

ULSTER COUNTY PLANNING BOARD
Minutes – Wednesday, August 3, 2022

The Ulster County Planning Board Meeting 7:00 p.m.

REMOTE MEETING ONLY - WEB or CALL IN ONLY

Join Zoom Meeting: Webinar ID: 875 6300 3273 Password: 834223

MEMBERS OF THE PUBLIC ARE INVITED TO LISTEN IN

The Executive Committee did not meet

Chairman Boggess called the meeting to order and Mr. Leibowitz read the roll call

- 1. ROLL CALL – Present:** R. Pecora, G. Gidaly, M. Cohen, S. McCarthy, H. Hansen, C. Lanzetta, M. Calimano, D. Boggess, T. Wilkin, M. Baden, J. Brown, S. Hubbard, M. Watkins, V. Markowitz, W. Murray, V. McLaughlin, D. Doyle, R. Leibowitz, B. Samuelson **Excused:** A. Gotto, J. Ferraro, V. Welton, F. Almquist, M. Rudikoff, R. Travers
- 2. APPROVAL OF MINUTES**
The July minutes were approved. Motion made by Mr. McLaughlin, seconded by Mr. McCarthy. All were in favor.
- 3. EDUCATION & TRAINING OPPORTUNITIES**
No Report
- 4. COMMUNITY REPORTS**
Mr. Boggess informed the Board that the Fire Department in Boiceville is moving to a new location closer to Kingston and added that construction started today. He noted that the Town of Olive began phase one of the Comprehensive Plan by doing community outreach for input. Mr. Boggess added that the Town has also applied for a CFA grant with the State for 2nd phase of the Comp Plan.
- 5. PLANNING BOARD REPORTS**
 - a. Chairperson Report – No Report
 - b. Committee Reports – No Report
- 6. PLANNING DEPARTMENT REPORTS**
 - a. Financial Report
Mr. Doyle stated we are still in the budget process and noted there have been a lot of questions as to what is happening with housing. He added the housing committee met today to have that discussion. Mr. Doyle informed the Board that the UCTC is finishing the vulnerability study, starting the Route 9W corridor study and are negotiating with a consultant regarding the rail safety study. He added that we are hoping to start work on the Kingston Rail Trail before fall. Mr. Doyle stated we've received contracts and other paperwork in order to start work in Shandaken as well.

Mr. Baden asked how the new Senior Planner was doing and added we would like to have him at a meeting one night. Mr. Doyle stated that he is doing very well. He added that we will be rolling out the Housing Smart website in September so it would be good for him to come and discuss with the Board in September or October.
 - b. Environmental Notice Bulletin & Grant Opportunities– No Member Comment

KEY: (f) = handout will be in folder at meeting
(m) = handout included in the mailing

- c. Communications – *No Member Comment*
- d. Director/Staff Reports – See Financial Report

7. SPECIAL TOPICS DISCUSSION

- Town of Hurley Planning Board Court Decision

Mr. Doyle informed the Board that this discussion is regarding the proposed Dunkin' Donut project at the corner of Routes 375 & 28 in the Town of Hurley. A gateway meeting was conducted when this Board first reviewed it and had a second discussion after receiving a response from the applicant. Members of the Hurley Planning Board and representatives from NYSDOT were in attendance amongst others. The Town denied the application unanimously and the applicant took the community to court. The court's decision said there wasn't a substantial record developed by the local board for the denial. The judge indicated that the second gateway meeting was trying to circumvent the open meeting law and the judge was not happy. The court also noted it was concerned that there were no minutes, agenda or announcement, and considered it an illegal meeting. Mr. Doyle stated there has been a firestorm of concern as to where the judge was coming from and we are waiting for the County Attorney's final opinion. Mr. Doyle informed the Board that we have received opinions from other attorneys stating if there is no quorum of any board present, you don't have a meeting. If there is no meeting, there is no violation of open meetings law. Mr. Doyle added that we want to be sure that when we have a gateway meeting in the future, we do not have a quorum of any board and have a sign-in sheet that reflects that. Mr. Doyle noted that we may not want to call it a meeting, maybe a Gateway Agency Review. He added that it is okay to have gateway meetings per the County Attorney and NYSDOT will attend unless directed not to. Mr. Doyle informed the Board that if the decision is not challenged and this becomes an accepted case, it will not only affect our meetings, but others as well. Chairman Boggess asked if it would be appropriate for the County Attorney to contact the judge. Mr. Doyle answered that the town needs to appeal the case since the decision was directed at the town. He added that if the town appeals the case, then the County could file an amicus brief with the appellate court and explain how gateway meetings function.

8. PUBLIC COMMENT

No Public Comment

9. ZONING REFERRALS – *See Separate Zoning Minutes*

10. ADJOURNMENT

The meeting adjourned at 9PM. All were in favor.

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8/3/2022

Esopus

Referral Number **2022137** Received: 7/13/2022
Name: **Camping in the Waterfront Zone** Type of Referral: **Zoning Statute Amendment**
Description: Permit camping at marinas, boatyards, and campgrounds as a special permit.
Project Location: Waterfront District
Recommendation: **Required Modifications** Abstentions:
Motion: Cohen
Second: Baden
Vote: Yes No Recusals: Pecora

Kingston City

Referral Number **2022150** Received: 8/1/2022
Name: **Golden Hill** Type of Referral: **Zoning Map Amendment**
Description: Rezone from RRR to O-2 for multi-generational housing development.
Project Location: 63 Golden Hill Drive
Recommendation: **Required Modifications** Abstentions:
Motion: McLaughlin
Second: McCarthy
Vote: Yes No Recusals:

Kingston Town

Referral Number **2022136** Received: 7/8/2022
Name: **Local Law # 2 of 2022** Type of Referral: **Other Special Authorization**
Description: New chapter - "fees"
Project Location: Townwide
Recommendation: **No County Impact** Abstentions:
Motion: McCarthy
Second: Baden
Vote: Yes No Recusals:

Marlborough

Referral Number **2022133** Received: 7/25/2022
Name: **Marlboro Bayside** Type of Referral: **Site Plan Review**
Description: Site plan amendment removing no blasting restriction to excavate rock for 104-unit apartment complex project.
Project Location: 18 Birdsall Ave
Recommendation: **Required Modifications** Abstentions:
Motion: Watkins
Second: Baden
Vote: Yes No Recusals: Lanzetta

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Marlborough

Referral Number **2022139** Received: 7/12/2022
Name: **Zoning Amendments** Type of Referral: **Zoning Statute Amendment**
Description: Miscellaneous zoning amendments.
Project Location: Townwide
Recommendation: **Required Modifications** Abstentions:
Motion: Watkins
Second: McLaughlin Recusals:
Vote: Yes No

New Paltz Town

Referral Number **2022138** Received: 7/12/2022
Name: **Culinarian Home** Type of Referral: **Site Plan Review**
Description: Addition of generator to existing site plan
Project Location: 71 Old Tschirky Rd
Recommendation: **No County Impact** Abstentions:
Motion: Baden
Second: Watkins Recusals:
Vote: Yes No

New Paltz Village

Referral Number **2022132** Received: 7/11/2022
Name: **Manheim Mews (Harmony Hall)** Type of Referral: **Area Variance**
Description: Height variance. 37' 5" at peak height where 30' is allowed.
Project Location: 52-54 S. Manheim Blvd
Recommendation: **No County Impact** Abstentions:
Motion: Baden
Second: Watkins Recusals: Murray
Vote: Yes No

Rochester

Referral Number **2022142** Received: 7/25/2022
Name: **Local Law J of 2022** Type of Referral: **Zoning Statute Amendment**
Description: Amendments to administration and enforcement of the zoning statute
Project Location: Townwide
Recommendation: **No County Impact** Abstentions:
Motion: Watkins
Second: Cohen Recusals: Baden
Vote: Yes No

Rochester

Referral Number **2022143** Received: 7/25/2022
Name: **Local Law K of 2022** Type of Referral: **Zoning Statute Amendment**
Description: Amendment to special permit and site plan review procedures
Project Location: Townwide
Recommendation: **Required Modifications** Abstentions:
Motion: Cohen
Second: McCarthy Recusals: Baden
Vote: Yes No

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Rochester

Referral Number **2022144** Received: 7/25/2022
Name: **Local Law L of 2022** Type of Referral: **Zoning Statute Amendment**
Description: Amendment to sand, gravel, and quarrying operations
Project Location: Townwide
Recommendation: **Required Modifications** Abstentions:
Motion: Watkins
Second: Cohen
Vote: Yes No Recusals: Baden

Rochester

Referral Number **2022145** Received: 7/25/2022
Name: **Local Law M of 2022** Type of Referral: **Zoning Statute Amendment**
Description: Commercial Events facilities
Project Location: Townwide
Recommendation: **No County Impact** Abstentions:
Motion: McCarthy
Second: McLaughlin
Vote: Yes No Recusals: Baden

Rochester

Referral Number **2022146** Received: 7/28/2022
Name: **Local Law N of 2022** Type of Referral: **Zoning Statute Amendment**
Description: Accessory uses
Project Location: Townwide
Recommendation: **No County Impact** Abstentions:
Motion: McLaughlin
Second: McCarthy
Vote: Yes No Recusals: Baden

Saugerties Town

Referral Number **2022148** Received: 7/28/2022
Name: **Terramor Catskills** Type of Referral: **Special Permit**
Description: 50-unit glamping campground including wellness center, activity lawns, pool, and facility operations,
Project Location: Route 212/Cottontail Lane
Recommendation: **Required Modifications** Abstentions:
Motion: Baden
Second: McLaughlin
Vote: Yes No Recusals: Hubbard

Saugerties Town

Referral Number **2022149** Received: 7/28/2022
Name: **Terramor Catskills** Type of Referral: **Site Plan Review**
Description: 50-unit glamping campground including wellness center, activity lawns, pool, and facility operations,
Project Location: Route 212/Cottontail Lane
Recommendation: **Required Modifications** Abstentions:
Motion: Baden
Second: McLaughlin
Vote: Yes No Recusals: Hubbard

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Shawangunk

Referral Number **2022147** Received: 7/28/2022
Name: **Local Law 5 of 2022** Type of Referral: **Zoning Statute Amendment**
Description: Miscellaneous zoning updates
Project Location: Townwide
Recommendation: **Required Modifications** Abstentions:
Motion: McLaughlin
Second: Baden
Vote: Yes No Recusals: Watkins

Wawarsing

Referral Number **2022134** Received: 7/13/2022
Name: **Daycare Law** Type of Referral: **Zoning Statute Amendment**
Description: Add daycare and nursery school as special use in RU district
Project Location: RU District
Recommendation: **No County Impact** Abstentions:
Motion: McCarthy
Second: McLaughlin
Vote: Yes No Recusals:

Wawarsing

Referral Number **2022135** Received: 7/13/2022
Name: **Zoning Law Amendments** Type of Referral: **Zoning Statute Amendment**
Description: Add place of worship to RP zone, expand BH zone and RS-1 zone.
Project Location: BH and RS-1 zones
Recommendation: **No County Impact** Abstentions:
Motion: McLaughlin
Second: Baden
Vote: Yes No Recusals:

Wawarsing

Referral Number **2022140** Received: 7/13/2022
Name: **Covelli** Type of Referral: **Area Variance**
Description: Minimum lot size variance as a result of subdivision/lot line change.
Project Location: 4100 Route 52
Recommendation: **No County Impact** Abstentions:
Motion: McCarthy
Second: Gidaly
Vote: Yes No Recusals:

Wawarsing

Referral Number **2022141** Received: 7/22/2022
Name: **Quality Services of the Northeast** Type of Referral: **Site Plan Review**
Description: Self-storage facility. Expansion of existing complex by 3 additional buildings.
Project Location: 8119-8121 Route 209
Recommendation: **No County Impact** Abstentions:
Motion: Baden
Second: Cohen
Vote: Yes No Recusals: