

Thomas & Barbara Joscelyn
81 Hudson Lane
Ulster Park, NY 12487

September 10, 2024

Town of Esopus Planning Board Chair, R. Pecora
Bonnie Franson
Planning Board Members
PO Box 700
Port Ewen, NY 12466

Re: Hudson Hideaway project

Dear Members of the Planning Board:

We are 20-year residents of Hudson Lane. Our property is within 500' of the proposed project boundary. We were attracted to Hudson Lane because of the quiet, the minimal traffic, and the wildlife; all benefits of residing outside the City of Kingston where we lived previously.

We are asking that the Planning Board deny the Hudson Hideaway application for Special Use Permit.

Our concerns involve water usage, noise, traffic and air quality. Will our well run dry? Will the project's Guest Management Practices be sufficient to control rowdy vacationers? Will the traffic on our narrow road create a hazard for school children and walkers? And how about the smoke from 36 campfires??

We are not experts on any of the above and are therefore relying on the expertise of the Planning Board members and Town Planner to closely evaluate the various tests the applicant has put forward for accuracy and reasonableness. In other words, we are asking that the Planning Board act in the best interests of the existing residents of Hudson and Brookview Lanes in accordance with the town's zoning purpose statement 123-2-(B): *To promote and protect the character, rights and stability of established residences and businesses.*

How is the character of an established neighborhood of owner-occupied single-family homes protected if 36 short-term rentals are situated in the middle of it?

We appreciate your dedication and service for the town and its residents.

Sincerely,



Tom & Barbara Joscelyn

September 10, 2024

Planning Board Members:

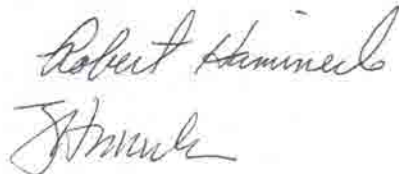
We are writing to you to express our concerns over the "Hudson Hideaway" project. Although there are many issues that we have with this project, we will focus on our top two.

There will be thirty six cabins on their property which borders up against our property at 345 River Road. They have proposed a septic system with a one hundred by seventy five foot leach field which would be located less than ten feet from our property. We are concerned with what people may put down their drains. Harmful chemicals put down the drain can be discharged into the ground water and can impact drinking water and the environment (EPA.gov). Will the system be inspected and pumped frequently? Will chemicals be used on clogged drains? Where are guests disposing of cooking oil and grease? Pouring toxins down the drain can kill the living organisms that digest and treat household waste and can harm the septic system. Anyone that has seen a septic system fail, knows how much of a negative impact this produces. We are concerned that this could cause a backup of sewage on our property especially since our property is downhill from the leach field. This could cause contamination not to mention the odor and mess. The EPA also suggests becoming more "water efficient" to protect your septic.

This leads to our second concern...our well. Thirty six occupied cabins alone will use quite a bit of water, not to mention the watering of plants on the grounds. Add in thirty six hot tubs that will need to be emptied and refilled frequently. Where will they empty the water from the hot tubs? This water has been treated with chemicals. This does not appear to be a water efficient project. We just had a new well installed a few years ago that cost well over twelve thousand dollars and would prefer not to have to replace it again because of this project.

We appreciate all that you do for the Town of Esopus and for allowing us to state our concerns.

Sincerely,

The block contains two handwritten signatures in cursive. The top signature is 'Robert Hammerle' and the bottom signature is 'Lynn Hammerle'.

Robert and Lynn Hammerle
345 River Road
Ulster Park, NY 12487

Date: 9/11/24

To: Roxanne Pecora, Chairperson and Planning Board Members
Public Hearing, Monday, 9/16/24
Case No. 2023-3

Unfortunately, I will be out of town on the night the Public Hearing for Castlemore Holdings aka Hudson Hideaway and will not be able to present publicly.

Therefore, I am submitting the enclosed 9 copies, (to include all Planning Board members, Bonnie Franson – Board Consultant, Dylan Harris, Esq. – Board Attorney & Lisa Mance – Board Secretary) with my Public Comment letter addressing valid concerns with the project and my request for denial for the issuance of the Special Use Permit.

I trust that this letter will not be publicly or internally disseminated (other than the Planning Board members), until its due time to be heard.

Cynthia McVay

September 6, 2024

Roxanne Pecora, Chairperson and Members
Planning Board
Town of Esopus
P.O. Box 700
Port Ewen, NY 12466

RE: PUBLIC COMMENT, Hudson Hideaway, S-B-L: 64.3-5-2.320, Case No. 2023-3

Dear Chair Pecora and Planning Board Members,

I write as a concerned neighbor and citizen of the Town of Esopus since 2000. With a degree in wildlife biology from Harvard and an MBA from Wharton Business School, I was a strategy and management consultant advising Fortune 100 companies as well as start-ups and non-profits for twenty-five years. The Hudson Hideaway raises concerns on many fronts.

For starters, the application is predicated on a special use permit, that is, allowing a business to operate in a residential neighborhood, directly adjacent to an agricultural zone. As an exception, it does not comply with the town's strategic plan. The plan recognizes why a commercial enterprise makes no sense in this area: Aside from the impact on the community, how will guests deal with frequent, noisy, toxic spraying by the nearby farm, which occurs generally on summer Saturday evenings, as well as the loud tape recording loops of birds used to ward off other birds? As neighbors, we accept it because we want Maynard to succeed, but it is unlikely that people who have paid good money to be "in nature" will.

We have no background information on the developers that assures us that they are qualified to manage this business. Have either lived in the country or even owned a house? Many first-time homeowners are surprised by and ill-equipped to deal with what can go wrong; now layer on dozens of cabins and associated exponential issues. I run a (single) Airbnb nearby on my own property. I am ever-present. There is a lot to manage—clogged toilets, leaks, getting a handyman to show up when needed. An ant, horsefly, a wasp nest or a few mosquitoes can easily throw urbanites. When a bear, pack of coyotes, snake or rabid raccoon enters the campsite, how will they deal with it?

There are other options superior to Hudson Hideaway—and they do not seem to be thriving. Over the past year, as an experiment, I have periodically tried to book a cabin at Hutton Brickyards and Inness. *Many* rooms were available, on short notice, in the middle of the summer, on the weekend, even over long weekends. Hudson Hideaway's competition has excellent restaurants, tremendous views (Hudson River, meadow), privacy, a pool and golf course (Inness), spa (Hutton). Who would want to pay for a cabin within fifteen feet of another in the woods with nothing to do? Further, I own an Airbnb a quarter of a mile away, overlooking a beautiful 40-acre meadow. My guests have a 2-bedroom house, access to a pool, a full kitchen, and enormous privacy and a personal touch. Guests would balk if I were to charge more than \$250/300 a night. No one is willing to rent it for more than \$1000 a *month* during the winter.

Hudson Hideaway raises many concerns that will have irreversible impact on our town, our wildlife, and the community, many conflicting with their own plans:

1. *Impact on Wildlife.* The DEC states that five-acre home affects 30 acres of wildlife. No matter how compact the cabins are, the entire acreage will be impacted from the point of view of wildlife. One more significant stand of woods will no longer provide shelter and continuity for wildlife. There will be more dead animals on the road from dramatically increased traffic (despite unrealistic and unidentified assumptions of their traffic analysis). Coyote, bear, deer, turkeys, raccoons, skunks, woodchucks, rabbits, snakes will be displaced further, forced onto lawns and into gardens of neighbors. Birds will fly into windows in enormous numbers. Even if the wetlands are not built on, the invertebrates that use the vernal pools and migrate will be hit by increased traffic on an otherwise sleepy road or be disoriented and/or crushed by the campground inhabitants. Light and sound pollution will impact particularly nocturnal wildlife, including two endangered bat species noted in the area by the DEC, the Indian and long-eared bats.
2. *Dogs.* Because dogs are allowed, and many other facilities do not allow them, the site will be overrun with dogs, which will further stress wildlife and damage the forest floor. It will be a veritable dog run, with constant barking and fights breaking out. With no containment, dogs will be running loose through the neighborhood.
3. *Fires.* There will be significant particulate matter as well as wildfire risk from dozens of fires by visitors, and little discussion on how a fire will be controlled. We have recently lived through the impact/smoke of (distant) wildfires. Urbanites often have little familiarity with how to make and control a fire but see it as a game.
4. *Our shared water tables* will be adversely affected/depleted as the cabin colony sucks it dry, if their projection for occupancy is to be taken seriously. Potential for *septic contamination* and runoff is significant. I row on the Rondout Creek many summer mornings and see what happens to the creek after storms when runoff creates foam "icebergs." The site plan as presented doesn't show its proximity to the Hudson River.
5. *Safety.* Rules of Conduct are not enforceable. Will they search people for weapons?

I leave you with this. What does the Town of Esopus get from this initiative? The visitors won't be spending money in our town. If successful, outsiders will reap the benefits of our verdant and close-knit community. It will give us sound and light pollution, increased traffic and noise, drain our wells, and pollute our waterways. It will destroy the nature that it claims to be offering, the bucolic setting that we treasure. And this is if we take the proposal at face value. If Hudson Hideaway goes forward, there should be a plan and escrow fund to restore the forest to its previous state, because it will fail. Please stop this proposal from moving forward.

Sincerely,

Cynthia McVay

cc: Hon. Danielle Freer, Supervisor

Hon. Jared Guess, Planning Board Liaison

Planning Board Members

Bonnie Franson, Planning Board Consultant

Lisa Mance, Planning Board Secretary

September 16, 2024

To: Town of Esopus Planning Board and Consultant
Re: Public Hearing/Comment
Castlemore Holdings/ Hudson Hideaway
38 Hudson Lane Ulster Park, NY 12487

My name is Lorine Karabec. I live and own the properties located at 24 and 34 Hudson Lane. I was born & raised in Kingston and always dreamed of getting out of urban living to a more peaceful environment. It was a no brainer as to who's house we would make our home, 19 years ago when my husband, Derick and I got married. There was a reason for settling here, it was the best of both worlds. Living here, you are part of a neighborhood, but also have the quiet country feel on a dead-end road surrounded by nature, with limited traffic and noise.

Referencing SP-1 site plan map, I have concerns with the enormous proposed storm water management ponds within the Hudson Hideaway project. One measures approximately, 175' x 75' in size and is located less than 10' from my boundary, with one of its sides located on a steep slope. The second one is approximately 200' x 60', less than 20' from the boundary of the Lochinavar & Maura property which is part of the Ag District. This pond also has one of its sides located on the edge of a steep slope. Just a sidebar comment... SP-9 & 10 site maps these ponds are referred to as "sediment basins". Although they are similar, they have different purposes.

My concerns are, but not limited to are: *the creation of an inviting habitat for Canadian Geese which would be a nuisance on our property, *algae blooms when not properly maintained, *attraction of nuisance rodents which can impair the function of the pond, *introduction of non-native species to the pond via humans or migrating fowl, *bank erosion leading to failure & flooding, *smell - if not properly maintained, *negative impact on the value of our homes, *increased mosquitos; especially a concern with the increase of deadly West Nile Virus cases, *dumping of pollutants, including residual spray from mosquito & tick treatment into the pond, which would could flow downhill through the wetlands and potentially end up in the Hudson River. **Note:** the 1st pond is right next door to the maintenance facility.

Additionally, there is a storm water management pond at the wetland boundary that would potentially alter them.

All of these issues are concerns that are addressed in the Part 2 Full EAF form, for which the Planning Board previously indicated they would be completing the review on. These items are relevant in *#1 Impact of Land (b,c,f), *#3 Impacts on Water Surface (d, e, h, i, j, k), *#4 (a-d) *#5 Impact on Flooding (d, e), *#7 Impact on Plants and Animals (a - e, g, i), *#15 Impact on Noise, Odor & Light (c), *#17 Consistency with Community Plans (a), *#18 Consistency with Community Character (f).

These concerns are also in conflict with SUP 123-46 C. Decision and Findings (1) (c and possibly d & f).

I ask that you look closely at these factors and come to the same conclusion that I came to and deny this SUP application.

I appreciate the opportunity to speak on this project tonight. However, I would ask that you keep the public comment open, until after the completion of the application. There are still pertinent outstanding items that may very well need to be addressed.

Thank you for volunteering your time and the difficult job that you all do.

Respectfully,
Lorine 

Planning-Zoning Board

From: Ayerim Maduro <ayerimmaduro@gmail.com> on behalf of Ayerim Maduro
Sent: Thursday, September 12, 2024 1:43 PM
To: Planning-Zoning Board
Cc: Danielle Freer
Subject: Written Comment: Hudson Hideaway

Dear Planning Board Members.

Please see the below statement, to be read for the record, at the public hearing on Monday September 16th as I am unable to attend in person.

Confirm receipt of this email with a reply.

Good evening, and apologies in advance for not being able to attend in person. My name is Ayerim Maduro and I reside in West Park. I appreciate the opportunity to share my perspective and support for the Hudson Hideaway project coming to the Town of Esopus. A project that not only aligns with what is outlined in our comprehensive plan, but also an opportunity for our town to embrace a responsible, high value, low impact tourism model, which can offer significant long-term benefits to the community while preserving the integrity of the place we all call home.

Despite the negativity and objections that have surrounded this project, what stands out to me is how the developers have consistently engaged with our community in a proactive manner. They didn't shy away from concerns, instead, they listened and adjusted their plans to reflect our communities' values and wishes. They reduced the number of cabins, addressed issues of safety and concern, any environmental concerns, studies needed, left our wetlands untouched ect, and are doing their utmost to minimize their environmental footprint. These changes address the concerns raised and should be recognized as meaningful efforts to respect our town's unique environment and character.

It is important to recognize that in today's economy, we need to be mindful that investors have choices, and if met with continuous resistance, they can easily take projects elsewhere. Our process for those of you who have followed the extensive back and forth across the various boards to get us to this point, you know very well – could have pushed them away. Yet, Hudson Hideaway has remained committed to Esopus, working with us and not against us, to find a path forward that benefits our town. If we continue to push away thoughtful developments like this, we risk losing the opportunity to bring much needed economic vitality to our town. That brings me to an important point about the economic realities we face as a community.

If Esopus does not continue to responsibly grow and develop, we will eventually feel the impact in very tangible ways. Without projects like Hudson Hideaway, our town will remain heavily reliant on local property taxes. Year after year, this could mean higher property taxes for all of us.

By contrast, Hudson Hideaway will generate tax revenue for Esopus and Ulster County, both in sales tax and property tax, most of which come from out-of-town visitors. This infusion of outside revenue will directly benefit our town and, moreover, this low impact, high value development will support our economy without straining our resources.

In terms of tourism, Hudson Hideaway directly addresses a critical gap addressed in our 2019 Comprehensive plan. Which highlights the importance particularly in the West Park, Ulster Park area , that there is a well documented **lack of overnight accommodations in Esopus**. This project fills that need and will attract

Planning-Zoning Board

From: ginamaybrown <ginamaybrown@aol.com> on behalf of ginamaybrown
Sent: Friday, September 13, 2024 11:17 AM
To: planning-zoning@esopus.com
Subject: Cabin proposal

We are strongly against and oppose any cabin development as noted.

Lorilynn and Robert Wojciehowski

Sent from my Galaxy



HydroQuest

414 E. Kerley
Corners Rd.
Tivoli, New
York, 12583
845-657-8111
hydroquest@yahoo.com



September 16, 2024

Special Use Permit Considerations: Proposed Castlemore Summer Cottage Colony/Tourist Cabins Project; Ulster Park, New York with Justification for Issuance of a Positive SEQRA Declaration

by Paul A. Rubin; Professional Geologist;
Hydrogeologist/Hydrologist

Introduction

Castlemore Holdings MIMA, LLC seeks a Special Use Permit to construct tourist cabins as part of a summer cottage colony with 36 cabins with associated parking, an interior driveway network, an on-site water supply well, on-site subsurface wastewater disposal systems, stormwater management facilities, and a maintenance building with a two-bedroom apartment for an on-site caretaker and an onsite laundry facility. This development project (aka Yan Project), if approved, would be constructed on a 39-acre parcel located within an R-40 zone in Ulster Park, New York. The proposed use is allowed by special use permit and site plan approval. Issuance of a special use permit and tourist cabin construction would effectively double residential density within 1,000 feet of the project site. The proposed cottage colony development project is inconsistent with the existing community character, one of many potential adverse environmental impacts. Because insufficient environmental information is available for meaningful offsite impact analysis, inclusive of meeting regulatory Planning Board decision and findings criteria needed for issuance of a special use permit (Town of Esopus Zoning Law), another Public Hearing should be scheduled after the project application is complete.



Town of Esopus Zoning Law

The Town of Esopus, NY Chapter 123 Town of Esopus Zoning Law, adopted by the Esopus Town Board on August 19, 2021 addresses summer cottage colonies in §123-13 and special use permits in §123-46. Summer cottage colonies are allowed in R-40 zoning districts but require a Special Use Permit and Site Plan approval (Schedule of Permitted Uses) by the Planning Board. Supplementary Regulation §123-13A also applies. Several permit limitations are listed, including (4)(a) *no campsite shall be occupied for more than eight consecutive months, and no campsite shall be the primary and principal residence of the owner or any other occupant.* Other campground regulations include: (7) *Such application shall be accompanied by permit applications, permits and other acceptable documentation indicating compliance with all pertinent rules and regulations of local, state or federal agency having jurisdiction and (10)(b)(3) Campgrounds, including individual campsites, parking lots and all associated buildings and infrastructure shall maintain a minimum setback of 100 feet from the property line of adjacent residential uses.*

Land Use Evaluation of Potential Off Project Site Adverse Environmental Impacts and Timing of Issuance of a Special Use Permit

The Town of Esopus Planning Board almost certainly does not have sufficient technical and land use evaluation material to advance consideration of issuance of a special use permit. As such, the Public Hearing is premature and should be postponed indefinitely until such time as the Planning Board finds that all Town of Esopus Zoning Law §123-46 *Special use permits*, section C. *Decision and findings*, subsection (1) *Criteria for decisions* have been met. In part, the *Criteria for decisions* seeks to recognize that development projects should not be reviewed largely in parcel-specific isolation in keeping with project engineering drawings (e.g., see truncated wetland boundary portrayed on applicant site plans and reproduced on HydroQuest Figures 1 and 2), but rather from a broad-based community land use perspective that examines all potential adverse environmental impacts. This latter approach embodies the intent and spirit of SEQRA by following through with the “hard look” NYSDEC and other regulators follow to protect residents, communities, property values, quality of life, water resources, the environment, and more.

Issuance of a special use permit at this juncture would serve to segment the SEQRA process by potentially overcoming one of the largest hurdles in project/development approval via a piecemeal permitting approach. Importantly, issuance of a special use permit prior to January 1, 2025 would likely result in grandfathering the project applicant’s need to maintain a 100-foot no-build buffer zone outward from the 14-plus-acre wetland depicted on HydroQuest Figures 1 and 2. This four-acre buffer area is depicted as a white hachured zone on these figures. It encompasses a cabin, a proposed stormwater management pond, bioretention ponds, a significant portion of the proposed summer cottage colony roadway, and the full width of the project site’s only access way.

To protect the large headwater site wetland and its adjacent upland area (see Figures 1 and 2 site wetland and surrounding stream network), as envisioned by NYSDEC’s proposed wetland regulations, a special use permit and site plan approval should not be issued that would grandfather wetland infringement and negate implementation of a wetland protective 100-foot buffer zone. Issuance of a special use permit prior to January 1, 2025 would likely allow the project to move forward before the new regulations apply to the project. Similarly, if the project applicant has secured a NYSDEC Freshwater Wetlands permit or a Notice of Complete application of a NYSDEC Freshwater Wetlands permit before January 1, 2025, infringement within the 100-foot upland adjacent area (i.e., buffer zone) may potentially occur. Additionally, proposed wetland regulations provide that a project may be grandfathered if, prior to January 1, 2025:

1. the Project has a Full Environmental Impact Statement (“FEIS”) that has been accepted by the lead agency as complete,
2. the Project has received a negative declaration on a Type I action from the lead agency, or
3. the project has received site plan approval from the municipality.

As discussed in this report, the application before the Planning Board is incomplete and fails to meet Town of Esopus Zoning Law *Criteria for decisions* for approval of issuance of a special use permit (discussed below).

Sound land use planning requires the collection and rigorous evaluation of empirical data in advance of various forms of partial project approval (e.g., variances, special use permits, site plan approvals). Scientifically, as a simple example, it makes no sense to approve a development project in the absence of testing designed to establish whether there is, or is not, sufficient groundwater quantity and quality to sustain the daily water demand of 37 residences, as well as determining whether offsite well water supplies may be adversely impacted. Apparently, no aquifer testing has been conducted nor has off-site monitoring of surrounding homeowner wells to assess water supply. No provision is made for a backup water supply well should the one envisioned fail. Yet, the project applicant seeks Planning Board approval of a special use permit. Obviously, approval of site plan designs and issuance of a special use permit should not be advanced without sound, empirical data documenting availability of the most basic need of any project - adequate water supply.

This is only one issue (FEAF, Part 2, Sections 4a and 4b; Impact on groundwater), of many, normally addressed as part of the SEQRA process. A more detailed example, provided below, examines Consistency with Community Character (FEAF, Part 2, Sections 18e and 18f), thereby documenting that the project applicant has not provided sufficient material and evaluation to allow the Planning Board to make an informed decision.

Planning Board Criteria for Special Use Permit Decisions

Review of Chapter 123 Town of Esopus Zoning Law (2021) §123-46 *Special use permits*, section C. *Decision and findings*, subsection (1) *Criteria for decisions* states that the Planning Board shall only approve the issuance of a special use permit if it finds the following criteria have been met:

“(c) That the proposed use is of such location, size and character that, in general, it will be in harmony with the appropriate and orderly development of the district in which it is proposed to be situated and will not be detrimental to the orderly development of adjacent properties in accordance with the zoning classification of such properties.

(d) That important natural features and sensitive environmental resources are protected to the maximum extent feasible and have been adequately addressed in accord with the State Environmental Quality Review (SEQR) Act.”

These criteria have not been met. The many issues typically addressed as part of the SEQRA process need to be fully evaluated BEFORE consideration should be given to issuance of a special use permit or site plan approval, not after. Similarly, the project applicant has not addressed the issue of community character that is alluded to in paragraph (c) above.

While Castlemore Holdings MIMA, LLC has funded some environmentally related studies as part of their ongoing application process, much remains to be done to meet State Environmental Quality Review (SEQR) standards. As mentioned above, it is important to recognize that this represents a piecemeal approach toward project approval that does not meet the comprehensive “hard look” standard contemplated in the spirit of SEQR. This segmented project component approach does

not benefit from full public scoping and review, detailed Alternates Analysis, and full scrutinization of all environmental issues listed on the Part 2 - Identification of Potential Project Impacts; Full Environmental Assessment Form. This report examines Item 18. Consistency with Community Character put forth in Part 2 in detail, along with additional consideration of Item 17 (Consistency with Community Plans). The proposed summer cottage colony development project is inconsistent with the existing community character, thus warranting a positive SEQRA declaration prior to potential issuance of a special use permit or site plan approval.

SEQRA Context

The proposed project would nearly double the housing density within 1,000 feet of the project seasonally. Thus, the Castlemore Summer Cottage Colony/Tourist Cabins Project should be reviewed in the context of a major development. This is because, in part, project completion would increase the number of residences within 1,000 feet of the project's property border by about 84 percent, essentially doubling the population seasonally. Colony guest visitation would further increase this percentage. This potentially sudden increase in residential density is significant. Similarly, the environmental issues attendant to such developments must be comprehensively evaluated relative to potential adverse environmental impacts and given the necessary "hard look" required under the State Environmental Quality Review Act (SEQRA). Potential adverse environmental impacts should be fully examined prior to consideration of issuance of special use permits or site plan approvals.

As the Town of Esopus's Planning Board is aware, NYSDEC's Full Environmental Assessment Form (FEAF); Part 2 - Identification of Potential Project Impacts is to be completed by lead agencies to help them inventory all potential resources that could be affected by a proposed project or action. This inventory allows the reviewing agency to properly evaluate the significance of environmental impacts to ascertain whether a negative or positive SEQRA environmental declaration is needed to ensure that the environmental resources and character of the town are protected and preserved. This report provides my technical evaluation of community and project related land use and residential growth that would result if full project approval were granted. **Importantly, recognition of only one significant adverse environmental impact is sufficient to trigger a positive SEQRA declaration.** The example used in this report, Community Character, is one such issue. **It alone provides justification for the Planning Board to delay the application process because special use permit criteria have not been met.**

I have included extensive graphic presentation material developed to visually facilitate understanding of the Community Character land use issue raised (Figures 1 and 2). HydroQuest has also provided the broad hydrologic and land use perspective needed to place the planned 36 cabin/residential units within the landscape and community as a whole. This report is provided in the context of rigorous scientific assessment contemplated in the spirit of SEQRA, as well as that which should be expected from project applicants seeking special use permits. The issues brought forth provide important evidence that support a positive declaration of environmental impact under SEQRA and a comprehensive evaluation, complete with full public scoping and review, within the framework of a Draft Environmental Impact Statement. For the Planning Board's convenience, issues are addressed in report format patterned after that of the FEAF Part 2 form.

Full Environmental Assessment Form - Part 2 Issues

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character.
(See Part 1. C.2, C.3, D.2, E.3)

☐ NO ☒ YES

The proposed project is inconsistent with the existing community character. The proposed action is inconsistent with the predominant architectural scale and character (18e). The proposed action is inconsistent with the character of the existing natural landscape (18f). The proposed action will adversely affect the quality of life and property values of nearby residences (18 other impacts). Furthermore, the proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s) (17a Consistency with Community Plans).

In reviewing the proposed summer cottage colony project, HydroQuest reviewed a series of high resolution orthoimagery spanning the years 1995 to 2021, as well as available documentation. This review and subsequent analyses were conducted on behalf of the residents of Hudson Land and Hudson Esopus Alliance. I have georeferenced and digitized major project components and have brought them into a Geographic Information System (GIS) database for use in constructing, interpreting, mapping, expanding, and graphically presenting project-related information both on and off the proposed Castlemore Summer Cottage Colony/Tourist Cabins project site. In addition, I have mapped surface flow pathways and reviewed information presented in NYSDEC's Environmental Resource Mapper. To fully understand potential adverse environmental impacts, it is essential to examine offsite areas surrounding project sites. This allows hydrologic, ecologic, and land use perspectives beyond project borders that are often cropped by project engineers. That cropping undermines the full review required by SEQR, to which the Planning Board as lead agency must adhere.

Analysis of 2021 aerial imagery within 1,000 feet of the Castlemore Summer Cottage Colony/Tourist Cabins property border (Figure 1) reveals a predominant land use of forest land and agriculture with expansive wetlands and residential development. Notably, agricultural land use within the area examined continues today.

Changes to the type and intensity of land use can change community character. Review of 2021 imagery and field reconnaissance revealed the presence of 44 homes within 1,000 feet of the proposed Castlemore Summer Cottage Colony/Tourist Cabins project parcel (Figures 1 and 2). This 44-residence value can then be used to evaluate the potential sudden change in community character, housing density, and seasonal population growth with the proposed Castlemore Summer Cottage Colony/Tourist Cabins project (37 residences with caretaker residence). Issuance of a special use permit and summer cottage colony construction would effectively double residential density within 1,000 feet of the project site. The proposed summer cottage colony development project is inconsistent with the existing community character and pattern of land use.

These values document that construction of 36 new residential dwellings within the hamlet of Ulster Park in the Town of Esopus would comprise a significant or "**Moderate to large impact**" as listed on Item 18 of NYSDEC's Full Environmental Assessment Form (FEAF); Part 2 - Identification of Potential Project Impacts form. For example, construction of 36 colony

residences would nearly double the resident home density presently within 1,000 feet of the project border. **Evaluation of this item alone justifies a positive declaration of significant environmental impact under SEQRA.** In addition, colony development with transient occupants is inconsistent with the existing community character established over the last one hundred years. As such, and in keeping with the spirit of SEQRA, an Alternates analysis is warranted. Alternately, the Planning Board could outright determine that the proposed 36-unit colony development is inconsistent with the existing community character and, as such, should not be permitted.

When considering the proposed action's consistency with Community Character, the Planning Board should consider the following NYS DEC guidance:

NYSDEC provides guidance relative to assessing community character:

"Community character is defined by all the man-made and natural features of the area. It includes the visual character of a town, village, or city, and its visual landscape; but also includes the buildings and structures and their uses, the natural environment, activities, town services, and local policies that are in place. These combine to create a sense of character that defines the area. Changes to the type and intensity of land use, housing, public services, aesthetic quality, and to the balance between residential and commercial uses can all change community character."

Part 2 of the FEAF, Question 18, asks if the proposed project is NOT consistent with existing community character. As discussed above and illustrated on Figures 1 and 2, the existing rural community character is of a well-established low density rural residential neighborhood centrally located around a natural forested, agricultural, and wetland land use. Proposed project scale and building type are vastly inconsistent with the existing, rural, community character, as specified below. Furthermore, the project is not protective of existing natural resources.

Sub-questions e. and f. of Question 18 of FEAF Part 2 seek to have lead agencies inventory all potential resources that could be affected by a proposed project, including potential inconsistency with the predominant architectural scale, character, and intensity of uses in the neighborhood or community, as well as with the character of the existing natural landscape. Thirty-six colony cabins and related infrastructure items (e.g., roadways, parking areas, stormwater management facilities; Figures 1 and 2) set within a rural community and natural forested, wetland, and agricultural landscape are in sharp contrast to the broadly established single family land use pattern which currently exists.

Key map-based conclusions that support issuance of a positive SEQRA declaration that are evident from the Community Character discussion here and on the two attached GIS map figures include:

- Proposed action is NOT consistent with existing community character;
- Proposed project is of a significantly larger scale than currently exists in the area;
- Proposed building type is not consistent with surrounding land use;

- Project introduces land use components that are different from, and is in sharp contrast to, the current surrounding land use pattern;
- Proposed action is inconsistent with the character of the existing natural landscape;
- Project would comprise a significant change in type and intensity of land use;
- Colony construction is not consistent with surrounding land use; and
- Documentation of existing community character (i.e., comparison of current conditions to those that would exist after project implementation) shows that project approval would likely result in property devaluation proximal to the project border.

The proposed project is NOT consistent with the existing community character. The comparison provided above of current land use conditions to those that would exist after project implementation demonstrate that the action is inconsistent with the existing community character. **Evaluation of this item alone justifies a positive declaration of significant environmental impact under SEQRA, as well as the premature nature of issuance of a special use permit.**

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans.
(See Part I, C.1., C.2. and C.3.)

☐ NO ☒ YES

The proposed Castlemore Summer Cottage Colony/Tourist Cabins project, as discussed above in the Consistency with Community Character section of this report, documented that the proposed action is not consistent with existing community character. Sub-question 17a asks if the proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s). As discussed above, it is. Thus, a large impact may occur if the project were to be developed. **Until such time as these and other SEQRA issues are fully addressed based on empirical data and objective analysis, neither site plan approval nor issuance of a special use permit should be considered.**

Relative to the proposed Castlemore colony development project, sub-question 17h "Other" is filled in here to pose the following question: **Will the proposed action result in the devaluation of adjacent residential properties?**

Property owners who own land abutting or proximal to the proposed summer cottage colony project are concerned that their land values will drop, along with their quality of life. Specifically, this relates to potential air, noise, traffic, community character, water supply, and surface water quality concerns. As an example, these concerns are borne out by the recent failed \$350,000 sale of a 14.6-acre property that directly abuts a proposed glamping project in the Town of Saugerties. There, a real estate sale was nearing completion when the buyer learned of and investigated the glamping project and then backed out of the real estate transaction. This is a very real adverse impact that requires detailed analysis and contributes to justification of a positive declaration of significant environmental impact under SEQRA.

Another sub-question 17h "Other" question that is of concern to area residents is: **Will the proposed wastewater treatment plan be constructed such that no contaminants infiltrate downward into their groundwater supplies, into the stream situated west of the footprint of**

the proposed project, and into the wetland situated southwest of the site project? The variable and shallow depth of soil to bedrock; seasonally high-water table; the dense, slowly permeable fragipan; and seasonal wetness of the soil are recognized as limiting community development and septic functioning (US Dept. of Agriculture; Soil Survey of Ulster County, New York, 1979).

Furthermore, should polluted wastewater effluent be released from the proposed colony development project, *"The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes)."* NYSDEC's Full Environmental Assessment Form (FEAF); Part 2 - Identification of Potential Project Impacts, to be completed by lead agencies, includes **Item 3. Impacts on Surface Water**, with sub-question 3.i. that seeks to know if *"The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action."*

Similarly, sub-question 3.k. asks *"The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities."* Examination of these issues warrants the "hard look" contemplated in SEQRA, complete with full public participation.

Discussion and Conclusions

There is substantial evidence available to the Planning Board to support a positive declaration for its determination of significance of the proposed Castlemore Summer Cottage Colony/Tourist Cabins development project. A single potential adverse environmental impact warrants a positive declaration. The very real potential adverse impacts discussed above require detailed analysis and contribute to justification of a positive declaration of significant environmental impact under SEQRA. **The lack of sufficient empirically based technical information and analysis relative to potential onsite and offsite adverse environmental impacts provides the Planning Board with justification for tabling potential site plan approval and special use permit issuance at this time.**

The inescapable conclusion that emerges from these assessments is the importance of reviewing major development projects, including the proposed Castlemore colony development project, within a broad landscape and community setting, not in parcel-specific isolation where potentially significant environmental impacts are not addressed. SEQRA is designed to fully, comprehensively, and in a single unified format evaluate all project aspects to ensure that no adverse environmental impacts will occur either onsite or offsite.

The SEQRA process is designed to fully involve the public from project onset where the public provides input regarding issues of concern (scoping) through public review and comment. Decisions regarding SEQRA projects, including such things as design changes, special use permits, and waivers of any kind should be made after project applicants and the Lead Agency, through using SEQR's authority to engage independent consultants at the developer's expense, have developed the technical information needed to fully and properly assess potential adverse environmental impacts. SEQRA requires project applicants and the Lead Agency to take a "hard look" at all project components in a comprehensive manner, not based upon individualized and segmented approvals.

This report identifies several key factors that should be addressed after issuance of a positive SEQR declaration, including:

- Potential property devaluation of properties along Hudson Lane, River Road, Rt. 9W (Broadway), and Hermance Lane;
- Proposed action's land use components are different from, or in sharp contrast to, current surrounding land use patterns (Consistency with Community Plans);
- Proposed project is inconsistent with the existing community character;
- Potential alteration and disruption of the hydrologic and biologic integrity of wetland and upland habitats;
- Adverse offsite stream, wetland, ecologic, and groundwater impacts stemming from wastewater effluent if not 100 percent effectively treated by proposed wastewater treatment methods; and
- An Alternates Analysis is warranted in keeping with the spirit of SEQR, including but not limited to state-of-the-art septic systems that would leave NYS and federal wetlands undisturbed.

The proposed Castlemore Summer Cottage Colony/Tourist Cabins development project involves more than one moderate to large potential adverse environmental impact. Some of these have been identified in this report.

Comprehensive assessments are needed to meet the "*hard look*" contemplated in SEQR. Issues of this nature are properly brought out during scoping portions of SEQR, following a positive SEQR declaration. This NYS regulated approach, advocated by NYSDEC, environmental groups, and others, seeks to avoid deficiencies attendant to piecemeal analyses presented to lead agencies.

Until such time as issues raised in this report and other SEQRA issues are fully addressed based on onsite and offsite related empirical data and objective analysis, neither site plan approval nor issuance of a special use permit should be considered. Because insufficient environmental information is available for meaningful offsite impact analysis (i.e., the application is incomplete), inclusive of meeting regulatory Planning Board decision and findings criteria needed for issuance of a special use permit (Town of Esopus Zoning Law), another public hearing should be scheduled after the project application is complete.

Alternately, the Planning Board could determine that development of the proposed 36-unit summer cottage colony is inconsistent with the existing community character and, as such, should not be permitted. This report and GIS map figures provide justification supporting this decision.

Cc: NYSDEC

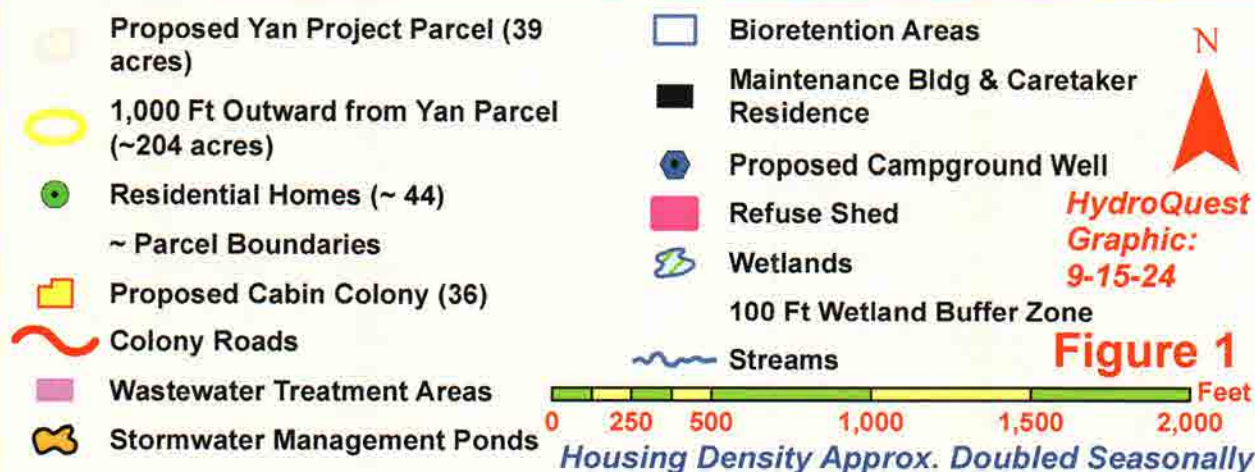
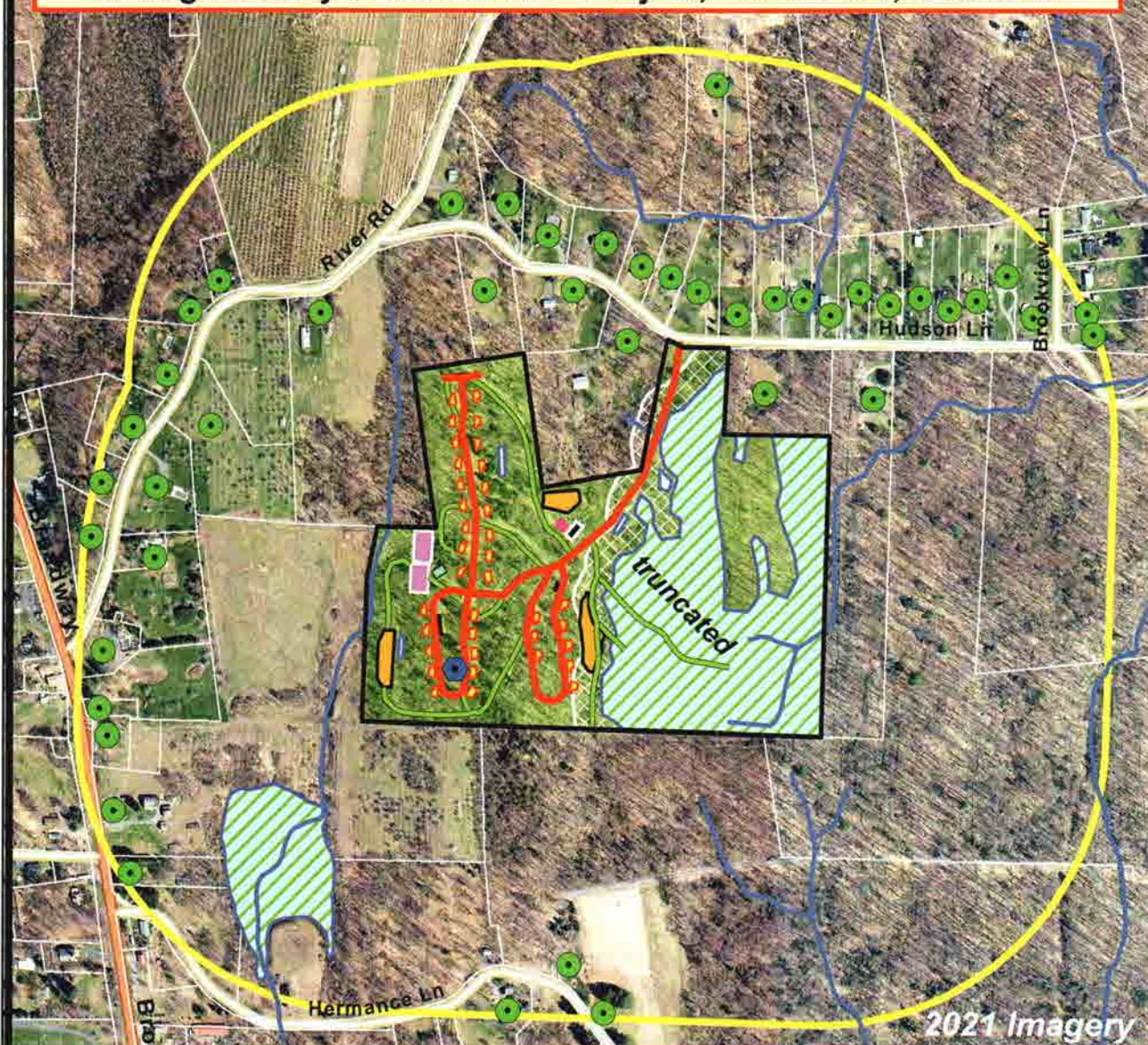
Paul A. Rubin: Hydrologist/Land Use Qualifications

HydroQuest is a sole proprietorship company, of which I serve as principal. I have over 43 years of professional hydrologic, geologic, hydrogeologic, and cartographic experience. This work includes providing expert advice relative to environmental risks to aquifers, surface water resources, ecosystems, individuals, and communities. My expert reports, affidavits, papers, presentations, and testimony have been provided in projects throughout NY, PA, NJ, MD, FL, AL, GA, TX, SC, VA, and WV. They have been presented in court, at press conferences, as a panel member, and before the Legislature, Governor's executive staff, and the NYS Assembly, as well as before a delegation from the People's Republic of China. I am a licensed Professional Geologist in the State of New York. My curriculum vitae and assorted work products may be reviewed on my web page at: <http://hydroquest.com>.

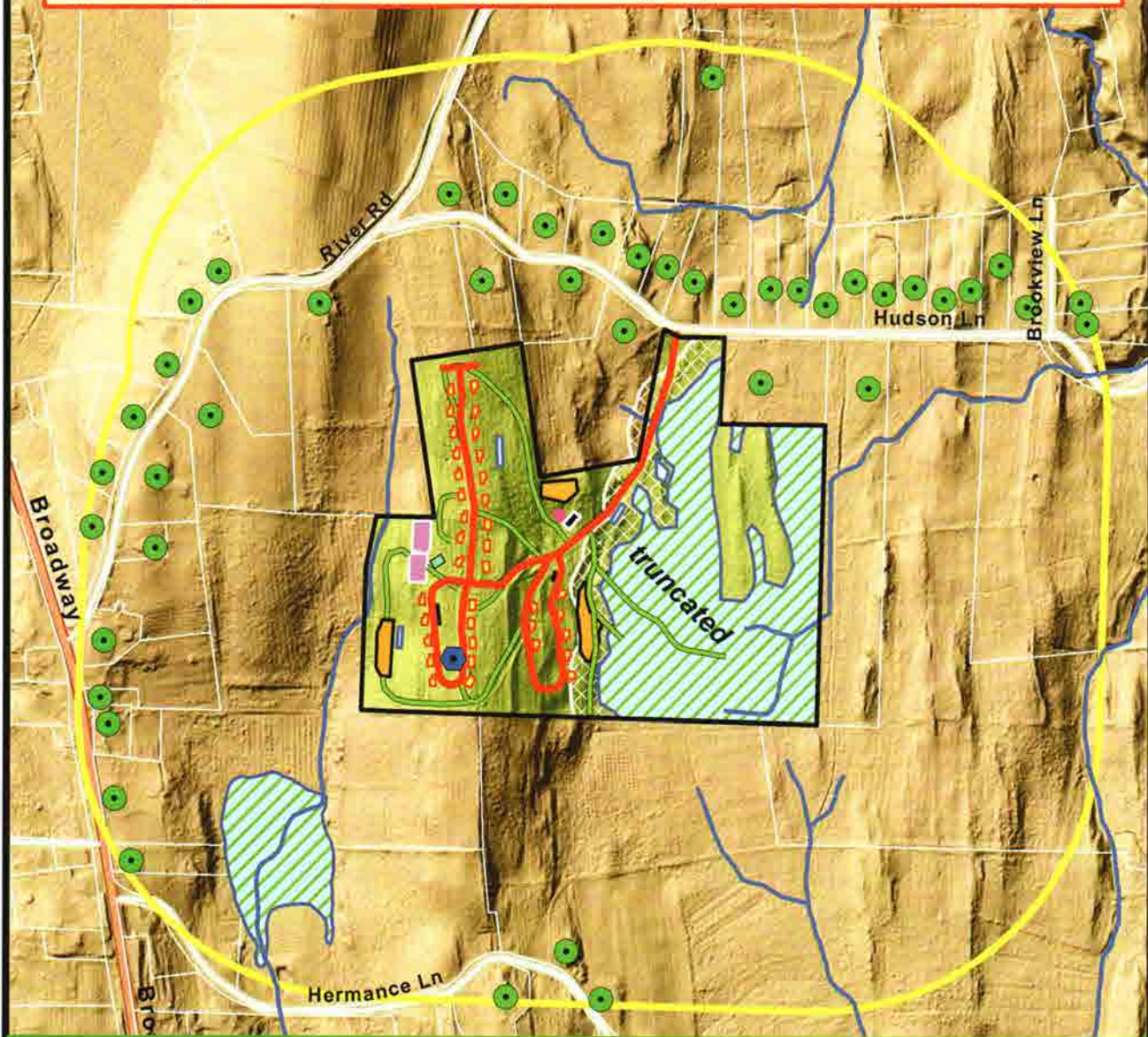
As an independent geologic and hydrologic consultant, HydroQuest provides hydrologic, geologic and hydrogeologic consulting services to environmental groups, Towns, business associations, law firms, and individuals. HydroQuest assists groups in identifying issues and developing strategies designed to protect groundwater and surface water resources, community safety, and wildlife habitat. This work includes assessments of land use and community character.

I earned a B.A. degree from the State University of New York at Albany in 1977 and an M.A. degree in geology with a specialty in hydrogeology from the State University of New York at New Paltz in May, 1983. My professional experience includes work conducted for the New York State Attorney General's Office (Environmental Protection Bureau) and Oak Ridge National Laboratory (Environmental Sciences Division), and work as an environmental consultant as President of HydroQuest. I have extensive experience in surface and groundwater hydrology, including the assessment of groundwater flow, stream flow, runoff, watersheds, aquifers, and water supply. This experience includes analyses for multiple reports, professional guidebook papers, affidavits, public presentations, field work, trial exhibits, and expert testimony. As part of my work, I routinely review and interpret environmental reports, groundwater issues, surface water flow and flooding issues, aquifer analyses, aerial photography, and topographic maps.

Residential Density Surrounding the Proposed Castlemore Summer Cottage Colony/Tourist Cabins Project; Ulster Park, New York



Residential Density Surrounding the Proposed Castlemore Summer Cottage Colony/Tourist Cabins Project; Ulster Park, New York



TO: Town of Esopus Planning – Public Comment 9/16/24

RE: Castlemore Holdings Property/Hudson Hideaways - 38 Hudson Lane, Ulster Park, NY 12487

My name is: Betty Stanzione-Doreo. I bought my house, brand new at 47 Hudson Lane 38 years ago. We were looking for a place located in between our jobs, in a rural setting, not in the midst of urban living. This was long before the change of zoning in 2019. We have had the joy of raising our children in this home and now have the blessing of our grandchildren who come to stay and visit with us.

Our house is located directly across from the proposed site entrance, facing the entryway. On the road-side of our house we have two bedrooms, a bay window, and a full glass front door. Hudson Lane is an unlit, dark, rural road without light pollution from street lights. This is the lifestyle we chose to live in when we decided to settle here in our place that we call home. Now our quality of life, our property values and safety with the influx of transients, is being threatened through the issuance of a Special Use Permit (SUP), for a commercial use.

Traffic will primarily be increased in the evenings, when we sit down in our living room to relax after a long day of work. Now we are at risk of losing our peaceful haven that we have worked hard for over the years. Besides doubling the traffic, there is the issue of headlights constantly shining in our house, including our bedrooms, during the dark time hours, which is not in alignment with our neighborhood.

Then there is the concern of the concrete slab business sign, with dimensions measuring 2'.5" X 7'.5" large. This may not sound bad on paper but add the LED strip lighting that will be installed at the "base of the concrete sign". Additionally, their driveway entrance lights resemble something similar to an airport landing strip. It is said that the lights will be "dark sky" compliant, however, we are all viewing them at ground level. This is a concern with the intrusive light pollution directly across the street from us.

*Refer to the posterboard of the sign and where the lighting will appear.

There is a direct correlation between the Full EAF Part 2, Section 15. "Impact on Noise, Odor and Light", "d" and "e" and the proposal. The response to these questions would most appropriately align with the response "moderate to large impact may occur." This project will, without a doubt, result in "light shining into adjacent properties" and "result in lighting creating sky-glow brighter than existing conditions."

The developer, Mr. Leung offered to put trees as a buffer in our front yard to block headlights, exemplifying his acknowledgment to the disruption of our lives. He has addressed more than once his and Mr. Yan's passion for stargazing, yet he wants to take that away from us with all the light pollution this project will infiltrate onto Hudson Lane. We should not have to change our ways of life to accommodate this obtrusive proposal in this low density, rural dead-end road neighborhood.

There are so many reasons why this proposed project is not a fit in this location, but we don't have enough time to address all of them in this forum. We ask you to look at the "Purposes of Zoning" (123-2) with respect to promoting and protecting the character, rights and stability of the established residents, as well as assuring privacy for the residents.

Additionally, "Special Use Permit" (123-46 C. (1) (c)) guidelines that specifically speak to the effect of the proposed use; location, size & character being in conjunction with the said district where proposed and that it will not be detrimental to adjacent properties according to our current zoning classifications of our properties.

123-46 C (e) [1] The statute also refers to keeping in mind the location, size, business operations of this proposal, and that it will not be hazardous, inconvenient, or incongruous with the residential district or in conflict with the normal, both pedestrian and vehicle traffic, of Hudson Lane. **I think it's obvious that this project is in direct conflict with the statute.**

One of the visions of this project is to allow guests to escape from their busy, stressful lives. As residents, this is why we bought our homes and settled here, long before the change of zoning in 2019, which could potentially change the character of this neighborhood, take away this lifestyle for current residents.

A Special Use Permit is "not an as of right", thus giving the right for denial if a project is in conflict and not in harmony with the adjacent properties, in a low-density neighborhood. We ask that you deny the application, in conjunction with the zoning regulations put in place to protect us.

Thank you for your time tonight, the job that you do and to keep the public hearing open. Please keep us safe.

Respectfully,



Elizabeth Stanzione-Doreo

47 Hudson Lane

Ulster Park, NY 12487

914-388-3141

September 16, 2024

Dear Town of Esopus Boards:

Hello, my name is Kristie Mazzaccari. My husband John and I are the owners of 95 Hudson Lane in Ulster Park.

After living in an urban area for years we fell in love with the quiet, rural nature of Hudson Lane and decided to purchase our first home here in 2017. The quaint character of the neighborhood attracted us immediately. However, not long after moving in we were faced with stormwater drainage issues that created havoc on our yard, driveway, and shed.

After a rainstorm, water would pool up from surrounding uphill properties causing flooding in the warmer seasons and dangerous ice accumulation in the winter. The overabundance of water in the roadway rushed through our yard, causing an upheaval of our driveway and rot to our storage shed.

In 2019 Supervisor Harris conducted a study regarding Stormwater problem areas within the Town of Esopus. Residents throughout the town reported areas of chronic flooding. As a result, Tighe and Bond Engineers/Environmental Consultants notated Hudson Lane as one of their problem areas.

Regarding the proposed Hudson Hideaways project, stormwater runoff is a major concern. Currently the ground at 38 Hudson Lane is pervious in nature with trees absorbing the majority of stormwater. It is our concern that the clearing of trees to accommodate 36 impervious cabins, and the installation of paved surfaces, will drastically change the current stormwater drainage pattern allowing little to no stormwater infiltration into the ground. With stormwater issues already present on Hudson Lane, these additional structures in conjunction with the slope of road and project site, can redirect stormwater to undesirable locations.

It is our understanding that retention ponds will be utilized to collect immediate and diverted stormwater. However, retention ponds have a high probability of failure, especially if not properly maintained. Sediment buildup, erosion, vegetation growth, improper sizing, and clogged pipes can all contribute to a possible failure. If a failure occurs water will flood Lochnivar and Maura LLC's, The Karabec's, and downhill properties on Hudson Lane. An example of retention pond failure can be noted in Ulster Park by storage unit on 9W.

Lastly, according to the Center for climate and energy solutions, rain events have been more impactful within the last few years. Heavy soaking rains happen

within shorter intervals rather than long steady periods of rain. This plays a huge role on the absorption of stormwater in general.

We are asking the Planning Board to consider our concerns and deny the Hudson Hideaway Project. Please help us preserve the tranquility of the place we all call home. We are requesting for Public Comment to remain open and thank you for your time.

Sincerely,

John and Kristie Mazzaccari



September 16, 2024

To: Town of Esopus Planning Board Members

Hello, my name is Jenna Ice. My family and I have lived in the Town of Esopus on Brookview Ln. (off Hudson Ln.) since the summer of 2017. I am also the newest member of the Town Environmental Board. I would like to begin by saying thank you to all of you for the work that you do for our community. It is greatly appreciated. I believe that you all chose to become board members because you have the best interests of the community at heart.

There are numerous reasons why I am opposed to the Castlemore Holdings/ Hudson Hideaway Project that has acquired a special use permit to be developed on Hudson Lane. For the purposes of brevity and tonight's public hearing, I would like to focus on the Town of Esopus Comprehensive Plan (hereafter referenced as the T.C.P.). There are multiple points made in this guiding document which emphasize the claim that the proposed project is not in alignment with the Town's vision for future progress.

After reviewing the T.C.P., it is clear to me that economic advancement and development for Esopus does include focusing on tourism and access to more overnight accommodation options. However, it also makes a statement that "the proliferation of AirBnB Units in Esopus is concerning for community residents due to unregulated and incidental impacts to community character and safety (p. 63)." From my understanding of the Hudson Hideaway's business plan- it is meant to operate as an AirBnB would. The T.C.P. also emphasizes the need for businesses which will bring employment opportunities to Esopus. From my understanding, Hudson Hideaways only plans to house two maintenance workers on site.

Additionally, the T.C.P. is very direct regarding the strategic placement of new developments within the town. Several times throughout the plan, it is stated that focus areas for future dense development should be sectioned into regions of the Town which can be connected to municipal water and

sewage treatment facilities. The proposed sewage and water facilities that will need to be constructed on site for this project have the potential to cause major impact to existing area habitat and neighboring wells.

The T.C.P. also refers multiple times to the need to balance the Town's future development with consideration for the residents' existing ways of life while protecting the surrounding existing character. Also, there is a high level of importance throughout the plan focused on directing new development toward preexisting vacant spaces, brownfields, and post-industrial sites instead of modifying existing habitats in undeveloped areas as Castlemore Holdings is suggesting that we allow them to do. Furthermore, the region in which Hudson Lane exists is a part of the area described in the T.C.P as the "U.S Rt. 9 corridor and River Road" where the plan heavily emphasizes the need for eco/agritourism opportunities. Agritourism is further defined as "u-pick operations, farm stands, farmstays, wineries, and other agricultural endeavors". This is a definition which I believe that Hudson Hideaways does not fit.

In conclusion, I understand and acknowledge that counterarguments will be made. I understand and acknowledge the Town's need to boost our economy by focusing on tourism, agritourism, and overnight accommodation opportunities. While it is possible that the business plan of Castlemore Holdings may bolster tourism to the area, it will not create employment opportunities for residents, and the placement of the project is not compatible with the guidelines provided by the T.C.P -which was written to ensure the future integrity and prosperity of the Town of Esopus.

***Please reference the following examples found in the Land Use, Zoning, and Future Growth section of the T.C.P.**

p.19-7-"The Hamlets of Port Ewen, Connelly, and Sleightsburg as well as the northern sections of Ulster Park should remain the primary areas for future dense development with access to municipal sewer and water services."

Future Land Use & Regulatory Authority, p.58-LU-1,
"Continue to promote compatible medium to high density development in established hamlet areas served by municipal water and sewer infrastructure including the hamlets of Connelly, Sleightsburg, Port Ewen, and the Northern sections of Ulster Park ..."

p.19-8 (T.C.P.)-Future development within the town's Hamlets must be considerate of the surrounding existing character. Also, **Goal #3 in the Town Goals section** states the following...

"Promote the Town of Esopus as a destination for outdoor

recreation, agritourism, history, and the arts, while maintaining the community's existing character and quality of life desired by residents (p.25)."

Town of Esopus Key Objectives on p. 24-3," preserve and maintain important and sensitive open space, natural habitats, and vegetation through conservation, partnerships, mitigation, and acquisition of resources, where appropriate".

P. 62-LU-45- "Protect forested and natural areas along streams and wetlands ("riparian buffers") as a natural filter and form of protections, and consider watershed overlay zones to protect water resources."

P.50 H-16- The potential for Town wide and personal economic benefits of residential short-term rentals through online platforms and other means must be balanced with the protection of the community character and public safety..."

Thank you for your time. Please submit my comments to the record.

-Jenna Ice

TO: Town of Esopus Planning – Public Comment 9/16/24

RE: Castlemore Holdings Property/Hudson Hideaways - 38 Hudson Lane, Ulster Park, NY 12487

My name is: Joe Doreo. I moved to 47 Hudson Lane 9 years ago. It reminds me of the quiet dead-end street I lived on in Roundtop, NY.

My concern with this project is, will it be fully functional on a well? I realize that the ultimate decision for well approval comes from the Ulster County Health Department. Is that decision simply based on the well, the number of dwelling units, the water volume and quality?

I am not an expert in the field. However, there are many factors to take into consideration when calculating the volume of water required to sustain this business, other than cabin usage. The Hudson Hideaways project proposes 36 hot tubs. The CDC indicates every 1-4 weeks, hot tub water will need to be drained and replaced, that's a lot of water! Their maintenance facility consists of an on-site laundry facility and a 2-bedroom apartment. Their site plan - 3/Landscaping & Sign design) indicates **all** planted areas, shall be watered for a period of 1 year after installation during periods of dry weather. Dry weather is considered to be less than 1" of rainfall in a given 7-day given period. That is a substantial amount of water with all the proposed plantings, especially during our drought seasons.

Their well was drilled in the spring, when water tables are often higher than normal. Hopefully, their calculations take into account the summer months when we have a drought season. This is a time when residents are concerned in general with their wells going dry. Neighboring wells in the vicinity of the site, range from a 25' shared well to an 800' well on Hermance Lane. 24 and 34 Hudson share the 25' well and are surrounded by this project on 3 boundaries. What will happen to their water supply with all of this volume water usage and diversion of water with the retention ponds. The well at 345 River Rd., in recent years, went dry & they had to drill a new 500' well. Does UC Department of Health take all of those factors into consideration?

There is a concern of chemical contamination of our wells from the undeniable wastewater that will be generated from the draining of the hot tubs, potential septic & bioretention pond and septic failures, as well as their spraying for mosquitos & ticks.

Although the Town's Comprehensive Plan supports agri-tourism, there is a safeguard in Land Use #1 (LU) to encourage medium to high density development to take place in established hamlet areas served by municipal water and sewer infrastructure including the Hamlets of Connelly, Port Ewen, Sleightsburgh and the northern sections of Ulster Park. 38 Hudson Lane is located in the southern portion of Ulster Park, served by private wells and septic.

There are items on Part 2 of the Full EAF under "Impact on groundwater" #4 =a, b & c that address some of these concerns. Unfortunately, the answers to these questions cannot be answered until the completion of the drawn down tests.

On the note of drawn down testing, would the Board please reiterate the process that will take place for this testing. In the August Planning Board meeting, the Board indicated there would be a process and letters would be sent to affected neighbors. The next day after the meeting, Mr. Leung was in the neighborhood attempting to sequester the permissions from neighbors for the testing. We ask that the process stated by the Board needs to be reiterated regarding the letters and who will be sending the letters?

While I support new businesses, it is my belief that this neighborhood is not the appropriate place for this project.

Thank you for your time and the difficult job that you do. We ask that you keep the public hearing open and deny the Special Use Permit applications based on the criteria in 123-46 C. Decisions and Findings.

Respectfully,

A handwritten signature in black ink, appearing to read "Joseph Doreo", written in a cursive style.

Joseph Doreo

To: Town of Esopus Planning Board
Re: Castlemore Holdings/Hudson Hideaways
38 Hudson Lane, Ulster Park, NY

Good Evening, my name is Robert Hare and I have resided at 130 Carney Road, Ulster Park, NY 12487 since the year 2000. I was a member of the Zoning Board of the Town of Esopus for 6 years, a member of the Zoning Review Board for 2 years and a Board Member of the Wallkill Valley Land Trust for 15 years.

My concern is that the Zoning Chapter **123-24** has not been properly examined with regard to the above referenced Application.

#123-13 D (3) The **Summer Cottage Colony** section defines Bulk Density, meaning number of structures per acre, as a maximum of 2 cabins per acre. At this density the proposed development falls under the **Special Use Statutes**. The land being proposed for development is in the **R-40 District** allowing only **1 Home per 40,000 sq. ft.** These statutes change the requirements normally imposed on buildings.
Exhibit 1

#123-24 B 3 (a) Determines how to calculate **Bulk Density**.

Step #1 determines constrained land such as Surface Water Bodies, NYSDEC & Federally regulated Wetlands, 50% of acreage covered by the 100 year flood plain, entire floodways, easements and lands with slopes of 20% or greater.

Step #2 calculates the total buildable acreage by subtracting the constrained acreage from the total lot acreage.

Step #3 requires determining the Baseline Bulk Density by using the chart showing the required area for each house. In this case R-40 district allows only 1 house per 40,000 sq. ft.
Exhibit 2

The applicant is requesting a change to a Special Use Permit as a **Summer Cottage Colony** allowing 2 houses per acre.

#123-13 D (3)

Exhibit 3

This project as does not meet the Bulk Density Regulations of the Town of Esopus and I respectfully request that you review the requirements and reject this application.

Thank You for your time and careful consideration of this proposal.

Robert J. Hare 9/16/2024

[**Good Evening**, My name is Robert Hare, my address is 130 Carney Road, Ulster Park, NY 12487 and I have resided there since 2000.]

I have been a member of the Town of Esopus Zoning Board for 6 years as well as the Zoning Review Board for 2 years. In addition I was a board member of the Wallkill Valley Land Trust for 15 years and with my wife purchased Oak Tree Farm 1998.

I wish to briefly address **True Tax Value** of the proposed Hudson Lane Summer Colony because the issue has been raised in a recent handout created by the applicant.

Castlemore claims that their development will increase the tax income to Esopus because of the increased taxes due to the supposed "Highest and Best Use" of the parcel they wish to develop, generally understood as the more houses the better. In the final analysis the opposite is true. On first review this would seem to be obviously true, more houses, more people, more tax income. However, multiple studies over many years have shown that due to: increased road use, increased fire and ambulance calls, increased school enrollment and town administration costs open land results in greater income for municipalities than developed land. \$1 of collected tax income from developed land falls short of expenses by a minimum of \$0.15, what's known as a "tax short fall". Whereas with open land, be it parks or farm land, \$1 of collected tax delivers a "windfall" profit of \$0.55. Please see <masswoods.org> and <nrpa.org> September 2024 Newsletter.

But, perhaps, the most telling confirmation of this seeming anomaly came from our Town of Esopus Tax Assessor Dan Terpening when he was helping me understand the taxes I was paying for our farm. (Interestingly farm tax exemptions are based on the quality of the soil at the farm and not the income generated by the farm.) he said open land was far more valuable to Esopus precisely because of what I previously stated. And, this was the person our town entrusted to be certain we were able to pay our bills.

Thank You for your time and careful consideration of all issues associated with this application.

Robert S Han 9/16/2024

EXHIBIT 1

Town of Esopus Zoning

123-13 (D) Summer Cottage Colonies (also bungalow colony, tourist cabins and cottages)

D. Summer cottage colonies.


- (1) Minimum area. The minimum lot area for a summer cottage or bungalow colony shall be 5 acres.
- (2) Occupancy. Such bungalows, cabins and cottages shall be designed for occupancy by either one or two families per building and for no more than eight consecutive months. [Amended 8-19-21 by LL No. 8-2021]
- (3) Bulk and density requirements of the site.
 - (a) No building or structure or parking or recreation facility shall be located closer than 100 feet from any lot or street line or the Hudson River or the Rondout Creek.
 - (b) All buildings must be spaced at least 15 feet apart.
 -  (c) Maximum site density shall be no greater than two bungalows, cabins or cottages per acre. [Amended 8-19-21 by LL No. 8-2021]
- (4) Ownership. The entire site shall be in single, common or corporate ownership and used for recreational and lodging purposes only.
- (5) Utilities. Water supply and means of wastewater treatment shall be approved by the Ulster County Health Department.

Exhibit 1

Town of Esopus, NY
Saturday, September 7, 2024

Chapter 123. Zoning


Article V. Density, Area and Bulk Regulations, Off-Street Parking

§ 123-24. Supplementary regulations on density, area and bulk.

- A.** Minimum width of detached one-family dwellings. All detached one-family dwellings shall be a minimum of 18 feet in width. Any detached one-family dwelling less than 18 feet in width shall only be permitted within the Manufactured Home Overlay District.
- B.** Base density. Unless indicated otherwise, the following process shall be used to calculate the number of dwelling units that may be built on a parcel and to determine the maximum number of new parcels that may be created through subdivision.
- (1) Base density is the measurement of the capacity of a parcel or parcels to support development sites expressed as a number of dwelling units, establishments or lots.
 - (2) Property served by both municipal water and sewer shall not be required to remove constrained land, except easements, when calculating base density. All property not served by both municipal water and sewer shall be required to remove all constrained lands to calculate base density.
 - (3) Calculating base density. Base density shall be calculated by the following procedure:
 - (a) Step 1: Determine the acreage of constrained land, which is the combined area on a parcel covered by existing buildings (unless said buildings are proposed to be removed), surface water bodies, NYSDEC-regulated freshwater wetlands, federally regulated wetlands, 50% of acreage covered by 100-year floodplains, entire floodways, easements and lands with slopes of 20% or greater (measured over a fifty-foot horizontal distance).
 - (b) Step 2: Calculate the gross buildable acreage by subtracting the constrained acreage from the total acreage of the parcel.
 - (c) Step 3: Calculate the base density by dividing the gross buildable acreage by the minimum lot area for the involved zoning district as set forth in § 123-23, Schedule of District Area and Bulk Regulations.
 - (d) Step 4: Base density having fractional units equal to or greater than 0.5 may be rounded up.
 - (4) Apartments and townhouse maximum dwelling units. To calculate the potential maximum dwelling units for apartments and townhouse dwellings, refer to § 123-12C(2).
- C.** Principal buildings/uses per lot.
- (1) Residential uses. Except where otherwise indicated by this chapter, no more than one one-family dwelling or no more than one two-family dwelling may be placed on a lot in any district where such use is permitted.

- (1) Except when located in the BC or RD Zoning Districts, no building or part thereof or parking or loading area shall be situated within 30 feet of any street or lot line, except that this distance shall be increased to 50 feet when abutting a lot in residential use or a residence district boundary line.
- (2) Off-street parking shall be regulated by § 123-26.
- (3) All areas occupied by buildings shall be suitably landscaped and maintained in accordance with § 123-47B(3) and (4).
- (4) Accessory to hotels, motels or resorts, the following uses may be permitted:
 - (a) One or more restaurants, or similar use covering not more than 25% of the gross floor area on the site.
 - (b) Swimming pools and related facilities for the exclusive use of guests of the motel or hotel.
 - (c) Recreation facilities for use of guests, not to be located within 50 feet of any lot line.
 - (d) Conference facilities/meeting rooms.
 - (e) Additional accessory uses may be permitted if associated with the principal use.

D. Summer cottage colonies.

- (1) Minimum area. The minimum lot area for a summer cottage or bungalow colony shall be five acres.
- (2) Occupancy. Such bungalows, cabins and cottages shall be designed for occupancy by either one or two families per building and for no more than eight consecutive months.
- (3) Bulk and density requirements of the site.
 - (a) No building or structure or parking or recreation facility shall be located closer than 100 feet from any lot or street line or the Hudson River or the Rondout Creek.
 - (b) All buildings must be spaced at least 15 feet apart.
 -  (c) Maximum site density shall be no greater than two bungalows, cabins or cottages per acre.
- (4) Ownership. The entire site shall be in single, common or corporate ownership and used for recreational and lodging purposes only.
- (5) Utilities. Water supply and means of wastewater treatment shall be approved by the Ulster County Health Department.
- (6) Lighting. Outdoor lighting shall be arranged so as to eliminate the glare of lights toward or onto adjacent residential properties. All outdoor lighting, except that which is needed for security purposes, shall be extinguished by 11:00 p.m., local time, or completely shielded from the view of any adjacent property.
- (7) Noise. Outdoor public address systems, loudspeakers and similar equipment shall be arranged so as to eliminate sound from being heard on any adjacent property and shall only be used between the hours of 8:00 a.m. and 8:00 p.m., local time.

E. Bed-and-breakfast establishments.

- (1) One-family dwellings. Bed-and-breakfast establishments shall only be permitted within one-family dwellings in the zoning districts identified in the Schedule of Permitted Uses.^[4]

[4] *Editor's Note: Said schedule is included as an attachment to this chapter.*

EXHIBIT 3

ARTICLE V. DENSITY, AREA AND BULK REGULATIONS, OFF-STREET PARKING

§ 123-23. Schedule of District Area and Bulk Regulations.

[Amended 11-19-2009 by L.L. No. 11-2009. Amended 8-19-21 by L.L. No. 8-2021]

Zoning Districts	Minimum Lot Requirements ²			Minimum Yard Requirements ²				
	Minimum Lot Area ¹ (square feet)	Width (feet)	Depth (feet)	Front (feet)	Side (feet)	Rear (feet)	Maximum Height (feet)	Maximum Coverage (% of site area)
RF-1	200,000	300	500	75	50	100	35	5%
RF-2	100,000	200	300	50	30	75	35	10%
R-40	40,000	100	150	40	20	35	35	15%
R-12, served by:								
Central S and W	12,500	100	100	30	15	30	35	30%
Central S or W	25,000	100	100	30	15	30	35	17.5%
No S or W	40,000	100	150	40	20	35	35	15%
RG & BC, served by Central S and W ⁴	7,500	50	--	4 Minimum 10 Maximum	<u>10</u>	<u>20</u>	<u>35</u>	65%
NC ³	20,000	100	100	20	20	30	35	20%
GC-1 ³ & GC-2 ³	40,000	150	150	40	20	50	35	20%
LI	2 acres	200	200	30	50	50	35	20%
HI	10 acres	500	500	100	100	100	50	20%
W	--	100	--	20	20	20	35	--
WR	--	100	--	20	20	20	15	--

NOTES: W=Water; S=Sewer

¹ Refer to **§123-24B** to calculate the base density and maximum number of dwelling units that may be built on a parcel or the maximum number of new parcels that may be created through subdivision.

² See § 123-24E, F, G, H & I for further regulations governing lot size, yards and similar requirements.

³ Lot area and dimensions for residences shall be as required for the R-12 District.

⁴ The minimum lot size and density for parcels not served by both municipal water and sewer shall be as required for the R-12 District.

ARTICLE V. DENSITY, AREA AND BULK REGULATIONS, OFF-STREET PARKING

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RG & BC, served by Central S and W ⁴	7,500	50	--	4 Minimum 10 Maximum	<u>10</u>	<u>20</u>	<u>35</u>	65%
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GC-1 ³ & GC-2 ³	40,000	150	150	40	20	50	35	20%
LI	2 acres	200	200	30	50	50	35	20%
HI	10 acres	500	500	100	100	100	50	20%
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Exhibit 3

To: Town of Esopus Planning Board

Re: Castlemore Holdings/Hudson Hideaway

I'm Derick Karabec. I live at 24 Hudson Lane and also own 34 Hudson Lane. I have lived in Ulster Park for more than 50 years. I have owned a small business for 32 years and understand issues that arise from town and state regulations.

The issues with Hudson Hideaway are many. Starting with the poor business plan, followed by many environmental issues and ending with the safety of the residents of Hudson Lane, as well as emergency personnel and the guests who may frequent this tourist cabin colony.

I am not going to address the premise of this project (a retreat center with no amenities, and proposed to be contact free with all correspondence happening on-line). What I will address are the other issues that are related to zoning.

Mr. Baron demonstrated how the business plan does not work. Owning my own business, I understand how important this is, as I struggled to succeed. With the extreme costs related to the tourist industry, the numbers must work, but they don't.

In special use permits decisions and findings 123-46 c(1), this use must not diminish the values of adjacent properties. There are many reasons that this project would do so. Studies show that homes adjacent to stormwater retention ponds sell for 15% less than those found elsewhere in the same community. Mr. DeMarco (a real estate professional) also stated that the community value as a whole would be diminished by 15%. These findings are for a successful tourist colony. I can only imagine what would happen if Hudson Hideaways fails to succeed.

The environmental issues abound. You have heard many of them from town residents. Paul Rubin also spoke in regards to existing problems with Castlemore's plans. This disruption in the eco-system would be devastating.

My final issue is that of safety, not only for the residents of Hudson Lane, but also that of emergency first responders and the potential guests of the cabins. Mr. Maffia explained that Creighton Manning Engineering choosing campgrounds as a comparison for traffic was wrong and hotel/motel is a more fitting choice, and that traffic patterns and volume are incongruous with our neighborhood.

I have reviewed New York State fire safety requirements for Hudson Lane. Code states that on a dead end road, only 30 homes can be built without a second access point or all must be equipped with sprinklers. We the residents of Hudson Lane do not have sprinklers and no second access is available. This has been affirmed by e-mails with New York State code officials.

When it comes to the site plan, there are also issues. New York State fire code states that all roads need to be 20 feet wide, not the current 16 foot proposed. This is so that emergency vehicles are able to pass each other when responding to emergencies, such as fires. Hudson Hideaway is also required to meet the issue of a single access point. They must make Hudson Lane conforming as well as have either less than 30 units or all sprinklered. They must also meet any other zoning requirements.

I can not see how all of the issues that have been presented, many of which go directly to 123-46c decisions and findings, would render any choice but to deny this project.

I would ask that you keep the public hearing open until such a point as the application is complete.

Thank you so much for listening to our concerns and taking your time to address this matter.

Thomas W. Hermance
24 Hermance Lane
Ulster Park, NY 12487
845-309-4823
hermance321@gmail.com

TO: Town of Esopus Planning – Public Comment – 9/16/24

RE: Castlemore Holdings Property/Hudson Hideaways
38 Hudson Lane, Ulster Park, NY 12487

Hi, my name is Thom Hermance. I live at my home at 24 Hermance Road, Ulster Park and I have lived on Hermance Rd/Lane for the most of my life. It is the next street south of Hudson Lane; running parallel. Most of the proposed cabins and my home would be on approximately the same elevation.

I would like to address the **Town's Environmental Board** review of the Castlemore project on January 17th, 2024 and a supplemental submission date January 18th, 2024.

The **Environmental Board** reviewed the project and did an amazingly thorough and complete review of this project with a comprehensive report submitted to the **Planning Board**. I share the same concerns that were presented, which is why I am urging the **Planning Board** to review and consider this document; as well as the original EB document, with its concerns, in its entirety.

The Environmental Board summarized the concerns as follows:

1. **Central Sewer System:** "The sewage treatment system lacks detailed design information, and the presence of individual hot tubs in each cabin raises concerns about potential impacts on the system's functionality."
2. **Water System:** "Concerns include the adequacy of a single well to supply water for 39 cabins, the impact on neighboring wells, and the potential stress from an on-site laundry facility on the water and sewer infrastructure."

Actually what is now 36 cabins with hot tubs & 2-bedroom apartment in the maintenance facility plus laundry facility.

3. **Steep Slopes:** "The proposal lacks clarity on the volume and effectiveness of drainage structures, and the term "practicable" regarding avoiding disturbance of steep slopes may need clarification to align with zoning regulations."
4. **Fire and Smoke:** "The high number of proposed wood fire raises environmental and safety concerns, requiring a detailed plan for ash disposal and mitigation measures to address potential air quality impact."

Since this report, Castlemore has changed their fire pit plans to Solo Stove pits. These may sound ideal, but are not fool proof, with the similar effects of smoke and potential forest fire.

5. **Site Chemicals:** "The use of chemicals on the site necessitates a comprehensive listing with concentrations and Safety Data Sheets for evaluation of the environmental impact and human safety concerns."
6. **Lighting:** "Compliance with dark skies initiative is claimed, but the significant number of exterior lights poses concerns for potential light pollution and negative impacts on wildlife."

Besides wildlife, the neighboring residents are also not accustomed to artificial lighting in the neigh-

borhood. Additionally, the outdoor lighting may be dark sky compliance, but the indoor lighting of the **full-glass fronted** cabins are not.

7. **Pets:** "The presence of numerous dogs may lead to noise disturbances, waste management challenges, and negative effects on local wildlife, impacting the harmony of the resort facility with its surroundings."
8. **Trees:** "Disagreement on the estimate of trees to be removed during construction, concerns about the feasibility of construction without additional tree removal, and a recommendation for a comprehensive tree survey for informed decision-making." *More clearing than presented, would be necessary utilizing crane placement of the cabins.*
9. **Traffic:** "Disagreement with the estimate of trips per site, emphasizing the rich array of tourist attractions in the area and the need for a more realistic assessment of travel frequency for a comprehensive understanding of the project's impact."

Relating to #9. The classification is under "**Summer Cottage Colony**", with no amenities. Visitors will be utilizing the cabin as a home base, traveling in and out multiple times a day. With more cabins than homes on the road, traffic will most likely more than double in volume.

The Town's Environmental Board read their complete document at their Jan. 2024 meeting. One big concern I have is that this development of **36 UNITS** will have it's own water and sewage systems. **They will NOT be part of TOE water and sewage.** I'm very concerned about over-site & maintenance for these systems for **36 UNITS with hot tubs, 2-bedroom apartment in the maintenance facility, plus laundromat.**

I felt the EBs concerns should be at least looked at. Many of them could have serious affects on my neighbors and myself. The Castlemore rep was at this meeting; as well as myself. He seemed upset with the EBs report. I don't recollect his exact words but he **definitely** didn't like that his company may have to address these concerns. I felt he was either inexperienced, incompetent and/or saw unwanted costs and time regarding these concerns. **Concerns that he saw as unimportant.**

I believe Castlemore just wants this project up and running – making money ASAP. They don't want to deal with all the safety concerns outlined in EB report. Contrary to their PR man's "Lets get a cup of coffee and chat" publicity campaign; **Castlemore does not care about the TOE residents.**

This is not "a couple cabins in the woods" mom & pop. **It's a multi million dollar development** that's going to do damage to the environment, pose many risks to it's neighbors, drastically change the character of The Hudson Lane neighborhood and set a precedent for future development in TOE.

I ask that you help protect us and keep us safe by **denying this request for a Special Use Permit.**

Thank for your time, consideration and the job you do on this Board.

Respectfully,



Thom Hermance

*The EB's concerns
call into question the
evaluations made in the
EAF Pt. 2 Assessment Form*

⊕ 9/16/24

Hi, my name is Rich Ferri, and my wife Patty and I have lived on Hudson Lane for 23 years. Thank you for the opportunity to speak tonight, and for the work you do for the town. I realize it's a difficult job.

I'm going to start with a brief story. My wife and I bought our first home in Esopus in 1981, right on 9W between what was then Poom's Orchard and Long's Orchard, just north of Apple Bin. We lived there quietly for 15 years, raised our three sons there. When the Longs passed the property was bought by a developer. One day the developer came to my door and said there was no reason for me to go to the town hearing that night, that he intended to put in a hayride on what was the once the orchard. He said, and I quote, that it would be "quiet," and "low-key." That quiet hayride became Headless Horseman. Fast forward three years, I came home from work and drove up my driveway and it was like driving into centerfield at Yankee Stadium. There were lights everywhere, and noise, and people screaming, and diesel fumes hung in the air. There was a corn maze that ended about 20 feet from my bedroom window. People would scream and party and ride ATVs until 1 or 2 in the morning.

The point I want to make to you is that there was no one to call to complain about the noise. The sheriff didn't want to hear about a commercial property operating commercially. There was no one in the Town to call at 1 or 2 in the morning. The developer was in business to please his customers, not to worry about the concerns of a few neighbors. We eventually decided that we had to move out.

We realized that buying house on 9W in a commercial zone was our mistake. We said we wouldn't make that mistake ever again. When we built our new house in an R-40

zone on Hudson Lane, we felt that never again would be forced to move by commercial development.

All of us have the expectation that the peace and quiet of a residential neighborhood would be preserved by the Town. Certainly, none of us had the expectation of living next to a 70-car parking lot with cars coming and going all hours of the day and night. Some of my neighbors have pools and they have fun in their pools, which is their right. However, none of us expected to live next to the noise from groups of people enjoying ~~39~~ hot tubs. Although ³⁶ the developer's study says that smoke rises, I think we can all tell when our neighbor has a campfire or a barbeque going. None of us expected to have the smoke from ~~39~~ campfires ³⁶ pollute our air. And most certainly, none of us expected to share our precious well water with a commercial laundromat.

I ask you, the Board, to deny the special use permit for Hudson Hideaway for the simplest of reasons – it changes the character of the neighborhood and does not protect the rights of existing residents, to enjoy our property rights. I ask you to consider the future, when a young couple looking for their first home, or a senior couple looking to retire consider buying a home in Esopus. Will they make the decision to settle in Esopus when a commercial development of 70 cars, ~~39~~ cabins, ~~39~~ hot tubs, and ~~39~~ campfires might move in next door? Or will they look elsewhere? ³⁶ ³⁶ ³⁶

Again, thank you for the opportunity to speak, and please enter my comments on the record.

Richard Ferri

Richard Ferri 9/16/24

Patricia Ferri
Patricia Ferri 9/16/24

September 16, 2024

Mitchell Donner
41 Hudson Lane
Ulster Park, NY 12487

Town of Esopus Planning Board
1 Town Hall Way
Ulster Park, NY 12487

RE: Castlemore Holdings, LLC Site Plan/SUP – Matt Towne, P.E. Agent- Case No. 2023-19; 38 Hudson Lane, Ulster Park; SBL No. 64.3-5-2.320; R40 Zoning District

Dear Chair Pecora, Vice Chair DeKoskie and Planning Board Members,

I am writing to request that the following points be considered in the Planning Board's evaluation of Castlemore's special use permit application:

Fire Pit Smoke

As a property owner on Hudson Lane, and in fact one of the landowners within 500' of the Castlemore property line, I am concerned about the presence and odor of campfire smoke emanating from the Castlemore property, notwithstanding the selection of "No, or small impact may occur" to EAF Part 2, question 15.c ("The proposed action may result in routine odors for more than one hour per day"). I suggest that the answer to that question should be "Moderate to large impact may occur."

In Castlemore's "Solo Stoves - Supplementary Information" document, they provide discussion of the smokeless technology and acknowledge that the stoves are not foolproof, listing five potential issues that can cause smoke. Castlemore asserts that besides limiting firewood purchases, their staff will control for the first three smoke issues directly and that the remaining two will be addressed by providing instructions to guests in their welcome packet and as part of the firewood purchase process.

I am skeptical that Castlemore's limitation on firewood sales and their instruction-based mitigation approaches will sufficiently minimize smoke in my neighborhood and property as there are no mechanisms to ensure compliance or accurate execution. It is not unrealistic to consider that guests may purchase additional firewood off-site and/or may not fully absorb or follow instructions on the specific approach required to start a fire that will optimize the smokeless operation.

Further, based on my review of online comments and reviews of Solo stoves, including the Yukon 2.0, I've seen that even studious owners have trouble with smoke generation¹, that "smokelessness has a learning curve²" and that even with correct use, at least 20-30 minutes of smoke can be expected before a fire may be hot enough to initiate the smokeless reaction^{1,3}. This impact will be exacerbated by most if not all Castlemore guests being first-timers who do not have an opportunity to perfect their technique.

¹ https://www.reddit.com/r/SoloStove/comments/sd62ij/my_solo_is_far_from_smokeless/?rdt=60300

² <https://mashable.com/review/solo-stove-bonfire-2>

³ <https://www.cnn.com/cnn-underscored/reviews/solo-stove-yukon>

As members of our neighborhood can attest, it is easy to smell and sometimes see the smoke when one of us has a fire going. I and my family do not want to be forced to experience that on a daily basis, especially concentrated during Castlemore's projected peak usage in the evening hours ("10.8 Solo Stove running at once during an average evening hour," from Castlemore's "Solo Stoves - Supplementary Information" document).

Guest, Trespass and Neighbor/Community Management

The Town Zoning Law, Article IX, §123-46, paragraph C(1)(e)[1], provides that "The Planning Board shall only approve the issuance of a special use permit if...[t]he location and size of such use, the nature and intensity of operations involved in or conducted in connection therewith, its site layout and its relation to access streets shall be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be hazardous inconvenient or incongruous with said residential district or conflict with the normal traffic of the neighborhood."

Noting that there are hiking trails within walking distance of the driveway in both directions via Hudson Lane, I am concerned that the project will increase foot traffic and potential noise of transient strangers in our neighborhood, which conflicts with the zoning provision above, is inconsistent with the character of our community and undermines a reason many of us chose to live here. This is particularly salient for me as I live across the street from the proposed driveway and within earshot of any groups entering or exiting from the Castlemore site.

Because my property is across the street from but does not directly abut the Castlemore property, I will not receive any of the purported benefits of guest management practices, staff patrols and trespass warnings. In fact, Castlemore's smoking policy will likely encourage smokers to stroll off-property, in front of my house, to smoke (another odor and air quality concern) and perhaps litter the road with cigarette butts.

For the reasons above as well as additional points raised by our community in opposition to this project, I request that the Planning Board deny Castlemore's special use permit application. Thank you for your consideration and I request that Public Comment on this matter remain open.

Respectfully,



Mitchell Donner
41 Hudson Lane

Popular

100-100

Internet Culture (Viral)

Games

Q&As

Technology

Pop Culture

Movies & TV

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My Solo is far from smokeless.....

I thought these stoves were supposed to be relatively smokeless. Just had my first fire the other night and it was anything but smokeless. I used wood purchased from Solo so that shouldn't cause an issue.

What am I doing wrong? Do I need to load the stove with a bunch of wood? Does it always have to be full and raging?

11

 29

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radwagonier · 3 yr ago · Edited 3 yr ago

The fire has to be hot enough to trigger draft through the stove and secondary combustion.

I'd say you do have to start with a hot, moderately sized fire (1/3 to 1/2 full). That will quickly trigger secondary combustion. Once you have a bed of hot coals, you can add a piece at a time for a slower fire.

You have to start out "raging."

Edit: To elaborate, to build a fire I first put two large blocks on the grate. I set my fire starter/tinder on those. I then put to more large blocks on either side of the tinder perpendicular to below, then put a stack of kindling with plenty of ventilation over top of the tinder. I light the tinder with a match.

The kindling ignites and falls into larger pieces, catching them. This is a "top down fire." I'd say I have smoke for the first 3 minutes, and have to add fuel in 20-30 minutes.

There's something to be said about the size solostove you have. Some people might be surprised that they might better enjoy a smaller fire than the bonfire - just because of the fuel demand of the larger stoves. The problem with the smaller stoves is that they require more processing of the fuel, cutting to size.

14

 Reply
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ValveTurkey1138 · 3 yr ago

Follow the directions.

8

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FeelingEducation8 · 3 yr ago

Some wood depending on the type and moisture content can smoke more. The one thing that would cause the solo to smoke more is over filling it or having wood that is sticking out the top. Any of them will smoke some at start up till you get some coals going.

6

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SoapierBug · 3 yr ago

As others have said, the fire has to get hot enough to generate that secondary combustion, and in turn, result in far less smoke. Also, I've noticed that I get more smoke in the first 20ish minutes of the fire if I put too much wood in, or didn't set it up well in the base of pit before lighting. Starting the fire with a little bit of

SoloStove

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Want to Appl

118 Upvotes

r/SoloStove

Do what I got

118 Upvotes



kindling/small sticks and a couple larger pieces of wood and waiting to add more until the flames have picked up will also help here. It really is rather smokeless once hot, though.

4 0 0 0 0 0

0 0 0 0 0 0

 **TalkativeRedPanda** · 10 yr ago

We rarely have smokeless fires in our solo. I didn't realize when I burned it that we would need to have such a large fire to activate that feature.

4 0 0 0 0 0

 **guitarot** · 10 yr ago

Don't let any of the wood go above the ring of holes at the top. If you do, you're effectively defeating the mechanism that makes it "smokeless". Once it's hot, you should get that secondary burn when you see "jet flames" coming out the holes at the top.

4 0 0 0 0 0

 **[deleted]** · 10 yr ago

You have to get the fire going hot first. Start with some smaller stuff and get decent coals or use a fire starter log. Give it 10 minutes to start burning before filling it.

I'm not sure if I'd say it needs to be "full and raging" but these are designed to have hot bonfire style fires that are continuously fed wood. If you want a tame fire that just crackles in the background it's the wrong pit for you.

3 0 0 0 0 0

rrd0084 · 10 yr ago

Like others said you got start a smaller fire first let that burn down and then add the logs also you only used it once so mistakes are bound to happen the first time I used it I got a shit ton of smoke but it works as advertised if done correctly...good luck

3 0 0 0 0 0

 **TrackChanging** · 10 yr ago

Have any pictures of your fire?

2 0 0 0 0 0

0 0 0 0 0 0

 **Griswa** · 10 yr ago

Do you have the ring upside down?

2 0 0 0 0 0

0 0 0 0 0 0

 **RedditFauxGold** · 10 yr ago

I see negative responses to good feedback so I'm not entirely sure why you're posting here if you aren't interested in feedback.

Solo is not false advertising. They aren't saying "it's smokeless from the moment you light it!" But they are also not saying it has to get to temperature. But yes, the stove has to get up to temp.

My first burn I thought "well shit, this isn't any good" and we roasted marshmallows and hung out then went inside all smokey. I went out there later and the damn thing wasn't smoking at all. I've since learned. I start the fire BIG. I get it going and then load it with wood (I have a Yukon). By the time that burns down, it's up to temp. Then you just keep the wood below the rim and it's all good. Actually I've found with good dry wood, it's not problem to stack over the lip because the wood isn't full of moisture anyway.

2 0 0 0 0 0

 **timmadel** · 10 yr ago

I understand there is smoke as it is getting started but it also smokes as it is dying down. Unless you keep it raging it is not smokeless. I never had the wood above the rim and it still smoked.

2 0 0 0 0 0

 [Anonymous User](#) · 1 min ago

 [ryta1203](#) · 1 min ago

Its def flase advertising,pretty disappointmnt with my bonfire purchase, decent surround though but also overpriced.

 2   Reply  Award  Share ...

 [Miserable-Floor-2448](#) · 24 Dec 2022

I made my first solo fire tonight. I used hardwood barbecue pellets from Lowe's and I was fabulously impressed with the huge flames out the top with only a single layer of pellets covering the bottom. It raged about 10 minutes then smoked, terribly, for the next hour and 1/2. I kept waiting for the smoke to stop so I could leave it but it just kept going and going..and going.....still with lots of red embers, and heavy smoke. What did I do wrong?

 1   Reply  Award  Share ...

 [Anonymous User](#)

 [D_Wayde](#) · 2 min ago

It's lies, it is not smokeless (at the start). After going for hours, it tends to become smokeless. It's a feature to sell more units as most won't return it when they learn you need a 1 hr fire first. If you're from Canada you don't want smokeless anyways, you need the smoke to keep the mosquitoes at bay!

 1   Reply  Award  Share ...

 [Interesting-Area-333](#) · 2 min ago

Enjoying a lovely smokeless fire as we speak. Another tip is to make sure the wood is also against the walls to help keep that heat next to the secondary chamber. Oh and ash can mess it up too!

 1   Reply  Award  Share ...

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Solo Stove review: Nearly smokeless, if you know what you're doing

The popular portable fire pit lives up to the hype, but wait for it to go on sale.

By [Haley Henschel](#) on August 15, 2023

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The mid-sized Solo Stove Bonfire 2.0 (pictured here with its stand, sold separately) is designed for groups of three to six people. Credit: Haley Henschel / Mashable

Solo Stove Bonfire 2.0

Sleek, lightweight, and just a tad too expensive, the Solo Stove's smokelessness largely depends on user proficiency and the right type of wood. But it does burn beautiful, clean fires when conditions are right.

\$399.99

Mashable Score	4.3	The Good	The Bad
Wow Factor	5	<ul style="list-style-type: none"> Modern, minimalist look Clean and efficient burn Easy to light Easy to clean Lightweight for its size; easily movable Includes carry case; huge variety of other accessories available for separate purchase 	<ul style="list-style-type: none"> Goes through wood fast Smokelessness has a learning curve Most of its heat goes straight upward Expensive for what it is, especially with accessories (but easy to find on sale)
User Friendliness	4		
Performance	4.5		
Bang for the Buck	3.5		

Some of my most nostalgic childhood memories were evenings spent around the fire pit in my family's backyard, a humble ring of slate slabs hand-stacked around a shallow hole. When picked clean of leaves and pill bugs and piled high with logs, it would burn a crackling golden blaze that would gild marshmallows, toast our shins, and leave us with piles of smoky laundry at the end of the night.

The [Solo Stove Bonfire 2.0](#) is a portable wood-burning fire pit that promises to resolve this issue with ultra-clean, smokeless flames. It's not the first or only [fire pit](#) to make such claims, but a wildly successful [Kickstarter campaign](#), a [pandemic bump](#), compelling social ads, and [word of mouth](#) have stoked its popularity.

SEE ALSO: [The best fire pits of 2023](#) →

My family was skeptical about the Solo Stove the first time I brought out the mid-sized Bonfire 2.0 model for testing on a trip to the Northwoods: At face value, it's a pretty unremarkable stainless steel drum. (My dad went off on a tangent about some guy from YouTube who supposedly replicated it with a garbage can — "it worked perfectly!") But while none of us would pay full price for it, we were all won over before its coals had cooled.

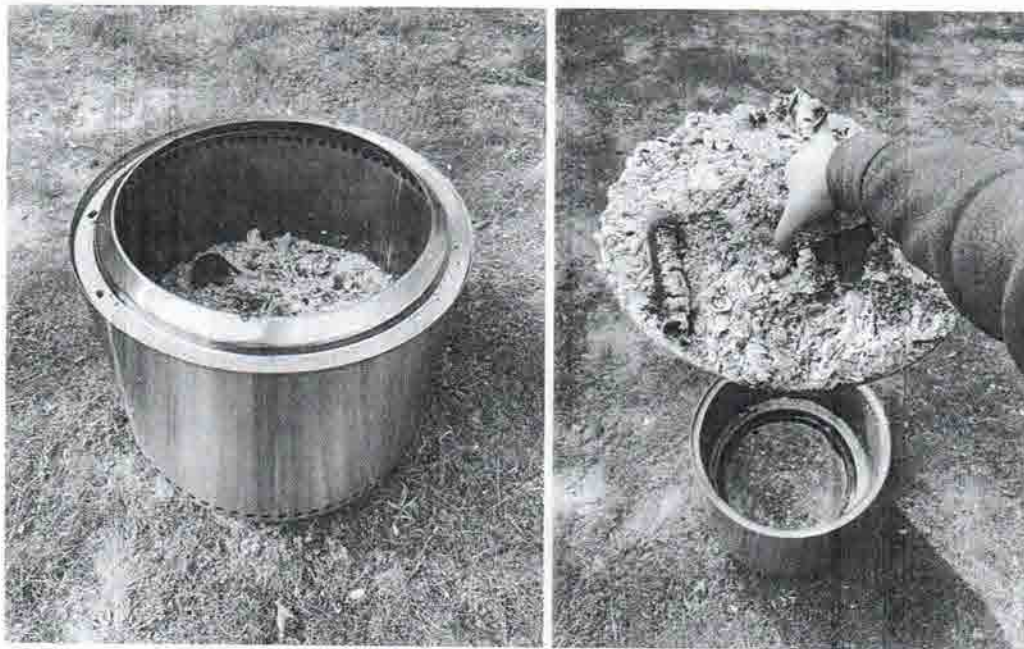
How the Solo Stove works

The Solo Stove has a double-walled design with two sets of vent holes: one around the exterior of its base and one encircling its inner rim. There's a perforated base plate where wood sits and a metal ash pan to catch embers inside its main burn chamber, and an angled metal flame ring on its upper rim to protect the fire from wind gusts.



Assembly takes a minute tops. Credit: Haley Henschel / Mashable

The removable ash pan and base plate are new additions for the Solo Stove 2.0 models from late 2022; the 1.0 versions needed to be Shop-Vacced or tipped over and dumped out in order to be cleaned between fires.



The removable components make cleanup a breeze. I didn't even need to remove the ash pan after one of my fires (right) — all of the leftovers came out with the base plate. Credit: Haley Henschel / Mashable

When a fire kindles inside a Solo Stove, the heat and lack of oxygen from the initial combustion process produce a vacuum that sucks air up through those exterior vent holes into the burn chamber beneath the ash pan. The air between the pit's metal walls then heats up and rises as the fire gets fed from below, adding more warm oxygen to the flames from above when it leaves the inside vent holes. This "secondary combustion" makes the fire so hot that it burns up its own smoke — in theory.

What makes the Solo Stove so special?

This design is not unique or special to the Solo Stove brand in 2023. [Breeo](#), a Pennsylvania-based purveyor of premium smokeless fire pits, claims to have released its first double-walled prototype back in 2011 — five years before Solo Stove's Kickstarter went up. Brands like [Cuisinart](#) and [Tiki](#) (as in, the torches) have also hit the market with competition in recent years.

BioLite's [FirePit+](#), which has a manger-shaped mesh design equipped with Bluetooth support, a rechargeable battery, and 51 airjets that pump its fire with oxygen, is the only truly different smokeless fire pit I've come across.

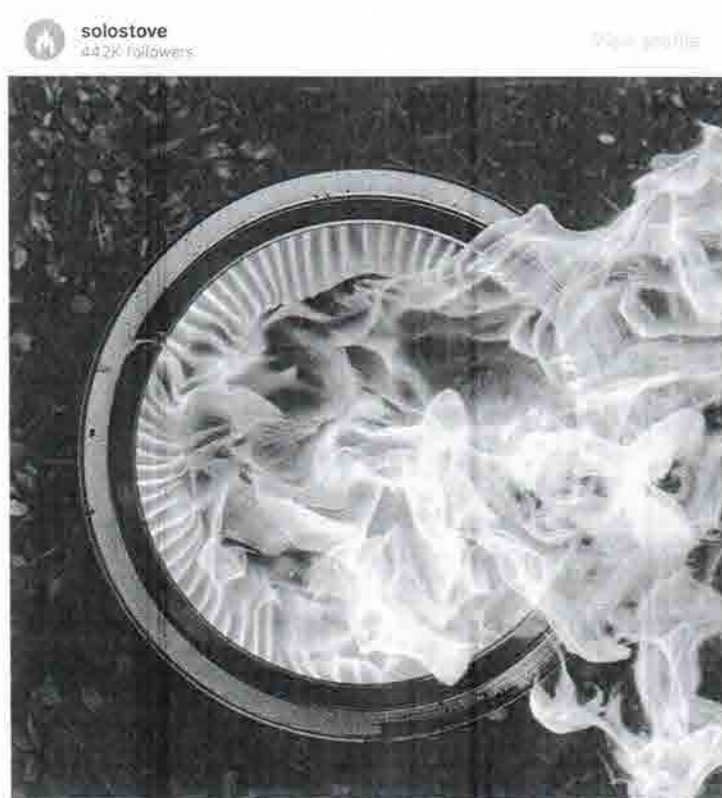


The Solo Stove Bonfire 2.0 is constructed from lightweight 304 stainless steel, which is pretty in person (though it does hold onto fingerprints). Its carrying case is made from durable nylon. Credit: Haley Henschel / Mashable

However, there are a few factors that set the Solo Stove apart from its peers:

- Its polished and minimalist look goes with almost any decor.
- Its new removable ash tray makes it really easy to clean.
- Its lightweight frame is easy for most people to lift and move. (The Bonfire 2.0 I tested comes in at just under 24 pounds and includes a carrying case. For comparison's sake, Breeo's "portable" [Series Fire Pit](#) weighs 31 pounds — though it is collapsible.)
- It works with a good variety of accessories (all sold separately), including a [hurdle](#), a [stand](#), a [pellet adapter](#), a [spark screen/shield](#), a [heat deflector](#), a [protective barrier](#), a [griddle top](#), and a [pizza oven attachment](#).

I would also add that a good chunk of the Solo Stove's perceived "specialness" can be credited to the fact that the brand is really, really good at social media. Aesthetic videos of people using their Solo Stoves on scenic beaches and cliffs at sunset are foolproof fodder for [TikToks](#) and [Instagram Reels](#), and close-up shots of the cool vortex effect produced by a successful secondary burn can stop anyone mid-scroll.



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436 likes

solostove

Master the art of secondary burn and watch their jaws drop. 🦋

[View all 11 comments](#)

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Is the Solo Stove actually smokeless?

The amount of smoke a Solo Stove can eliminate in practice largely depends on how long its fire's been burning and the type of wood you're fueling it with. You're going to see about five to 10 minutes of smoke right off the bat as your kindling gets going, so temper your initial disappointments accordingly.

As soon as you have a decent-sized flame, you can top it up regularly with hardwoods to help the fire burn big and clean; avoid softwoods like pine, which will produce smoke. All pieces of wood should be as bone-dry as possible and cut to size so that they don't protrude from the pit's rim.

With practice and a couple armfuls of brittle oak and maple, I managed to burn fires with close to zero smoke inside of the Solo Stove Bonfire 2.0. (And any traces of smoke that did materialize were funneled straight upward instead of in my face.) I never got a blaze so big that the secondary burn wafted flaming rays around its edges, but the flickering reflections in its metallic interior were beautiful when it got dark outside.

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Via Giphy

To quote my sister's fiancé, who oversaw the Bonfire 2.0's first trial in the Northwoods:
"You could sit in a full 360 around this thing and no one would be in a bad spot."

Of course, the main downside to having a fire pit designed to get fires so hot that they burn their own smoke away is that it absolutely chews through wood — even the hardwoods I used. It's almost too efficient, so make sure you have an ample supply of logs on hand for every use.



Via Giphy

Finally, it's worth mentioning that the minimal smoke produced by a Solo Stove's roaring fire takes most of its heat with it as it drifts straight upwards. If you want to use one to warm up on chilly nights, look into adding its [heat deflector](#).

Final thoughts: Is the Solo Stove worth it?

The Solo Stove is a vast improvement over any traditional fire pit or campfire I, or anyone else in my family, have ever used. ("I think we need to get one of these," one sister whispered to me as we roasted marshmallows over the Bonfire 2.0.) But its price is a huge hangup, especially when you factor in its accessories: "That's why I haven't bought it [yet]," my dad told me.

I have two points of consolation for possible buyers, the first being that Solo Stove's excellent build quality should last you for a long, long time. After several fires and many miles traveled between different yards and patios over the course of the past year, my Bonfire 2.0 hasn't shown any signs of wear or tear aside from developing an expected [patina](#). What's more — and I wouldn't necessarily recommend doing this — the stand that came with my testing unit managed to survive an hours-long burn inside the pit after my parents confused it for an interior component.

The other notable plus is that Solo Stoves are incredibly easy to find on sale year-round for up to hundreds of dollars off — not just on the brand's website, but at retailers like [Amazon](#), too. Keep an eye out for these discounts, and you'll be golden.

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How we tested

I'm a lifelong camper and [outdoorswoman](#) who's built, sat around, and made s'mores over countless fire pits — most homemade, some not. If you need an official credential, I'll see if I can track down my Campfire Brownie badge from Girl Scouts.

I hands-on tested the [Solo Stove Bonfire 2.0](#) half a dozen times over the course of the past year on different grass yards and stone patios. I lit it each time with a small brick of firestarter and some twigs or newspaper, then maintained its burn for one to three hours with pieces of firewood that had been cut to fit inside it. I tried to find wood that was as dry as possible and stuck with hardwoods like oak and maple; pine and other softwoods I had on hand produced too much smoke.

Frequently Asked Questions

Is the Solo Stove OK on a deck?



Solo Stove's [blog](#) recommends using a [stand](#) if you're going to be burning your fire pit on a deck — wooden or composite/PVC — and adding pavers underneath it if you plan on letting the flames go for more than an hour or two. (A stand should also be used on green grass and sand, FYI.)

The stand that came with the Bonfire 2.0 I tested stayed impressively cool to the touch during my burns (even as the pit itself got searingly hot), though I'm still not sure if I would completely trust it on a deck. Keep a very close eye on it if you do.

Will the Solo Stove rust?



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Reviews

We tested out the Solo Stove Yukon fire pit and now we're obsessed

By Rosanne Salvatore, CNN Underscored

Updated 4:08 PM EDT, Mon April 8, 2024



Sam Fuller/CNN Underscored

When we heard about Solo Stove's Yukon fire pit, we were intrigued. A smokeless backyard bonfire in an attractive stainless steel package? It almost sounded too good to be true. After all, the biggest drawback to sitting around a fire on a [camping trip](#) or [backyard barbecue](#) is the smoke in your face — not to mention the persistent smell. But when we got our hands on the Yukon, the company's second-largest fire pit, we were surprised at how well it works.

Solo Stove Yukon 2.0



Solo stove

We tested out Yukon which proved to burn roaring hot, and create a nearly smoke-free fire pit experience.

\$500

From

\$450

at

Solo

Stove

From

\$505

(with

stand)

at

Amazon

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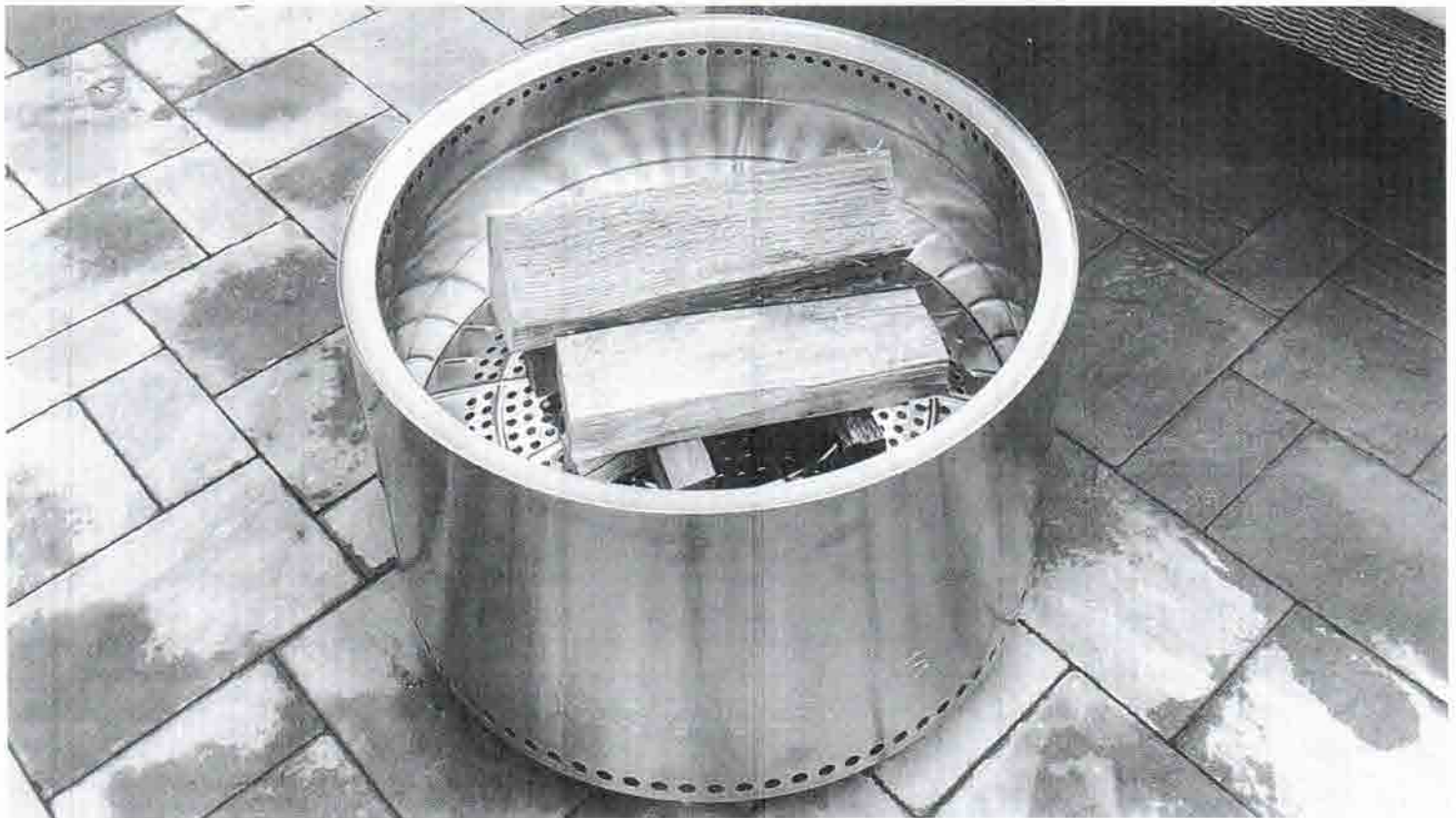
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What is a Solo Stove?

It's likely you've already come across these attractive, stainless steel fire pits on social media or in a friend's backyard. While the look of a Solo Stove definitely sets it apart from most other backyard fire pits, the company claims that its 360-degree Airflow Design is what really makes a Solo Stove stand out.

Solo Stove fire pits are made of double-walled stainless steel. Air is pushed in through the bottom of the drum and also through the top vent holes to add a bountiful amount of oxygen into the fire. The air at the top of the fire pit creates a "secondary burn" and allows the Solo Stove to get incredibly hot while letting off much less smoke than competing fire pits. This also means that any wood you burn will reduce itself down to nearly nothing — just a small pile of ash and debris — making cleanup a fairly easy process. When your fire has gone out and your Solo Stove is cooled down, you simply turn it upside down to empty it out. The airflow design is what makes a Solo Stove a Solo Stove.



Rosanne Salvatore/CNN Underscored

Solo Stove started back in 2011 with backpacking and camping wood-burning stoves. It sells four fire pits — Ranger (\$200), Bonfire (\$250), Yukon (\$450), and Canyon (\$600), which range from 15 inches in diameter to 30 inches. Both Ranger and Bonfire are portable fire pits due to their smaller size and come with nylon carrying cases. With Yukon, Solo Stove got into

the backyard fire pit market.

How does a Solo Stove work?



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The 27-inch Yukon Solo Stove fire pit arrived in a single, large box. And much to our delight, it requires zero assembly after unboxing. We were immediately impressed with the low-profile, simple design of the Solo Stove. In addition to the Yukon itself, we opted for the [full Backyard Bundle](#). This includes the fire pit, a stand to protect whatever is underneath, a shield to trap any sparks coming off the flame, a lid to keep ashes from flying and a protective cover for when your Solo Stove isn't in use.

Solo Stove recommends using a stand under the fire pit when using it on certain surfaces like composite decking and wood. Because fires inside a Solo Stove are roaring hot, we felt safest using both the stand and shield during testing. Depending on which fire pit you purchase, you can get [a stand for \\$35 to \\$75](#) and [a shield for \\$105 to \\$220](#).



Rosanne Salvatore/CNN Underscored

[To get the fire started](#), we lit four pieces of kindling and then added on logs. The directions state that it's important not to overfill the fire pit with too much wood so that the flames stay

contained within the drum and between the top and bottom air vents.

Though we wish it was the case, a Solo Stove is not entirely smokeless. When you light wood on fire it will naturally begin to smoke as it gets itself hot enough to burn through. If you're around for the lighting process, you will definitely be subject to smoke until your fire reaches full temperature, which took us 20 minutes during our testing. But once that fire is roaring, you can sit around a Solo Stove and it will be almost entirely smokeless. Hot tip: Get someone else to light the fire for you so you don't have to be subject to any smoke.

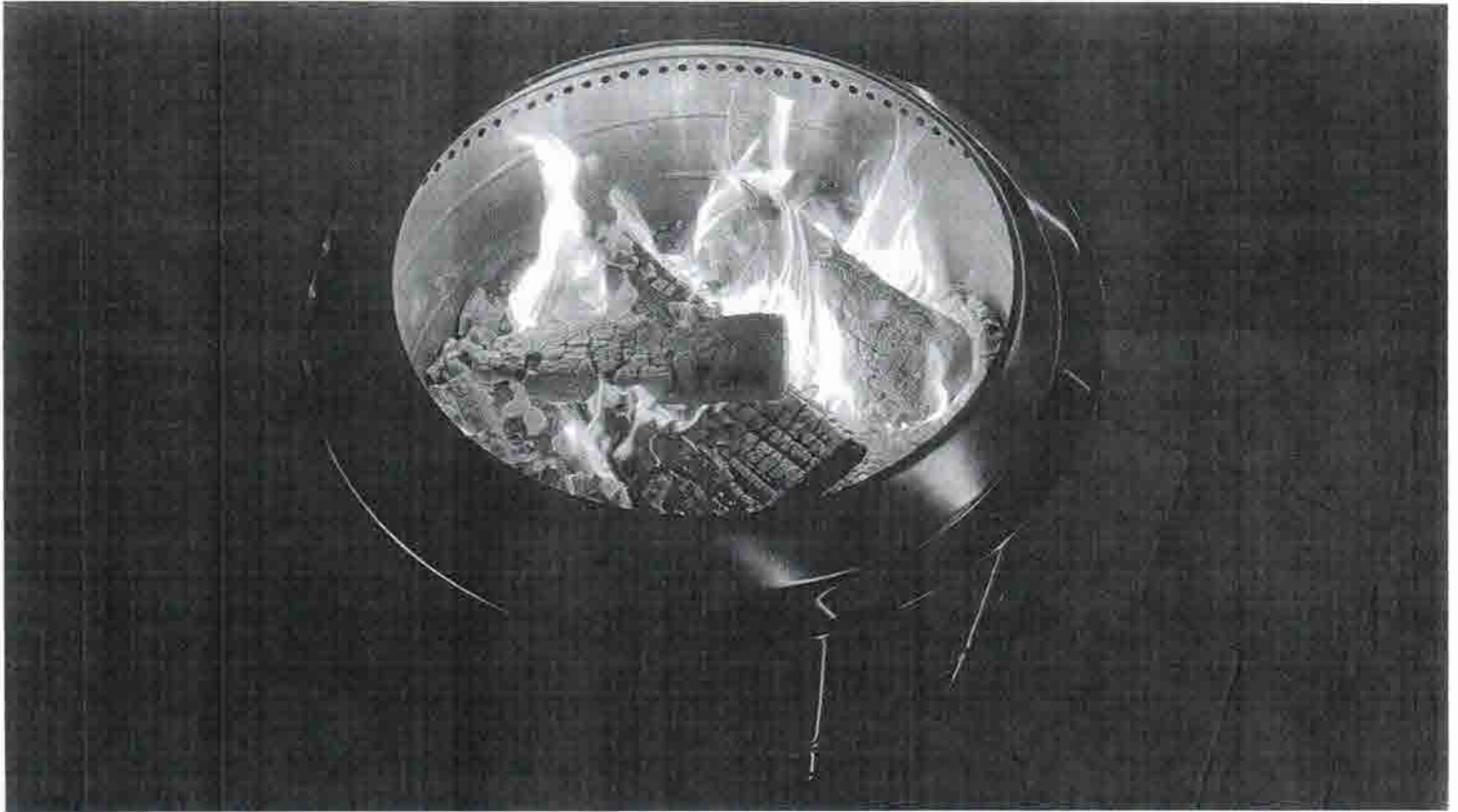


Rosanne Salvatore/CNN Underscored

After an hour of smoke-free fire pit time, the Solo Stove delivered another twist with colorful flames. We added two color packs onto our flames and literally oohed and aahed at the sight of the color in the flames. The color packs say that they can last up to one hour, but we found that the color in our flames only really lasted about 20 minutes. So what did we do? We added more color packs because we enjoyed it so much. You can purchase [10 color packs for \\$20](#).

Unlike other fire pits you've used in a backyard, a Solo Stove is not meant to be left out uncovered. If water fills the drum, it could negatively affect how the fire pit operates, so it's important to let your Solo Stove cool down and cover it, or move it inside somewhere like

important to let your Solo Stove cool down and cover it, or move it inside somewhere like your garage. This is definitely an extra step that you should consider, but it's not a deal breaker for us because you can purchase a [Solo Stove cover](#) for this purpose. It's not difficult to move a Solo Stove, but they are one solid piece and don't have wheels, so the larger Yukon may require two people to move it.



Rosanne Salvatore/CNN Underscored

If you invest in a Backyard or Ultimate Bundle, [a shelter](#) — aka a cover — will be included with your purchase. The shelter is made from PVC-coated polyester and it's a lot thicker than your average outdoor grill or furniture cover.

You'll also want to think in advance about when you want to stop using the fire pit because you need to allow the flames to die out on their own. You are instructed not to put out a fire in a Solo Stove by dousing it with water. When our backyard bonfire died out, there was minimal ash left within the Solo Stove. We turned it upside down, dumped out the ash and then covered our firepit. We smelled faintly like smoke when we were finished due to the lighting of the fire pit, but it was nowhere near as pungent as usual.

Bottom line

The 360-degree Airflow technology inside a Solo Stove makes it one of the [best fire pits you can buy](#). You don't need to be a camping aficionado to appreciate — or be mesmerized by — how a fire burns in a Solo Stove. If you truly can't tolerate the smoke from a fire pit, or you find yourself hosting backyard bonfires nearly every week, it's worth considering a Solo Stove.

For just a Yukon fire pit, it'll set you back \$450, and if you opt for all the accessories with a [Yukon Ultimate Bundle](#), you could spend upward of \$800. These are pretty large price tags, so it's worth considering how much you want to invest in a backyard fire pit. That said, a Solo Stove is definitely worth the splurge.



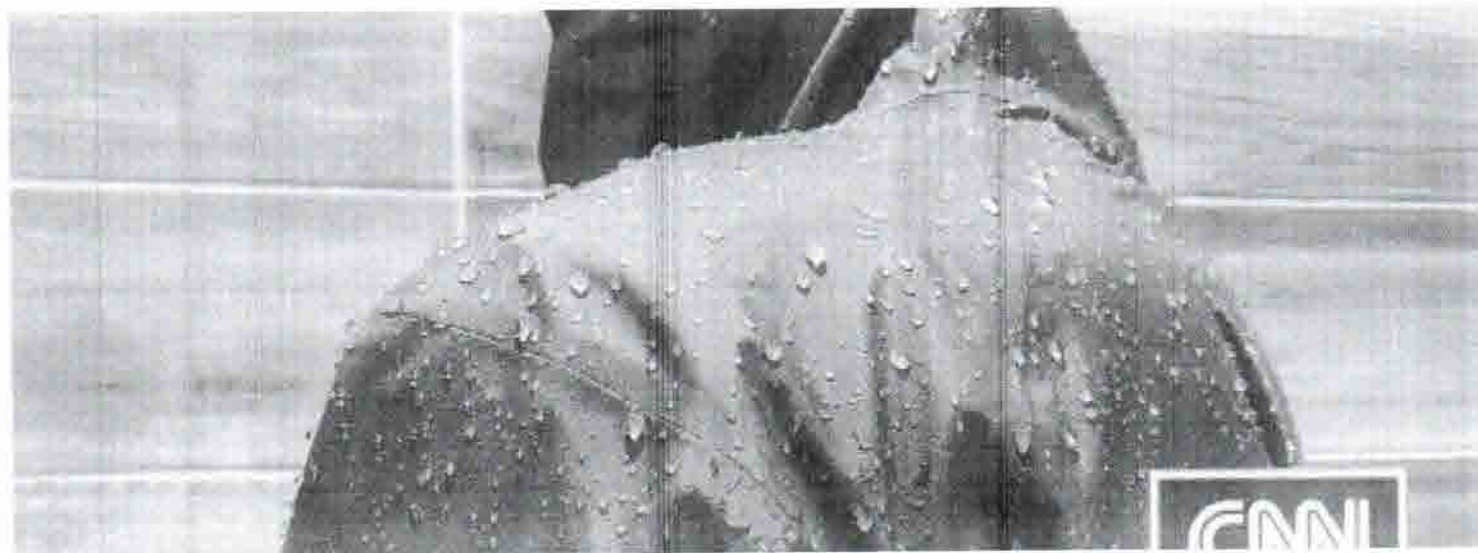
Rosanne Salvatore/CNN Underscored

To get the full backyard fire experience, you can also purchase accessories like [roasting sticks](#), [fire pit tools](#) and [color packs](#). A Solo Stove does not come with a built-in tabletop, but

you can [purchase a lid](#) to make the fire pit more functional when not in use. You can also [purchase a Yukon Ultimate Bundle](#), which includes eight accessories, including a lid, removable ash pan and shelter.

Rosanne Salvatore/CNN Underscored

More recommendations



TO: Ms. Roxanna Pecora, chair and Board Members
Town of Esopus Planning Board
1 Town Hall Way
Ulster Park, NY

FROM: David Krueger
8 Hudson Lane
Ulster Park, NY

Nearest cabin to my back deck is 300'.

I have been in construction building water and sewer projects as foreman or superintendent for 40 years – which simply means I am familiar with construction.

All of Hudson Lane and surrounding areas in Town of Esopus have partitioned Castlemore Holding Project.

1. This land and the surrounding land is R-40 residential where there are six houses and farm land adjacent property to commercial with special use permit would change the character of Hudson Lane and would create more traffic, lighting and noise.
2. The last contractor planned at first 15 houses, then 7 houses, and then the Planning Board only approved 4 or 5 houses (dwellings). So how could the Planning Board even think of approving 36 resort cabins (which are also dwellings) with a special use permit? If you compare bedrooms, they would be 3 times more than houses which would be 3 times more water (not counting jacuzzi), 3 times more sewer (not counting jacuzzi) that would require additional proper biological treatment.
3. Land disturbance is less than 10 acres for cabins if you exclude wet lands, steep slopes, and road entrance. The code for tourist cabins is 2 per acre, and that add up to 20 cabins, not 36 cabins.
4. Rock – Boiler Plate Rock (hard shale) runs across the top from north to south along the west side of proposed Driveway A. Rock is exposed on Hammerly property as well as in the orchard. When drilling, the well rock was found 5' down except it's on a 4' high grade. Between the well and the exposed rock would constitute a ridge line for the project. Shale is exposed near the top of all roads and driveways. Some 100' in length. Perceville excavated shale leaving a steep cliff where you intend to install the Lower stormwater management pond. Existing gradient bars don't show this cliff or the process of filling it up. NYS DEC requires road slopes of 12% or less. I'm sure this increase to 17% slope for first time drivers, and when roads get slippery from rain and snow and ice, should change your mind to stay at 12% grade. Although seasonal would

cancel winter conditions. Driveway profile drawings show a 7' cut in shale plus another 4' trench on each side for water and sewer. All excavated in shale.

5. Cabins #1 through #7, #26 and #36 are not built on level ground. Gradient bars show a 5' + difference from front of cabin to end of deck. Is the deck prop up holding the jacuzzi and fire pit with railing? I don't think you should build on slopes.
6. Last I heard cabins are fabricated in Spain. Whatever happened to Made-in-America?
7. Septic system was calculated at 5300 GPD. You reduce to 36 cabins and no 2 bedrooms so flow is about 4500 GPD. Can you imagine pumping a tanker truck every day in the leach field and expect it to work? The area in question 80' x 90' is only 3 times larger than my 3 bedroom house. Exploration for rock and perk test was not done in that area. I am sure NYS DEC will check the system out. My suggestion is a microfiltration plant.

How could the Board even consider changing from R-40 zoning to commercial zoning realizing that the existing houses are in compliance with R-40 and were not informed when purchasing and building that a commercial project would be allowed that will certainly devalue our properties?

Please leave public hearing open for future comments.

To : Town of Esopus Planning Board

Roxanne Pecora, Chairperson

Darin Dekoskie, Vice Chair

Board Members

Stephen Bailer

Chris Marta

David Mastny

Sal Morello, III

Mark Anderson (Alternate)

Fred Zimmer (Alternate)

9/16/2024

Dear Planning Board :

My name is Nathaniel Rahav and I am a resident of Hudson Lane. I am coming before you today to voice my concerns regarding the special use permit application for Castlemore Holdings at 38 Hudson Lane. I am especially concerned by the Operations Plan dated March of 2024, and the subsequent document named Guest Management Practices submitted to your Board on June 3 2024. These documents outline a very grandiose operating plan that presumes limitless labor resources to implement. However, I'm deeply worried that they will have difficulty executing this plan, and even if they manage to do so at the outset, they will face grave challenges sustaining it over time when (not if, but when) they are faced with economic hardship. The problems with this plan fall into 2 broad categories : The first is the carrying cost, and the second is the difficulty to implement.

Carrying Cost:

The Operations Plan lists on the table in Page 5 the following positions :

General Manager, Assistant General Manager , Operations Manager, Housekeeping Manager, Housekeeping Staff, Grounds / Site Manager, Grounds / Site Keeper, Marketing / Corporate Development. Those are 8 positions, 5 of which are managerial, and some of those roles such as Housekeeping Staff and Grounds Keeper, will require many more than 1 person. According to the Project Narrative submitted on 10/32/2023 Appendix 2, there were 12 full time positions mentioned.

Salary.com states that the average wage for Property Manager job in Ulster Park NY is 120,658. With 5 manager jobs, that's around 600k of payroll, plus 8 more jobs earning the average annual salary in Ulster County according to UlsterCountyNY.gov of 33.5k. That's about 850k of cost in payroll alone just to operate this place.

You may want to believe what Castlemore is claiming, that this will add jobs to the local economy and benefit the community, but I have a much bigger concern that the income being generated by this project will not sustain that kind of payroll. In fact, looking at the project's representations about staffing, I can only conclude that they haven't carefully thought about their business plan and are just saying what the Board wants to hear in order to obtain approvals.

In fact, the operational plan is so poorly defined and so unrealistic to execute, it makes it look like they are trying to play some kind of trick on us just to seek the approval of the Special Use Permit.

This brings me to my second point, **difficulty to implement** :

- The Guest Management Practices mentions "hourly patrols" with "increased staff monitoring during quiet hours" by on site staff. What exactly does that look like and how do we verify that it's being performed? Will there be additional staff patrolling the property all day and all night, every night and every day, on the hour? All year long? It seems preposterous.
- The guest management practices mentions "fines" or "removal" for guests who are violating policies such as "improper fire management", "excessive noise", or "damaging natural resources." But how can you "remove" someone from the site? It is against the law to use force. The Site Manager can of course ask somebody to leave, but what if they say no? Will they have to call on local police to remove rowdy guests? The only clue is in sec 1.4 of the operating plan : "Non compliance will result in the guest being on the permanent ban list". In other words, the only enforcement they really have is putting a guest on a "permanent ban list". Even this we cannot be sure of its enforceability.

These are just some of many examples of glaring holes in the Project's ability to enforce and implement their Guest Management Practices and Operating plan.

Now, putting together the high cost of operating and the challenges of enforceability, I would like to paint a sobering picture of this project: if the Planning Board's granting of a Special Use permit is predicated on the applicant's ability to execute an economically unrealistic and logistically unenforceable Operating Plan and Guest Management Practice, what happens when a tough winter, a slow summer, or internal operational challenges cause them to have to downsize their staff or change their business model? The Plan which granted them the Permit goes out the window, but the Cabins which were already built at great cost remain, with the owner, be it Yan or some successor, attempting to adaptively reuse it for something else. Our community will be stuck with a problematic property where there are 36 1 bedroom "houses", a non conforming use, sitting on parcel that was not zoned for that. It compromises the safety, integrity, and use of the land for an entire neighborhood.

Planning board, I implore you to recognize the inherent risks, flaws, and problems in granting a SUP for this project as it is doomed to fail and create a catastrophe for the surrounding community. I'm all for development and improvement of the community but not this way.

I would also like to point out that S 123-46. Special use permits section C. Decision and findings, part 1, sub section e:

(e) That, in addition to the above, in the case of any use located in or directly adjacent to a residential district:

[1] The location and size of such use, the nature and intensity of operations involved in or conducted in connection therewith, its site layout and its relation to access streets shall be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be hazardous inconvenient or incongruous with said residential district or conflict with the normal traffic of the neighborhood.

Did the traffic study take into account the 12 on site staff that are coming and going twice a day to this property ? This is an operationally heavy project, too heavy for the small, narrow, dead end street that it is on. And if the operations are not heavy, it means that the project is failing, and the subsequent site is even more problematic for any other use.

I am very much for the development of this Town, but the projects have to make economic sense and be able to sustain themselves with resilience to changing economy and politics. This project, which relies so heavily on very intensive labor and operations to justify the use in a neighborhood where it doesn't fit, is very much looking like a failure before it even starts, and for that reason I demand that you see it for what it is, a poorly conceived concept with an even more poorly executed business model that won't be beneficial or sustainable for the community.

Thank you very much for your time and consideration

Sincerely,
Nathaniel Rahav

Date: 9/16/2024

To: Town of Esopus Planning Board Public Comment

Regarding: Castlemore Holdings Property/Hudson Hideaways, 38 Hudson Lane, Ulster Park, NY 12487

Good evening Planning Board Members,

My name is Caulie Brewer and I've lived at 11 Hudson Lane for the past 19 years.

Thank you for the letting me speak tonight about the proposed project at 38 Hudson Lane.

I'm very concerned about the negative effects to our neighborhood that I believe will happen if a commercial project like this is built on Hudson Lane.

There are many things about this project that are not a good fit for our neighborhood. What I'm going to talk about tonight is the negative impacts of the noise generated from this type of project that will destroy the quality of life I've enjoyed living on Hudson Lane for the past 19 years.

I sit on my front porch practically all year round and I listen to the birds and wildlife, I hear the trains and tugboats on the river – sound travels – we all know that – but these are peaceful sounds that are what make living in our neighborhood so tranquil and soothing. I love hearing them.

The noise impact study done by the developers said essentially this project would not generate more noise than is currently here in our neighborhood. How is that possible with 36 cottages and cabins housing guests upwards of 70 people – using hot tubs, sitting around fire pits, coming and going in and out of the property. It's completely unrealistic to say that noise from this project won't be any more than we have now – that doesn't even make sense...

I owned a business for 30+ years in this area so I'm not opposed to development and economic growth in Esopus and Ulster County. But development should be allowed at the expense of homeowners in a residential neighborhood who chose to live in those neighborhoods in the first place because of the peace and tranquility they provide.

Thankfully, our zoning codes offer protections to this type of commercial project in residential neighborhoods such as ours. As I understand the code for a special use permit, **it is not an as of right permit**. Projects that are approved with this type of permit have to fit into the surrounding residences and neighborhoods. Our code clearly states projects that apply for special use permits must not be detrimental and/or incongruous to adjacent properties and normal conditions of the neighborhood. This project does not meet those criteria.

These codes were written to protect homeowners in residential neighborhoods from just this type of large commercial project in their neighborhoods and destroying the quiet enjoyment of their homes and quality of life. They must be enforced.

Again, I thank all of the board members and really appreciate the work that you do to protect the residents of Esopus.

Sincerely,

Caulie Brewer
11 Hudson Lane
Ulster Park, NY 12487



Planning-Zoning Board

From: Erin Costanzo Cummins <erin.costanzo@gmail.com> on behalf of Erin Costanzo Cummins
Sent: Tuesday, September 17, 2024 2:32 PM
To: planning-zoning@esopus.com
Subject: Letter of support for Hudson Hideaway

Hello Planning Board,

I'm Erin Cummins and I'm a Kingston resident. I run a small meetup group for local entrepreneurs called the Product Market Fit meetup, which is where I met Derek last year.

The two biggest things we need in the Hudson Valley are housing and jobs. We all have friends and family who have left the area for lack of affordable apartments and good jobs.

Hudson Hideaway helps remove pressure from the housing market by providing options for short term stays, which should send less visitors to AirBnB. And they expect to create at least 10 full time jobs. That's why I came out last night--not just because I wanted to support a friend, but because I truly believe Hudson Hideaway is a win for the area.

Derek and Tommy have shown themselves to be incredibly present, collaborative and considerate of their neighbors, and I believe they will remain so as involved local business owners.

Thank you,

Erin

--

Erin Cummins
27 John St Apt 3
Kingston, NY 12401

[Hudson Valley Product Market Fit Meetup](#)

Planning-Zoning Board

From: Duane North Jr <duane6681@gmail.com> on behalf of Duane North Jr
Sent: Thursday, May 30, 2024 8:26 AM
To: Planning-Zoning Board
Cc: eclarke@esopus.com; kquick@esopus.com; lrobinson@esopus.com; dfreer@esopus.com; jgeuss@esopus.com
Subject: Castlemore Holdings Mima LLC., Hudson Hideaway SUP Application

May 30, 2024

To: Roxanne Pecora, Chair, and Members of the Town of Esopus Planning Board

CC: Danielle Freer, Supervisor, and Members of the Esopus Town Board

From: Duane North Jr. (Town of Esopus resident)

Subject: Castlemore Holdings Mima LLC (Yan project) SUP Application

Dear Town of Esopus Planning Board Members,

I write to you with great concern as a 4th generation resident and property owner (Raising the 5th generation) on a quiet, narrow, dead end road with minimal sight lines known as Hudson Lane. My property is 44 Hudson Lane which is the adjacent property East of the proposed access driveway of subject property. Please take the time to review my letter to the Highway Superintendent submitted on 1/16/2024, which can be found in the projects file. In addition to this letter, I have been following this process very closely to ensure my children's safety, my rights as a property owner within the TOE, and our neighborhood's value of life are not being infringed upon or put at risk. I have included what I believe to be significant information below pertaining to the proposed SUP and elements of zoning and planning that will have adverse effects on my property, my neighborhood, and will set a precedent for the rest of the Town of Esopus.

Article IX. Planning Board Town of Esopus – Chapter 123 Town of Esopus Zoning Law – Page 166 § 123-47. Site plan approval.

B. Objectives. In considering and acting upon site development plans, the Planning Board shall take into consideration the public health, safety and welfare, the comfort and convenience of the public in general and of the residents of the immediate neighborhood in particular, along with low-impact and energy efficient siting, design and construction approaches, and may prescribe appropriate conditions and safeguards as may be required in order that the result of its action may, to the maximum extent possible, further the expressed intent of this chapter and the accomplishment of the following objectives in particular. [Amended 8-19-21 by L.L. No. 8-2021]

2023-19-88

(1) That proposed traffic accesses and ways are adequate but not excessive in number, adequate in width, grade, alignment and visibility, not located too near street corners or other places of public assembly and conform to similar safety considerations.

Subject property utilizes Hudson Lane for access, which has in sufficient width and visibility to support transient and commercial traffic. Road width varies between 18'-19' with unsafe sight stopping distances per AASHTO standards as well as town highway standards. See formal notice of unsafe conditions submitted to the Highway department in January 2024. A copy is included in the projects town file. Our children walk to and from the bus stop, which is at the corner of River Rd and Hudson Lane. This corridor of roadway would be the same narrow space used for transient and commercial traffic to access the SUP applied for by 38 Hudson Lane. No sidewalks, very limited sight lines, and a paved surface insufficient to hold 2 way vehicle traffic and pedestrians. This needs to be considered, SUP approval will constitute negligence by the Town. Planning board should determine if Hudson lane meets highway standards according to Chapter 88 in town code and/or AASHTO safety standards.

(4) That all existing trees, wooded areas, watercourses and other natural features shall be retained to the maximum extent possible consistent with the development plan. Especially important is the creation of a visual and/or noise deterring buffers between the applicant's and adjoining lands, utilizing the maximum retention of existing vegetation where feasible. [Amended 8-19-21 by L.L. No. 8-2021].

To what extent does this apply? Is the land being constructed to meet the use, or is the use being constructed to meet the land?

(5) That project will provide for safe pedestrian access and circulation, with appropriate sidewalks, walkways, or trails connecting to adjacent or nearby uses, were applicable. [Added 8-19-21 by L.L. No. 8-2021]

There are no sidewalks, walkways, or trails connecting to adjacent or nearby uses.

(8) Compatibility of building design with existing characteristics of the neighborhood, including consideration of nearby historic or architecturally significant properties. [Added 8-19-21 by L.L. No. 8-2021]

There are exactly zero manufactured homes or "cabins" in the neighborhood.

(11) That the project takes into consideration the need to protect adjacent neighboring properties against noise, unsightliness or other objectionable features and complies with Chapter 96, "Property Maintenance Law of the Town of Esopus." [Added 8-19-21 by L.L. No. 8-2021]

Noise:

-Site plans continue to suggest that there is no intent to respect the rights of adjacent properties subject to noise disturbance. Maximums continue to be the baseline threshold and do not factor in how quiet the existing conditions are nearby. Creditable onsite tests must be conducted at the

property line of each adjacent property, developed or undeveloped land that may be developed in the future as of right.

-Paved surfaces are appropriate when considering noise impact. Proposed site plan contains a gravel road entrance, which is inappropriate for the use. I understand that Wetland buffers do not allow paved surfaces, however that is not and can not be made my problem.

Air Pollution:

-Gravel roads in dry conditions create a plume of dust, under previous ownership the existing gravel driveway would fill my yard with dust when used by a single vehicle or ATV.

-39 fireplaces? There is no way smoke and odor can be eliminated and become undetectable at the property line. Planning board should consider what the predominant wind direction is for the area to identify how this may effect adjacent properties. This is not equivalent to an occasional campfire of the local residents, this is 39 of them, all day, every day.

Screening:

-At this time, the applicant states to be open year round. As a note, 6 months of the year there are no leaves on trees. Very few evergreen trees are included in the landscaping plan which provide year round screening. Regardless of the operation timeline, Screening should be provided to protect views from adjacent lands during all seasons. The amount of glass on the proposed structures will emanate heavy glare at sunrise and sunset onto adjacent lands including the Dutchess county side of the Hudson River, this should be further evaluated. As noted by the Waterfront Advisory board, subject property lies within the SASS region, this property also contains direct views to the Dutchess county side of the Hudson river waterfront.

-current site plan is missing adjacent houses. 34 Hudson lane property has the barn on the site plan, but the house located near the entrance of subject property has been omitted. The homes within 300' of the property line across the street are not included, planning board is unable to assess the impact to these properties without them being included to the site plan.

(14) That all proposed signs are designed and installed in accordance § 123-21, "Signs." [Amended 8-19-21 by L.L. No. 8-2021]

The road side sign shown on the existing site plan is located passed the entrance (Dead end road coming from with arrival from one direction), this will lead to unwelcomed utilization of my driveway to turn around after having missed the entrance. I understand and respect the 20' setback requirements, but this conflict is avoidable and that of the property owner. The degradation of my driveway is of concern as well as headlights/ brake lights that is currently not an existing issue.

Article XII. Definitions:

Zoning does not provide a definition of "Cabins" or "Cottages". The Planning board should determine whether the proposed structures actually align with common definitions of Cabins or

cottages to qualify as a Summer Cottage Colony or Tourist Cabins. I've done plenty of research, all of my findings show that they do not. These structures do however meet the definition of manufactured homes, which courts are not permitted on subject property. A determination that the proposed structures constitute "Cabins" would set a precedent which may be detrimental to the Town of Esopus. This is a determination that must be made by the Planning Board.

MANUFACTURED HOME

A factory-manufactured dwelling unit built on or after June 15, 1976, and conforming to the requirements of the Department of Housing and Urban Development (HUD), Manufactured Home Construction and Safety Standards, as amended,, transportable in one or more sections that, in the traveling mode, is eight feet [2,438 millimeters (mm)] or more in width or 40 feet (12,192 mm) or more in length or, when erected on site, is 320 square feet (29.7 square meters) minimum, and that was built on or after June 15, 1976 on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes plumbing, heating, air conditioning, and electrical systems contained therein. The term "manufactured home" shall also include any structure that meets all the requirements of this definition except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the federal Department of Housing and Urban Development and complies with the standards established by the National Manufactured Housing Construction and Safety Act of 1974, as amended. The term "manufactured home" shall not include any self-propelled recreational vehicle. For the purposes of this chapter, a manufactured home that is affixed to a permanent foundation and conforms with the identical development specification and standards, including general aesthetic and architectural standards, applicable to conventional, site-built one-family homes in the residential district in which the manufactured home is to be site, shall be deemed to be a conforming onefamily dwelling. Also for the purposes of this chapter, a modular home, as defined herein, is not considered a manufactured home. [Added 11-19-2009 by L.L. No. 11-2009. Amended 8-19-21 by L.L. No. 8-2021]

MANUFACTURED HOME COURT A parcel of land under single or common ownership and management on which two or more manufactured homes are occupied or intended to be occupied as residences. [Added 11-19-2009 by L.L. No. 11-2009]

Castlemore Holdings LLC.'s Application proposed "Cabins" meet the definition of Manufactured Homes and would meet the criteria of a Manufactured Home Court as temporary residences. I understand that much of what follows below may be irrelevant to this application, however it shows how this proposed SUP has been falsely identified as a "Summer Cottage Colony" and how basic and ambiguous the zoning code is. This presents a greater challenge for the Planning Board to enforce, uphold, and protect the rights of all TOE residents.

§ 123-17. Manufactured homes and manufactured home courts.

[Amended 11-19-2009 by L.L. No. 11-2009. Amended 8-19-21 L.L. No. 8 of 2021]

A. Purpose. It is the purpose of this section to promote the health, safety and welfare of the inhabitants of the Town of Esopus and regulate the maintenance of manufactured (or trailer) homes

and manufactured home (or trailer) courts within the Town of Esopus and to prescribe regulations for said courts, to regulate the parking and location of trailers with the Town of Esopus and require that manufactured home courts within the Town of Esopus be laid out and constructed in accordance with approved plans.

Traffic generation poses threat to the safety of pedestrians on Hudson lane due to limited road widths (18-19' of paved surface) and limited sight lines.

B. General regulations applying to all manufactured homes.

(2) Manufactured home standards. Only manufactured homes which are certified as meeting the Manufactured Home Construction and Safety Standards of the United States Department of Housing and Urban Development and also as meeting relevant provisions of the Town of Esopus Building Construction Code and Fire Prevention Code 2 are permitted for occupancy and only on individual lots or in approved manufactured home courts in the Manufactured Home Overlay District.

Subject property is NOT in the Manufactured Home Court Overlay Zone.

C. Individual manufactured homes. A manufactured home may be permitted as a one-family dwelling unit outside of the Manufactured Home Overlay District pursuant to § 123-10, "Scheduled of Permitted Use Regulations" and in accordance with this section. [Added 8-19-21 by L.L. No 8-2021]

(1) The manufactured home shall be a minimum of 18 feet in width.

31 proposed structures are less than 18ft in width

E. Design standards and regulations for manufactured home courts.

(1) Court site.

(a) Minimum size. No manufactured home court shall be established, maintained, operated or conducted within the Town of Esopus, on any lot or parcel of land except in the Manufactured Home Overlay Zone, and then only on a lot or parcel of land with an area of five acres or greater.

Subject property is NOT in the Manufactured Home Court Overlay Zone.

(b) Frontage and access. A manufactured home court site shall have a minimum frontage of 150 feet and direct access onto a state highway, county road or onto a Town highway that is designated as a collector street in the Comprehensive Plan and/or Official Map. Each manufactured home court containing 50 or more manufactured sites shall have at least two access points onto the public highway system. All access points shall be well marked and so arranged as not to constitute a traffic hazard.

Subject property does not have direct access to state highway, county road, or onto a Town Highway collector street in the Comprehensive Plan.

(c) Exterior site buffering. Each manufactured home court site shall have a landscaped area of at least 20 feet wide along exterior lot lines and street lines, suitably planted and maintained to provide visual screening from adjacent properties

Current site plan does not meet this criteria

(2) Court plan. Each manufactured court constructed, altered or extended after the effective date of this chapter shall be marked off into manufactured plots numbered consecutively, the number being conspicuously posted on each plot. Each plot shall be in conformance with the requirements below.

(a) Minimum plot size.

[1] Where the Manufactured Home Overlay District is mapped in the R-12 District, no manufactured home shall be located on a plot of less than 5,000 square feet in area and have less than 50 feet of frontage on an interior access road, where municipal sewer and water are available. Where only municipal water is available, the minimum plot size shall be 7,500 square feet, and minimum frontage on an interior access road shall be 75 feet.

Subject Property is NOT in R-12 District, nor is it plotted, nor does it meet interior access road frontage requirements on the site plan.

[2] Where the Manufactured Home Overlay District is mapped where there is no municipal sewer or water, no individual manufactured home plot shall be less than 15,000 square feet in area and have less than 100 feet of frontage on an interior access road.

Site Plan does not meet this requirement.

(c) Setbacks.

[1] Each manufactured home shall be at least 30 feet from any other manufactured home. In computing these setbacks, fully enclosed lean-tos, auxiliary rooms and similar accessories connected to the manufactured home shall be considered as part of the manufactured home.

Monitor item, it is unclear if these requirements are met

[3] Each manufactured home shall be at least 20 feet from any interior access road.

Current site plan does not meet these requirements.

(d) Parking spaces. The number and dimensions of off-street parking spaces shall conform to the requirements of § 123-26 of these regulations. Parking spaces shall be located no closer than 10 feet from any access road and shall be sealed with a dust-free surface.

Current site plan does not meet these requirements.

(e) Interior access roads. All driveways or interior roadways shall be at least 50 feet wide, of which at least 30 feet shall be hard surfaced, well-marked in the daytime and lighted at night and so located that each court unit is readily accessible.

Current site plan does not meet these requirements.

(g) Recreation area. A usable area set aside exclusively for recreation shall be provided within the manufactured home court and shall be equal in area to 200 square feet for each home court unit.

Monitor item, it is unclear how these requirements are being met

SUMMER COTTAGE COLONY (ALSO BUNGALOW COLONY, TOURIST CABINS OR COTTAGES) A group of two or more detached buildings on a single lot, each building with its own dwelling unit with a separate entrance and its own parking space, designed for seasonal occupancy and not more than one of which is used for the purpose of all-year-round residence, which premises does not contain a public lobby or dining rooms serving guests. The term "summer cottage colony" includes bungalow or cabin colonies, tourist cabins or tourist courts, but does not include a mobile home park, trailer camp, boardinghouse, hotel, motel, tourist home or bed-and-breakfast establishment.

"Designed for Seasonal Occupancy", The proposed use is being designed for short term occupants, not for Seasonal occupants.

With Occupancy and Commercial use being a factor of use, Businesses shall also meet specific NYS tax code requirements, applicant should provide which category and tax code it will be filed as.

I have endured enough of this process to understand that in no way can this project be considered cohesive, safe, or desirable to our quiet and peaceful neighborhood. I respect the process, your guidance, your established duties, your time, and your consideration of this matter.

Thank you kindly,

Duane North Jr.

44 Hudson Lane

Ulster Park, NY 12487

DATE: May 6, 2024

TO: Roxanne Pecora, Chair, and Members of the Town of Esopus Planning Board

CC: Danielle Freer, Supervisor, and Members of the Town of Esopus Board

FROM: Thomas C. Barron, resident, Town of Esopus

SUBJECT: Comment on Castlemore Holdings Mima, LLC March 2024 Summer Cottage Colony Business Plan Financials in its application for a Special Use Permit

Dear Members of the Town Planning Board:

I am a 31-year resident of Esopus, living at 50 Appletree Road. I have 35 years of business experience with McKinsey, KPMG, Dun & Bradstreet, and the Church Pension Group, in reviewing and managing business plans across the financial industries.

Based on my expertise, I am writing to comment on the March 2024 Business Plan submitted by Castlemore Holdings Mima, LLC/Hudson Hideaways as part of its application for Special Use Permit. The comments here are based on that Plan's financial figures. These show that on an 8-month operating basis, the Castlemore Summer Cottage Colony, aka Tourist Cabins, will not be economically viable.

Grant of a Special Use Permit

The Castlemore Summer Cottage Colony/Tourist Cabins is not permitted "as of right" in the R40 District please refer to *Chapter 123-61 Article XII. Definitions in the Town of Esopus Zoning Law. Generally speaking, the financial viability of a permitted use wouldn't be an issue considered by the Planning Board. However, all of the conditions which will be imposed on the Castlemore use to reduce its impact to a level consistent with its development on an "as of right" basis require that its business model succeed.

If the model fails economically, the Special Use Permit will fail. It is our conclusion is that this is what will happen.

Zoning Board of Appeals (ZBA) Determination

Town Code concerning a "seasonal" Summer Cottage Colony/Tourist Cabins enterprise was defined by the ZBA as one limited to 8 contiguous months of operation. The Appeals Board voted this definition at its March meeting. It is not 12 months as proposed by Castlemore and previously approved by the Code Enforcement Officer. Thus, the financial figures – revenues and operating expenses in the March Plan - would have to be significantly adjusted.

2023-19-67

Financial Issues

Even after even radical expense reductions, Castlemore will suffer significant losses:

1. Revenue forecasts are ambitious (see Chart 1); average rents per night of \$300 at 50%-60% occupancy rates are only marginal enough to cover their total expenses.
2. Total expenses of over \$1.6 million are very high for an 8-month business operation (Chart 2), and radical reductions would negatively affect Policy assurances made in its March Operating Plan (see Expense Categories in Chart 3).
3. Fixed Costs are extremely high for this project:
 - Approximately a \$10 million 20-year mortgage @8% = \$800,000 annual payment
 - Maintenance and Capital reserves add another \$200,000+ expense per year

Thus, even if Castlemore could cut one-third of its Plan operating expenses it would still lose \$330,000 at a 55% occupancy rate (Chart 4).

Other Castlemore Business Plan Issues

Their Plan omits a number of standard components of a P&L that otherwise would detail future-looking financials: income statement, balance sheet, and cash flow projections, competitor pricing, sources of mortgage/other capital, management's prior project experience.

Consequences of Economic Failure

If Castlemore is permitted to go forward with this Special Use Permit, the result of financial failure would be devastating for several reasons. There would be an irreversible negative impact for the environment, land, neighborhood and the Town, including but not limited to potential squatters and vandals with 40 (39 "cabins" and the apartment) unoccupied dwelling units.

I welcome the opportunity to answer any questions.

Sincerely,



Thomas C. Barron

50 Appletree Road

Esopus, NY 12429

Email: tcbarron@gmail.com; Telephone: 845-384-6703

- 123-61 Town of Esopus Zoning Law Article XII. Definitions- Special Use Permit: "A use of property that is basically appropriate to a given zoning district, but which may be incompatible in some locations within the district and therefore is not permitted by right everywhere within such a district. A conditional permit use, therefore, is one which is allowable only when specified facts and conditions are found to exist."

CASTLEMORE HOLDINGS MIMA LLC 12-MONTH "P&L"

(Data provided from Castlemore's March 2024 Business Plan)

Maximum Monthly Occupancy Revenue = \$356,439 (39 cabin units x \$300 Revenue/night x 30.4 Average Days in a Month)

OPERATING REVENUE	OCCUPANCY RATE				65% NOTES
	45%	50%	55%	60%	
Monthly Occupancy Revenue	\$160,486	\$178,318	\$196,149	\$213,981	\$231,913
Monthly Ancillary Revenue	\$20,863	\$23,181	\$25,499	\$27,818	\$30,136
	\$181,349	\$201,499	\$221,649	\$241,799	\$261,949
ANNUAL (12-MONTH) REVENUE	\$2,176,189	\$2,417,988	\$2,659,787	\$2,901,586	\$3,143,385
OPERATING EXPENSE					
Monthly Expense	\$132,295	\$132,295	\$132,295	\$132,295	\$132,295
ANNUAL 12-MONTH EXPENSE	\$1,587,539	\$1,587,539	\$1,587,539	\$1,587,539	\$1,587,539
ANNUAL NOI (Net Operating Income)	\$588,650	\$830,449	\$1,072,248	\$1,314,047	\$1,555,846
FIXED COSTS					
Annual Debt Payment	(\$792,695)	(\$792,695)	(\$792,695)	(\$792,695)	(\$792,695)
Maintenance & Capital Reserves	(\$175,500)	(\$195,000)	(\$214,500)	(\$234,000)	(\$253,500)
SubTotal	(\$968,195)	(\$987,695)	(\$1,007,195)	(\$1,026,695)	(\$1,046,195)
INCOME/(LOSS)					
"FCF" (free cash flow)	(\$379,544)	(\$157,245)	\$65,053	\$287,352	\$509,651

13%=Business Plan assumption

CASTLEMORE HOLDINGS MIMA LLC 8-MONTHS "P&L"

(Data provided from March 2024 Business Plan, adjusted for 8-Months Operations)

Maximum Monthly Occupancy Revenue = \$356, 439 (39 cabin units x \$300 Revenue/night x 30.4 average days in a month)

OPERATING REVENUE	OCCUPANCY RATE					NOTES
	45%	50%	55%	60%	65%	
12 Month Operating Revenue	\$2,176,189	\$217,988	\$2,659,787	\$2,901,586	\$3,143,385	
8-months Operating Revenue	\$1,451,518	\$1,611,992	\$1,773,192	\$1,934,391	\$2,095,590	2/3 of 12 months
OPERATING EXPENSE						
12-month expense	\$1,587,539	\$1,587,539	\$1,587,539	\$1,587,539	\$1,587,539	Must "calendarize"
8 months Ulster Co. 4% tax	\$34,231	\$57,062	\$62,768	\$68,474	\$74,180	4% tax on Occupancy
TOTAL EXPENSE	\$1,621,770	\$1,644,601	\$1,650,307	\$1,656,003	\$1,661,719	
8-MONTH NOI (Net Operations Income)	(\$170,252)	(\$32,609)	\$122,885	\$278,378	\$433,871	
FIXED COSTS						
Annual Debt Payment	(\$792,695)	(\$792,695)	(\$792,695)	(\$792,695)	(\$792,695)	20-year 8% mortgage
Maintenance & Capital Reserves	(\$175,500)	(\$195,000)	(\$214,500)	(\$234,000)	(\$253,500)	
Sub-Total	(\$968,195)	(\$987,695)	(\$1,007,195)	(\$1,026,695)	(\$1,046,195)	
INCOME/(LOSS)	(\$1,138,447)	(\$1,020,304)	(\$884,310)	(\$748,317)	(\$612,324)	
"FCF" (free cash flow)						

CASTLEMORE HOLDINGS MIMA LLC CATEGORIES OF TOTAL ANNUAL EXPENSE

(Data provided from March 2024 Business Plan)

Category	Annual Expense
Payroll	\$600,000
Marketing	\$187,000
Maintenance & Supplies	\$211,000
Utilities	\$ not identified
Insurance	
Professional fees (eg. Legal)	"
Property taxes (Town and School)	"
Payment Processing	"
Software & storage	"
Telecommunications	"
Web Service	"
Waste Management	"
Travel & other	"
Recruitent & training	"
Business Plan Total	\$1,587,539
Ulster County Occupancy Tax	\$106,391
12-MONTH TOTAL EXPENSE	\$1,693,930

CHART 4

COMPARISON OF 12-MONTH vs 8 MONTHS "P&Ls" AT 55% OCCUPANCY RATE *

	Column 1 12-month	Column 2 8-months	Column 3 8 months at "1/3 Lower Expense"
OPERATING REVENUE			
Monthly Occupancy	\$196,149	\$130,766	\$130,766
Monthly Ancillary Revenue	\$25,499	\$17,000	\$17,000
Total Revenue	\$221,649	\$147,766	\$147,766
ANNUAL REVENUE	\$2,659,787	\$1,773,192	\$1,773,192
OPERATING EXPENSE			
Annual Expenses	\$1,587,539	\$1,587,539	\$958,359 at 1/3 lower
Ulster Co. Occupancy Tax	\$106,391	\$62,768	\$41,845
Total Expense	\$1,693,930	\$1,650,297	\$1,100,204
ANNUAL NOI (Net Operating Income)	\$965,857	\$122,895	\$672,988
FIXED COSTS			
Annual Debt Payment	(\$792,695)	(\$792,695)	(\$792,695)
Maint. & Capital Reserves	(\$214,300)	(\$214,300)	(\$214,300)
Sub-Total	(\$1,007,195)	(\$1,007,195)	(\$1,007,195)
NET INCOME/(LOSS)			
"FCF" (free cash flow)	(\$41,338)	(\$884,300)	(\$334,207)

*Castlemore Business Plans (2023 and 2024) stated that their occupancy rate is likely to be in the 50% to 60% range; with a 55% mid-point.

DATE: May 6, 2024

TO: Roxanne Pecora, Chair, and Members of the Town of Esopus Planning Board

CC: Danielle Freer, Supervisor, and Members of the Town of Esopus Board

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