

**ULSTER COUNTY PLANNING BOARD**  
***Minutes – Wednesday, October 3, 2018***

The Ulster County Planning Board Meeting  
**7:00 p.m.** – Surrogate Courtroom, 3<sup>rd</sup> Floor  
County Office Building

**The Executive Committee Did Not Meet**

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

- 1. ROLL CALL – Present:** R. Pecora, L. Geary, J. Konior, P. Brooks, K. Lovelett, A. Gotto, D. Boggess, T. Wilkin, M. Baden, J. Brown, R. Hlavaty, V. Welton, M. Watkins, V. Markowitz, M. Rudikoff, J. Winer, W. Murray, V. McLaughlin, J. Bonavita-Goldman, G. Gagliardi, D. Doyle, R. Leibowitz, B. Samuelson **Absent:** D. Whitaker **Excused:** J. Leverich, C. Lanzetta, M. Calimano, F. Almquist **Guests:** Bryan Stumpf

**2. APPROVAL OF MINUTES**

Mr. Wilkin made note of a typo that was on page 4 of the September 5, 2018 minutes, which has been corrected.

The September minutes were approved as amended. Motion by Mr. McLaughlin, seconded by Mr. Konior. All were in favor.

**3. PUBLIC COMMENT**

No Public Comment

**4. EDUCATION & TRAINING OPPORTUNITIES**

Mr. Baden informed the Board that Dutchess County Planning Federation has three Fall Seminars coming up (e-mailed to Board) and he noted that Mr. Wilkin previously shared information on Orange County training with the Board.

Mr. Leibowitz stated that we will be having a training session on the Land Use Referral Process on Tuesday, October 9<sup>th</sup>. It is geared toward board secretaries, but anyone is welcome to attend for credit.

Mr. Wilkin noted the state usually offers online sessions in December. Mr. Lovelett added that Pace Law Center also has online training.

Mr. Doyle asked if anyone went to the seminar put on by the Citizens for Local Power. Mr. Brooks stated that it was a webinar and added that he checked with Pace University and there is no model zoning for a small utility projects.

**5. COMMUNITY REPORTS**

Mr. McLaughlin stated the Village of Saugerties abandoned its efforts to change parking rules in municipal lots due to objections of residents in the business district. A change to overnight parking rules was also shelved. Mr. McLaughlin added that the police are finding it difficult to enforce parking in municipal lots due to a lack of statutes.

Mr. Baden informed the Board that the Town of Rochester is building two Community Solar Projects on Town land and added they are likely to begin construction on the Route 209 property in next 2 weeks as NYSDEC has agreed to closeout the mining

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

permit for that area. Mr. Baden stated they are still waiting for bats to go away on the second property. Chairman Lovelett asked if solar was the redevelopment that allowed the mine permit to be closed. Mr. Baden answered yes, noting that the Town modified their mined land reclamation permit to solar instead of grassland.

Ms. Gotto asked if anyone had experience with a Benefit Corporation. There was some discussion to try to discern what a benefit corporation was. Mr. Doyle said he would look into it. Mr. Wilkin asked if he would share his findings with the board.

Mr. Baden noted that the Hudson Valley Resort, formerly the Granite Hotel, closed its doors on Monday and let all its employees go. Mr. Doyle stated the only concern would be the sewage treatment facility, because it provides service for some of the apartments nearby. Mr. Baden stated it was really outdated.

Mr. Doyle stated he went to a committee meeting earlier in the evening where it was noted that Ulster County had more visitors last year than Dutchess County and that revenues topped \$500 million in terms of tourism. Mr. Lovelett asked how the County counts visitors. Mr. Doyle answered that statistics are provided by the State.

Mr. Markowitz asked if the county has taken a look at the lack of hotel rooms. He added that there used to be 1000-2000 hotel rooms in Wawarsing/ Ellenville area. Mr. Doyle answered that we haven't done a study that combined hotels with demand, but there are a lot of rooms going through approvals with seven new hotel projects under review or construction, plus the Belleayre project. Mr. Doyle stated there are between 1000-1200 active Air BNBs in the County.

Mr. Baden noted another training opportunity for New York Planning Federation, which will be held on October 24<sup>th</sup> in Hyde Park – Site Plan Review, Case Law Update & SEQR.

## 6. PLANNING BOARD REPORTS

### a. Chairperson Report

Chairman Lovelett informed the board that mileage is due, please hand in.

- b. Chairman Lovelett stated we had a discussion last month and made a proposal to not having public comments related to referrals during the public comment period, but hear them during the referral portion of the meeting instead. Also consultants would also be allowed to speak at that time.

**Mr. Watkins made a motion to have public comments related to referrals taken with the referral review by the Board.**

### **Discussion:**

Mr. Brooks stated if there are consultants and public here for one thing, and we take them out of order at the beginning, they can say what they came for and leave. Chairman Lovelett stated we can still take referrals out of order at the Chairman's discretion, but from a policy perspective we could keep non-referral related public comments at the beginning.

**Mr. Baden seconded the motion**, and added that he would like to limit it so there is not a back and forth – just public comment.

Mr. Brooks clarified that the purpose of this motion is to clarify the distinction between referral related public comment from generic public comment. Chairman

Lovelett stated we would like to hear the project related public comment then go right into the related referral review. Mr. Baden stated the point is that Public Comment is #3 on the Agenda, and then there is a lot of other discussion held before the project the comment is related to. Mr. Konior suggested moving Public Comment down on the Agenda to just before the Referrals.

**Chairman Lovelett stated the Motion was amended to change the agenda by moving Public Comment to #8. Generic public comments will be taken first, followed by project specific comments then moving directly into the referral review. Motion made by Mr. Watkins, seconded by Mr. Baden. All were in favor.**

c. Committee Reports

Chairman Lovelett stated we will be forming a Nominating Committee next month to present candidates for next year's officers at the December meeting.

**7. PLANNING DEPARTMENT REPORTS**

a. Financial Report

Mr. Doyle stated the budget gets presented by the County Executive tomorrow. We may have some surplus in the UCTC line because they run on State Fiscal Year. Mr. Doyle stated he will see the Capital Program tomorrow and will send it out as soon as it is released. He asked the Board to please send comments back before the November meeting. Mr. Doyle stated he mentioned the comments from Ms. Pecora about the County Courthouse to the Capital Projects officer.

b. Environmental Notice Bulletin & Grant Opportunities

Mr. Doyle stated that Parks & Trails New York has partnership grants and added that non-profit trail groups should apply. He added that this is an important source of funding to build capacity for communities in the watershed. This funding is for stream bank stabilization, culverts, etc.

c. Communications

No Member Comment.

d. Director/Staff Reports

Mr. Doyle informed the Board that we have around \$20 million in Capital Projects going through the planning office and also made note of many of the current transportation projects. Mr. Doyle stated that the Transportation Council will be doing a call for projects for their Unified Planning Work Program (UPWP). He added that if anyone has ideas for a transportation related project, they should reach out to Brian Slack. Mr. Doyle further noted that we have \$250-450,000 of available federal dollars (dependent on staff time). Mr. Baden asked what kind of projects qualify. Mr. Doyle answered bike/ped plans, parking demand analysis, pavement management programs for communities (scoring of road system relative to need for maintenance.) Culvert condition studies and updates to the transportation component of a Comprehensive Plan have also been done.

Mr. Samuelson stated there is a possibility for a new Ag Farmland Protection Plan for Ulster County. Ours is 20 years old, which is common in upstate New York, but

the planning is dated. He added that there are items regarding climate change and the effect of nitrogen on soils and issues with succession planning. Mr. Samuelson stated that we had 2 applications for implementation grants: Kelder Farms & one of the Davenport farms – the big impetus was a succession plan. Our plan from 1997 showed County support and helped us and Scenic Hudson write letters of recommendations. Mr. Doyle informed the Board of the continuing State funding round, which is 50% funding with a 50% required match. He added that we have made that request to the County Executive as part of our budget. Mr. Doyle noted that Mr. Samuelson has been exploring how to go about the application and whether the funds are available. We will know tomorrow if this is funded.

Mr. Leibowitz informed the Board that the BOA work (Brownfield Opportunity Areas) is complete. We are waiting for final drafts, which will be sent to towns. Once we receive confirmation from towns we will send to Albany with comments.

Mr. Leibowitz stated that we have been seeing a lot of referrals for sheds. We are proposing an update to our sched B of the Exception Agreement to include accessory residential structures of less than 400 square feet (pools, sheds, etc.) Mr. Doyle noted that we will provide a new schedule B to the Board next month for review.

## **8. SPECIAL TOPICS DISCUSSION**

- Discussion on Local Application Fees & Pre-meetings  
Mr. Doyle stated we will poll the attendees at our training meeting and send a request out to local secretaries. Ms. Pecora stated that there is a change in Esopus on everything.
- Discussion on Public Comment Policy – discussed during Chairperson Report.

## **9. ZONING REFERRALS – See Separate Zoning Minutes**

Landau Solar – Town of Ulster was taken out of order and reviewed first.  
Mr. Watkins left after the vote was taken.

Mr. Murray left after 91 Main Street – Village of New Paltz was reviewed.

## **10. ADJOURNMENT**

Mr. Doyle mentioned that the County is considering a local law requiring sprinklers on all new construction including residential.

The meeting adjourned at 8:50PM. All were in favor.

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10/3/2018

## Hurley

Referral Number **2018152** Received: 9/14/2018  
Name: **Krellick & Hamm Shed** Type of Referral: **Area Variance**  
Description: 8' x 12' storage shed within 2' of property line (5' setback) and 21' from front yard line (30' setback).  
Project Location: 592 Hurley Avenue  
Recommendation: **No County Impact** Abstentions:  
Motion: Pecora  
Second: Brooks Recusals:  
Vote: Yes  19 No  0

## Hurley

Referral Number **2018153** Received: 9/14/2018  
Name: **Bunce Shed** Type of Referral: **Area Variance**  
Description: 20' variance from 30' setback requirement for storage shed in front yard  
Project Location: 743 Lucas Ave Ext  
Recommendation: **No County Impact** Abstentions:  
Motion: Pecora  
Second: Konior Recusals:  
Vote: Yes  19 No  0

## Hurley

Referral Number **2018154** Received: 9/14/2018  
Name: **Bryan & Saccucci Home** Type of Referral: **Area Variance**  
Description: New single-family home requires a 14' front-yard variance from the 50' required.  
Project Location: 213 Glenford-Wittenberg Rd  
Recommendation: **No County Impact** Abstentions:  
Motion: Pecora  
Second: Gagliardi Recusals:  
Vote: Yes  19 No  0

## Marbletown

Referral Number **2018155** Received: 9/20/2018  
Name: **Fetner Minor Subdivision** Type of Referral: **Subdivision**  
Description: 3-lot subdivision  
Project Location: Old Kings Highway, Accord  
Recommendation: **Required Modifications** Abstentions: NO: Gotto, Welton  
Motion: Baden NO: Markowitz, Pecora  
Second: Konior Recusals: Lovelett  
Vote: Yes  14 No  4

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## Marlborough

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Referral Number      **2018174**      Received:      9/25/2018  
Name:      **Twin Pond Enterprises, Inc.**      Type of Referral:      **Site Plan Review**  
Description:      Site plan amendment - pallet storage and sorting operation with box trailers for storage and transport.  
Project Location:      2007 Route 9W  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      Baden  
Second:      Konior  
Vote:      Yes  No       Recusals:      Gagliardi

## New Paltz Town

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Referral Number      **2018162**      Received:      9/13/2018  
Name:      **New Paltz Canine Education Center**      Type of Referral:      **Area Variance**  
Description:      Fence height variance  
Project Location:      304 Route 32 North  
Recommendation:      **No County Impact**      Abstentions:  
Motion:      Pecora  
Second:      Konior  
Vote:      Yes  No       Recusals:      Gotto

## New Paltz Village

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Referral Number      **2018163**      Received:      9/21/2018  
Name:      **6 Elting Avenue**      Type of Referral:      **Site Plan Review**  
Description:      Playground for Mountain Laurel Waldorf School  
Project Location:      6 Elting Avenue  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      McLaughlin  
Second:      Konior  
Vote:      Yes  No       Recusals:      Murray

## New Paltz Village

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Referral Number      **2018164**      Received:      9/21/2018  
Name:      **17 Academy Street**      Type of Referral:      **Site Plan Review**  
Description:      Construct 2-story restaurant with below-grade basement (1,595 sq. ft.) and outdoor dining area.  
Project Location:      17 Academy Street  
Recommendation:      **Disapprove**      Abstentions:  
Motion:      Baden  
Second:      McLaughlin  
Vote:      Yes  No       Recusals:      Murray

## New Paltz Village

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Referral Number      **2018165**      Received:      9/21/2018  
Name:      **91 Main Street**      Type of Referral:      **Site Plan Review**  
Description:      Expansion to existing structure for restaurant use.  
Project Location:      91 Main Street  
Recommendation:      **No County Impact**      Abstentions:  
Motion:      Pecora  
Second:      Konior  
Vote:      Yes  No       Recusals:      Murray

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## Rochester

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Referral Number      **2018156**      Received:      9/13/2018  
Name:      **Economic Enterprise Overlay**      Type of Referral:      **Zoning Map Amendment**  
Description:      Add existing 12,000 sf structure for adaptive reuse into Economic Enterprise Overlay District  
Project Location:      2919 & 2921 Lucas Turnpike  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      McLaughlin  
Second:      Konior      Recusals:      Baden  
Vote:      Yes  No

## Rochester

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Referral Number      **2018175**      Received:      9/27/2018  
Name:      **Mountainview Stables Part II**      Type of Referral:      **Subdivision**  
Description:      Lot line adjustment of parcel located in the flood overlay district  
Project Location:      Peninsula Lane and DeJaegar Lane  
Recommendation:      **No County Impact**      Abstentions:  
Motion:      McLaughlin  
Second:      Konior      Recusals:  
Vote:      Yes  No

## Rosendale

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Referral Number      **2018157**      Received:      9/20/2018  
Name:      **Local Law #1 of 2018**      Type of Referral:      **Zoning Statute Amendment**  
Description:      Amend zoning statute language with respect to aircraft  
Project Location:      Townwide  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      Baden  
Second:      Konior      Recusals:      Brown  
Vote:      Yes  No

## Saugerties Town

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Referral Number      **2018173**      Received:      9/24/2018  
Name:      **Sophiedrew Acres**      Type of Referral:      **Special Permit**  
Description:      Riding academy and stables on 14.9 acres.  
Project Location:      260 Glasco Turnpike  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      Baden  
Second:      Konior      Recusals:      Hlavaty  
Vote:      Yes  No

## Shandaken

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Referral Number      **2018158**      Received:      9/19/2018  
Name:      **Windy Ridge Preschool**      Type of Referral:      **Special Permit**  
Description:      Run daycare in existing residence  
Project Location:      1446 Wittenberg Rd  
Recommendation:      **No County Impact**      Abstentions:  
Motion:      McLaughlin  
Second:      Konior      Recusals:  
Vote:      Yes  No

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## Shandaken

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Referral Number      **2018159**      Received:      9/19/2018  
Name:      **Windy Ridge Preschool**      Type of Referral:      **Site Plan Review**  
Description:      Run daycare in existing residence  
Project Location:      1446 Wittenberg Rd  
Recommendation:      **No County Impact**      Abstentions:  
Motion:      McLaughlin  
Second:      Konior  
Vote:      Yes  No       Recusals:

## Shawangunk

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Referral Number      **2018176**      Received:      10/3/2018  
Name:      **Solex-Catsmo**      Type of Referral:      **Special Permit**  
Description:      9.500 SF addition to connect two existing buildings for light industrial use. New access and pole barn.  
Project Location:      25 Myers Road Walkkill  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      Pecora  
Second:      Konior  
Vote:      Yes  No       Recusals:

## Shawangunk

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Referral Number      **2018177**      Received:      10/3/2018  
Name:      **Solex-Catsmo**      Type of Referral:      **Site Plan Review**  
Description:      9.500 SF addition to connect two existing buildings for light industrial use. New access and pole barn.  
Project Location:      25 Myers Road Walkkill  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      Pecora  
Second:      Konior  
Vote:      Yes  No       Recusals:

## Ulster

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Referral Number      **2018166**      Received:      9/12/2018  
Name:      **Jay DeCesare**      Type of Referral:      **Use Variance**  
Description:      Request use variance on two buildings in HC zone as (2) two-unit apartment buildings  
Project Location:      572 Ulster Avenue  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      McLaughlin  
Second:      Konior  
Vote:      Yes  No       Recusals:

## Ulster

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Referral Number      **2018167**      Received:      9/12/2018  
Name:      **Presitge Hyundai**      Type of Referral:      **Area Variance**  
Description:      113.27 and 134 square foot signs. Façade and monument style respectively, require area variances.  
Project Location:      768 East Chester Bypass  
Recommendation:      **Disapprove**      Abstentions:  
Motion:      Pecora      NO: Baden  
Second:      McLaughlin  
Vote:      Yes  No       Recusals:

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## Ulster

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Referral Number      **2018168**      Received:      9/12/2018  
Name:      **Begnal Motors Vehicle Holding Area**      Type of Referral:      **Site Plan Review**  
Description:      1.6 acre gravel vehicle holding area for existing automotive dealership  
Project Location:      129 Route 28  
Recommendation:      **Disapprove**      Abstentions:  
Motion:      Pecora  
Second:      McLaughlin      Recusals:  
Vote:      Yes  No

## Ulster

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Referral Number      **2018169**      Received:      9/21/2018  
Name:      **Crystal Ridge Subdivision**      Type of Referral:      **Subdivision**  
Description:      12 lot subdivision of 99.5 acres  
Project Location:      Off Potter Road  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      Wilkin  
Second:      Baden      Recusals:  
Vote:      Yes  No

## Ulster

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Referral Number      **2018170**      Received:      9/19/2018  
Name:      **Landau Solar, LLC**      Type of Referral:      **Subdivision**  
Description:      Lot line revision for proposed solar facilities. 3 lots become 2 lots  
Project Location:      Old Route 32 and Route 213  
Recommendation:      **No County Impact**      Abstentions:  
Motion:      Pecora  
Second:      Konior      Recusals:  
Vote:      Yes  No

## Ulster

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Referral Number      **2018171**      Received:      9/21/2018  
Name:      **Landau Solar, LLC**      Type of Referral:      **Special Permit**  
Description:      Two solar farms - one 2 MW facility and one 4 MW facility  
Project Location:      Off Route 32 and Route 213  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      McLaughlin  
Second:      Baden      Recusals:  
Vote:      Yes  No

## Ulster

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Referral Number      **2018172**      Received:      9/21/2018  
Name:      **Landau Solar, LLC**      Type of Referral:      **Site Plan Review**  
Description:      Two solar farms - one 2 MW facility and one 4 MW facility  
Project Location:      Off Route 32 and Route 213  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      McLaughlin  
Second:      Baden      Recusals:  
Vote:      Yes  No

## ~Ulster County Planning Board Minutes~

### **Wawarsing**

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Referral Number      **2018160**      Received:      9/19/2018  
Name:      **Margaret Coombe**      Type of Referral:      **Area Variance**  
Description:      Variance from 112-13 G. (1) one horse per one acre.  
Project Location:      1073 Ulster Heights Road  
Recommendation:      **No County Impact**      Abstentions:  
Motion:      McLaughlin      NO: Markowitz  
Second:      Baden  
Vote:      Yes  No       Recusals:

### **Wawarsing**

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Referral Number      **2018161**      Received:      9/19/2018  
Name:      **Celia Court**      Type of Referral:      **Area Variance**  
Description:      Minimum lot size variance to replace existing 890 sf home with a 1232 manufactured home on existing pad  
Project Location:      6558 Route 209  
Recommendation:      **No County Impact**      Abstentions:  
Motion:      Pecora      NO: Markowitz  
Second:      McLaughlin  
Vote:      Yes  No       Recusals: