with the creation of a drainage district, a public hearing would be required and may proceed beyond a 90-day extension. Planner Franson inquired if the concern had been the road bonding. Vice - Chairman DeKoskie stated drainage districts were also a topic with the Town but the last he recalled, the Town did not want drainage districts. Attorney Capello stated he would reach out to the Town to request a drainage district. Vice-Chairman stated that previously, maintenance easements had been proposed. Planner Franson stated that having a drainage district allowed the Town to charge back to the subdivision for repairs.

Chairperson Pecora entertained a Motion to grant a 90-day extension. Upon Motion of Vice-chairman DeKoskie, seconded by Member Bailer and the affirmative vote of all Members present, the Motion passed 5-0-2 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
David Mastny	Absent
Sal Morello	Absent
Ephie Trataros	Aye
Christina Hill	Aye
Steve Bailer	Aye

Bennett LLA – Case No. 2025-2; SBL Nos. 56.50-4-41 & 31; 129 Third Street & 132 Mary's Avenue; R12 Zoning District

Owner Patrick Bennett was present. Chairperson Pecora requested that the ZBA area variance be added as a note to the map.

Chairperson Pecora entertained a Motion to waive the Public Hearing pursuant to §107-26. Upon Motion of Vice-chairman DeKoskie, seconded by Member Hill and the affirmative vote of all Members present, the Motion passed 5-0-2 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
David Mastny	Absent
Sal Morello	Absent
Ephie Trataros	Aye
Christina Hill	Aye
Steve Bailer	Aye

Chairperson Pecora entertained a Motion to classify as a Type II action under SEQRA. Upon Motion of Vice-chairman DeKoskie, seconded by Member Trataros and the affirmative vote of all Members present, the Motion passed 5-0-2 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye

David Mastny	Absent
Sal Morello	Absent
Ephie Trataros	Aye
Christina Hill	Aye
Steve Bailer	Aye

Chairperson Pecora entertained a Motion to grant approval of the lot-line adjustment upon submission of a mylar and 6 copies of the map with ZBA map note. Upon Motion of Vice-chairman DeKoskie, seconded by Member Bailer and the affirmative vote of all Members present, the Motion passed 5-0-2 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
David Mastny	Absent
Sal Morello	Absent
Ephie Trataros	Aye
Christina Hill	Aye
Steve Bailer	Aye

River Heights Development (Medenbach, Eggers & Carr) – Case No. 2024-6; SBL No. 56.52-1-37.3; 83 N. Broadway; R-12 Zoning District

Caleb Carr, P.E, Architect James Reynolds and James Smith were present.

The Planning Board had made a specific request to CEO Jaffee for a determination regarding the use and under what provisions the proposal should be reviewed. CEO Jaffee had responded that the use of condominiums met similar requirements for townhouses and apartments. His determination was to use §123-12E for Code requirements.

The Applicant desired to keep proposed configuration of five (5) two-unit buildings. Planner Franson felt the Planning Board had been seeking additional guidance as to how to review the application which CEO Jaffee had determined was a use in accordance with townhouses and apartment dwellings. Planner Franson inquired if the Planning Board was willing to move forward reviewing the proposed two-family units under regulations for townhouses and apartment dwellings and had the site plan been designed considering those regulations. Planner Franson stated that two-family units on common land would forever be considered as townhouses and asked if the Planning Board was willing to move forward and review in the capacity determined by the CEO.

Engineer Carr stated that with regard to the overall design there would be changes but the stormwater design would be similar and architecture would be changed to fit into the site. Architect Reynolds stated that five units of two versus a four-four-two arrangement would fit the Zoning Code. Combining the front 8 units into two groups of 4 would have a greater impact and would diminish the value of the property and the design quality.

Planner Franson suggested the path may be to accept the CEO's Determination that because the buildings are on a single property, they are condominiums and the CEO has opined that they are similar to apartments/townhouses and apply those regulations or apply to the ZBA for an interpretation of the CEO's Determination.

Member Hill requested an explanation of the 4-4-2 configuration. Engineer Carr state the Code required townhouses to be three units or more. Member Bailer inquired why the two-family design was not proposed. Engineer Carr responded that the acreage could not be met for multiple two-family units. Member Bailer inquired if the applicant could get a variance and not be bound by the CEO Determination. Planner Franson stated that in reviewing, different options in zoning, different designs were considered to meet the two-family configuration but nothing worked to meet the configuration and zoning. Regardless, the CEO had provided an interpretation that the design fit the Code and if the Planning Board didn't agree, it would need to request an interpretation from the ZBA. Member Hill asked if the Determination met the need of the Developer. Engineer Carr did not feel fully comfortable and the Planning Board agreeing that zoning had been met. Member Bailer stated concern that accepting the CEO's Determination would open the door to allow similar proposals elsewhere that weren't as well suited as the current proposal. Members Hill and DeKoskie agreed with opinion of Member Bailer.

Chairperson Pecora stated that Attorney Harris had provided two options: 1) to appeal the CEO Determination to the ZBA or 2) Applicant seek an area variance. Attorney Harris stated that in this instance, an area variance for less than what was required (two units versus requisite three units for a townhouses). Planner Franson stated that the CEO Determination stood and unless the Determination was appealed, it would allow application to move forward.

Attorney Harris stated there were three pathways: a) the Planning Board agree with the Determination; b) appeal to ZBA if it disagreed or c) Applicant apply for an area variance (which was not a desired option of the Applicant).

Member Hill felt the use was allowed in the Code and the proposed design was preferred. Attorney Harris stated that a concern with the CEO's determination was that it was creating a land use that didn't exist in the Code for condominiums which was regulated by the Department of State – there was no such thing as a condominium building in the use table – it was a type of ownership. Member Hill supported the CEO's Determination. Planner Franson stated a precedent was being set based upon the CEO's Determination which would allow for mixed buildings being designed under condominium use.

Vice-Chairman DeKoskie supported an area variance being obtained so as not to set a precedent. Chairperson Pecora noted that the Planning Board could request an interpretation of the Code and that it would be the Applicant's decision to request an area variance. Attorney Harris recommended that, if the Planning Board felt comfortable, a motion be made to move forward based upon interpretation of the Code or a motion to the ZBA to appeal the interpretation. Member Hill inquired if it had to be an appeal. Attorney Harris explained that it would be an appeal of the existing Determination and the ZBA would decide whether to agree or disagree with the current Determination. The Appeal would need to be filed within 62 days of the July 7

2025 Determination and a representative of the Planning Board needed to attend. Member Trataros abstained. Member Bailer stated he supported the project but didn't want to set a precedent that may not be the best for the Town. Member Hill inquired what was the fear and what was the worst-case scenario. Members responded that the fear was that the Determination would allow two-family homes to be placed without the density throughout the Town. Member Bailer felt that requesting a determination and then disagreeing with it was unfair. Member Bailer felt that if other projects were reviewed on a case-by-case basis, he would prefer to see the current project proceed rather than have it voted down by the ZBA. Vice-Chairman DeKoskie agreed that changed his prospective. The Applicant needed to decide if they were pursuing requirements for townhouses or condominiums and given a month to decide. Member Bailer offered to attend any ZBA meeting needing Planning Board representation.

Chairperson Pecora entertained a Motion for the Planning Board to declare itself as lead agent pursuant to SEQR. Upon Motion of Vice-chairman DeKoskie, seconded by Member Bailer and the affirmative vote of all Members present, the Motion passed 4-1-2 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
David Mastny	Absent
Sal Morello	Absent
Ephie Trataros	Abstain
Christina Hill	Aye
Steve Bailer	Aye

Member Trataros disclosed for the record that as a resident of Riverview Condominiums, she was recusing herself from any review of the River Heights Application.

Chairperson Pecora entertained a Motion to refer the application the Watefront Advisory Board for comment. Upon Motion of Vice-chairman DeKoskie, seconded by Member Bailer and the affirmative vote of all Members present, the Motion passed 4-1-2 by the following vote:

Roxanne Pecora	Aye
Darin DeKoskie	Aye
David Mastny	Absent
Sal Morello	Absent
Ephie Trataros	Recused
Christina Hill	Aye
Steve Bailer	Aye

NEW BUSINESS:

Citivision Subdivision– Medenbach, Eggers & Carr, Agent – Case No. 2025-7; SBL Nos. 63.3-3-18.100 & 63.-3-18.200; R40 Zoning District

Caleb Carr, P.E. was present as Agent. The Administrative Assistant returned an unsigned $2,000.00 check Engineer Carr. Planner Franson reviewed content of her review memo. Engineer Carr indicated he preferred to address comments raised in the Planner's review prior to any referrals to the Board's Engineer.

ZBA referrals – Wawaka – Letter would be provided noting that the proposal would require site plan review if the use variance was granted.

Upon Motion of Vice-Chairman DeKoskie, seconded by Member Trataros and all Members present in favor, the meeting was adjourned at 9:30 p.m.

Respectfully submitted,

Lisa K. Mance

Dated: August 5, 2025
Approved: August 18, 2025