

ULSTER COUNTY PLANNING BOARD

Minutes – Wednesday, October 2, 2019

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

The Executive Committee Met at 6:30PM

1. **ROLL CALL – Present:** R. Pecora, L. Geary, L. Mance, J. Konior, S. McCarthy, D. Proctor, C. Lanzetta, M. Calimano, D. Boggess, T. Wilkin, M. Baden, J. Ivankovic, R. Hlavaty, V. Welton, M. Watkins, F. Almquist, V. Markowitz, M. Rudikoff, J. Winer, G. Gagliardin, D. Doyle, R. Leibowitz, B. Samuelson **Absent:** W. Murray, J. Bonavita-Goldman **Excused:** J. Brown, V. McLaughlin **Guests:** Mark Gerstle, Maxanne Resnick, Sarah Wenk, Bill Terpening, Dixon Onderdonk, Kevin Smith, Jacob Sherman, Dan Schniewind, Allan Goldhammer, Jordan Bern, Ada Citron, MJM Knight, Peter Humphries, Lynne Bailey

2. **APPROVAL OF MINUTES**

Mr. Baden asked to have the September minutes corrected to show that Bruce Raver was a guest representing a photovoltaic project in the Town of Shawangunk.

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

3. **EDUCATION & TRAINING OPPORTUNITIES**

- UC Planning & UCTC Seminar – Road Safety for All Users – October 29th
7:00-9:00PM at SUNY Ulster

Mr. Doyle described the Road Safety seminar and the background of the presenters. Chairman Calimano encouraged board members needing credit to sign up.

- Orange County Municipal Planning Federation – Fall Planning & Land Use Courses
 - One full day session - Nov 1 from 8:30-3:30
 - 2 Evening Classes – Nov 6 & Nov 14 both from 7:00-9:00PM

Chairman Calimano made note of the above sessions.

4. **COMMUNITY REPORTS**

Mr. Almquist described the situation in East Kingston concerning a several “mega-ton” boulder sitting on top of a ridge at the Callanan site and the emergency declaration made by Town of Ulster Supervisor Quigley prompting the site plan and variance on tonight’s agenda for a retaining wall to contain the boulder and/or any other rock slide in that area.

Mr. Watkins informed the board that the State prison in Shawangunk notified the Town that they are putting solar on the prison property in the area where we were talking about putting the rail trail connection.

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

Mr. Boggess stated the Town of Olive did a local flood analysis affecting Boiceville a while back and DEP offered some of the property owners a buyout. He added that the buildings for those who participated will be torn down in the Spring. Mr. Boggess also stated that the Olive Planning Board approved a light-industrial business to occupy a long vacant building for a high-end bass guitar business in Shokan.

Mr. Wilkin stated that local boards are under the impression that the County Planning Board members report directly to the County Planning Director or staff. He added there is some confusion about "who is the boss." Mr. Doyle offered to send the charter language to the Town of Plattekill, which shows that the director/staff are support to the board.

5. PLANNING BOARD REPORTS

a. Chairperson Report

Chairman Calimano asked the board to send in their mileage forms.

b. Committee Reports

None

6. PLANNING DEPARTMENT REPORTS

a. Financial Report

Mr. Doyle stated the County is in the midst of its budget process and the County Executive will release the budget including the Capital Program on Thursday. He added that he will send the Capital Program information to the Board when he receives it. Mr. Baden asked if the capital programs that are ongoing are rolled over or could they be changed. Mr. Doyle stated any changes to the program would have to be approved by the Legislature and many cannot be cancelled unless the contract is closed out.

b. Environmental Notice Bulletin & Grant Opportunities

No member comment

c. Communications

No member comment

d. Director/Staff Reports

Mr. Doyle informed the Board that the Office of Business Services is a division of the Planning Department. Last month the Legislature amended the charter, creating a new Office of Economic Development (OED), which will be separate from the Planning Department. Once approved by the Department of State, the amendment takes effect and the OED will have a new director and deputy director. Ms. Pecora asked if that meant losing Chris White. Mr. Doyle said Mr. White is Deputy Director in charge of special projects for the department and will remain. Mr. Watkins stated the department does a good job, considering losing a position a few years ago and he asked if we'd be asking for that position back. Mr. Doyle stated we did not ask for that position to be added back because years ago we thought the amount of referrals would require two planners, but the number of zoning referrals has actually gone down. Another thing that has changed is the

ability to collaborate with other departments further eliminating the need for the position.

Mr. Watkins had a question about solar panel size using newer technology and if approvals would have to be redone for replacing existing panels. Mr. Doyle answered that the community could request exemption from additional site plan review and added that normally you'd be locked in for the life of the panels (approximately 10 years). Mr. Baden added the State would get involved if you get to the maximum output size.

Mr. Doyle informed the Board that the Purchase Development Rights (PDR) Farmland Protection grant is out. He added that this is a continuing round and does not expire until the money runs out. If you have farmers or land trusts in your community tell them to reach out. Mr. Doyle noted that Ulster County has lagged behind in submitting quality farms for PDR. Mr. Samuelson stated there are two fundings and one is focused on dairy farms.

7. SPECIAL TOPICS DISCUSSION

- 2017 Ag Census Presentation

Mr. Doyle gave a presentation developed by Cornell Cooperative Extension.

8. PUBLIC COMMENT

Chairman Calimano stated that if anyone wished to speak, they should state their name and where they are from and keep their comments to 3 minutes. He added that anyone is welcome to hand in written comment.

Sara Wenk from City of Kingston was concerned about Town of Kingston rescinding their SEQR negative declaration on the proposed Concrete Plant on Route 28 and then subsequently submitting a rezoning for the parcel of the proposed project.

Dixon Onderdonk from Town of Kingston stated he was confused with the zoning issue at this property as he understood that the Town is redoing its comprehensive plan and felt this zoning change was premature and rezoning this parcel was questionable.

Dan Schniewind of Town of New Paltz spoke about the site plan for the proposed CVS/Five Guys in New Paltz at the Route 299/N Putt Corners Rd intersection. The proposed location is bounded on 2 sides by the Empire State Trail and there are concerns about the negative impact on safety of the trail users. He described the proposed curb cuts and comments made by the DOT for site plan modifications. Mr. Schniewind also noted the Bike/Ped Committee and other community members request to have a Bike/Ped Safety specialist review the plan for the New Paltz Planning Board.

Shannon Harris, Supervisor of the Town of Esopus, stated she was in attendance regarding 6 different zoning code updates referred for tonight's meeting. She noted they are time-sensitive and offered to answer any questions.

Kevin Smith, resident of Woodstock and Chairman of the Woodstock Land Conservancy spoke regarding the rezoning referral from Town of Kingston. He stated there is a tremendous amount of interest and concern for this proposal. The Town did

a rezoning in 2015, which he felt, the planning board got right at that time. He stated this has become is a real destination area and this site is virtually surrounded by open space. He asked that the planning board to look at this project very carefully. Mr. Baden noted that the rezoning in 2015 was done by the Town Board.

Lynne Bailey from Walton Lane in Hurley spoke about the redevelopment of the Twin Lakes Lodge, now known as Arizona Hudson Valley. She felt the Hurley Planning Board was not taking the neighbors and local residents comments seriously. She noted issues with zoning and insufficient parking and the lack of a recreation area. Ms. Bailey informed the Board of her interactions with the Hurley Planning Board and her dissatisfaction with their lack of a response. She also brought up pedestrian traffic, emergency response vehicles, proposed recreational facilities, the proposed restaurant and mobile units on site.

Allan Goldhammer from Esopus spoke about the land affected by the proposed zoning change in the Town of Kingston. He stated the property adjacent to the proposed cement plant in Town of Kingston contains two lakes, adding that this is more than a local issue, it is a regional issue, as Onteora Lake is the closest recreational area as you get off the roundabout.

Jacob Sherman from Marbletown spoke about the Town's proposed Short Term Rental Law. He felt this law had many problems to address, but he wanted to talk about three. First the drafting of the law makes it hard to understand, second it turns residential zones into a promotional free-for-all and third it lacks enforcement provisions. Mr. Sherman went over many sections of the law that had typographical errors, were not numbered in a logical manner and issues he did not agree with. He noted that Woodstock just passed a similar law and added these are going to be looked at as model laws for other communities and should be taken seriously.

Ada Citron, of Walton Lane in Hurley, wanted to raise a couple more points regarding the Twin Lakes/Arizona development. She stated there are environmental concerns as the proposed expansion will encroach on the Binnewater Forest, which contains endangered and threatened species and is part of the Town's open space and similar studies. The proposed project would take down almost 11 acres of the Binnewater Forest. Ms. Citron concluded that she and other neighbors bought their homes there because it is a quiet place and they feel this project is out of place.

Bill Terpening from Town of Marbletown spoke regarding the Town's proposed Short Term Rental Law. He made comparisons between the proposed law to that of Rhinebeck Village, which recently passed. Most notable differences were absentee landlords, not regulating the number of days the property can be rented and the lack of enforcement in Marbletown. He felt Marbletown's was a poorly written law.

9. ZONING REFERRALS – *See Separate Zoning Minutes*

10. ADJOURNMENT

The meeting adjourned at 9:42 PM. All were in favor.

Ulster County Planning Board Minutes



10/2/2019

Esopus

Referral Number **2019160** Received: 9/25/2019
Name: **Hudson Shore Estate** Type of Referral: **Special Permit**
Description: Conversion of house for conference center and public gatherings and a secondary house into a salon with on-site park
Project Location: 9 Chambers Road, West Park
Recommendation: **Required Modifications** Abstentions:
Motion: Baden
Second: Gagliardi
Vote: Yes 19 No 0
Recusals: Pecora

Esopus

Referral Number **2019161** Received: 9/25/2019
Name: **Hudson Shore Estate** Type of Referral: **Site Plan Review**
Description: Conversion of house for conference center and public gatherings and a secondary house into a salon with on-site park
Project Location: 9 Chambers Road, West Park
Recommendation: **Required Modifications** Abstentions:
Motion: Baden
Second: Gagliardi
Vote: Yes 19 No 0
Recusals: Pecora

Esopus

Referral Number **2019172** Received: 9/25/2019
Name: **Time-Sensitive Zoning Code Updates** Type of Referral: **Zoning Statute Amendment**
Description: Commercial event venues, enforcement procedure and penalties, definition of family.
Project Location: Townwide
Recommendation: **Required Modifications** Abstentions:
Motion: Baden
Second: Konior
Vote: Yes 19 No 0
Recusals: Pecora

Esopus

Referral Number **2019173** Received: 9/25/2019
Name: **Time-Sensitive Zoning Code Updates** Type of Referral: **Zoning Map Amendment**
Description: Zoning Map Update - Rezone Parcels from HI/LI to GC
Project Location: Townwide
Recommendation: **Required Modifications** Abstentions:
Motion: Watkins
Second: Markowitz
Vote: Yes 19 No 0
Recusals: Pecora

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Esopus

Referral Number **2019174** Received: 9/25/2019
Name: **Penalties for dumping & rental prop. Registratio** Type of Referral: **Other Special Authorization**
Description: Amend Town code - penalties for dumping and rental property registration and inspection
Project Location: Townwide
Recommendation: **Advisory Comments** Abstentions:
Motion: Baden
Second: Boggess
Vote: Yes No Recusals: Pecora

Hurley

Referral Number **2019162** Received: 9/25/2019
Name: **Arizona Hudson Valley** Type of Referral: **Special Permit**
Description: Renovate and expand existing resort and facilities. 54-units total.
Project Location: 198 Heritage Drive
Recommendation: **Required Modifications** Abstentions:
Motion: Watkins NO: Markowitz
Second: Pecora
Vote: Yes No Recusals: Mance
Ivankovic

Hurley

Referral Number **2019163** Received: 9/25/2019
Name: **Arizona Hudson Valley** Type of Referral: **Site Plan Review**
Description: Renovate and expand existing resort and facilities. 54-units total.
Project Location: 198 Heritage Drive
Recommendation: **Required Modifications** Abstentions:
Motion: Watkins NO: Markowitz
Second: Pecora
Vote: Yes No Recusals: Mance
Ivankovic

Hurley

Referral Number **2019182** Received: 9/27/2019
Name: **Robbins** Type of Referral: **Site Plan Review**
Description: Solar array to serve single-family home - visual assessment.
Project Location: 11 Spencer Road, Glenford
Recommendation: **No County Impact** Abstentions:
Motion: Pecora
Second: Konior
Vote: Yes No Recusals: Mance

Kingston City

Referral Number **2019179** Received: 9/26/2019
Name: **CMRR Ticket Booth** Type of Referral: **Special Permit**
Description: Remove and replace existing ticket booth with new ticket booth.
Project Location: 55 Plaza Road/Ulster County Rail Line
Recommendation: **Required Modifications** Abstentions:
Motion: Gagliardi
Second: Pecora
Vote: Yes No Recusals:

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Kingston City

Referral Number **2019180** Received: 9/26/2019
Name: **CMRR Ticket Booth** Type of Referral: **Site Plan Review**
Description: Remove and replace existing ticket booth with new ticket booth.
Project Location: 55 Plaza Road/Ulster County Rail Line
Recommendation: **Required Modifications** Abstentions:
Motion: Gagliardi
Second: Pecora
Vote: Yes No Recusals:

Kingston Town

Referral Number **2019181** Received: 4/17/2019
Name: **Local Law #1 of 2019** Type of Referral: **Zoning Map Amendment**
Description: Re-zone MU-2 to MU-1 (original zoning)
Project Location: 850 Route 28
Recommendation: **Required Modifications** Abstentions:
Motion: Watkins
Second: Wilkin
Vote: Yes No Recusals: Konior

Marbletown

Referral Number **2019166** Received: 9/10/2019
Name: **Local Law #4 of 2019** Type of Referral: **Zoning Statute Amendment**
Description: Short-term Rental Housing Law
Project Location: Townwide
Recommendation: **Required Modifications** Abstentions:
Motion: Baden
Second: Konior
Vote: Yes No Recusals: Proctor

Marlborough

Referral Number **2019165** Received: 9/25/2019
Name: **Royal Energy** Type of Referral: **Site Plan Review**
Description: Construct 53,200 SF cold storage warehouse with 5 trailer docks, office space.
Project Location: 1666-1672 Route 9W, Milton
Recommendation: **Required Modifications** Abstentions:
Motion: Pecora
Second: McCarthy
Vote: Yes No Recusals: Lanzetta
 Gagliardi

New Paltz Town

Referral Number **2019167** Received: 9/12/2019
Name: **Trans-Hudson/CVS Site Plan** Type of Referral: **Site Plan Review**
Description: Construct CVS Pharmacy and Five Guys Restaurant
Project Location: Intersestion of Route 299 and North Putt Corners Rd
Recommendation: **Required Modifications** Abstentions:
Motion: Watkins
Second: Konior
Vote: Yes No Recusals: NO: Welton, Geary
 NO: Pecora, Konior

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Rochester

Referral Number **2019164** Received: 9/9/2019
Name: **Local Law #4 of 2019** Type of Referral: **Zoning Statute Amendment**
Description: Amendment to zoning statute to correct errors, omissions discovered during digitization of the Town code.
Project Location: Townwide
Recommendation: **No County Impact** Abstentions:
Motion: Pecora
Second: Gagliardi Recusals: Baden
Vote: Yes No

Rochester

Referral Number **2019183** Received: 9/27/2019
Name: **Acorn School** Type of Referral: **Special Permit**
Description: 2,400 sq. ft. school to serve 50 students
Project Location: Canyon Lake Road, Accord
Recommendation: **No County Impact** Abstentions:
Motion: Pecora
Second: Konior Recusals:
Vote: Yes No

Rochester

Referral Number **2019184** Received: 9/27/2019
Name: **Acorn School** Type of Referral: **Site Plan Review**
Description: 2,400 sq. ft. school to serve 50 students
Project Location: Canyon Lake Road, Accord
Recommendation: **No County Impact** Abstentions:
Motion: Pecora
Second: Konior Recusals:
Vote: Yes No

Saugerties Town

Referral Number **2019168** Received: 9/20/2019
Name: **Kogon** Type of Referral: **Special Permit**
Description: Convert existing commercial building for retail sales and accessory coffee shop.
Project Location: 3741 Route 32 Saugerties
Recommendation: **Required Modifications** Abstentions:
Motion: Pecora
Second: McCarthy Recusals: Hlavaty
Vote: Yes No

Saugerties Town

Referral Number **2019169** Received: 9/20/2019
Name: **Kogon** Type of Referral: **Site Plan Review**
Description: Convert existing commercial building for retail sales and accessory coffee shop.
Project Location: 3741 Route 32 Saugerties
Recommendation: **Required Modifications** Abstentions:
Motion: Pecora
Second: McCarthy Recusals: Hlavaty
Vote: Yes No

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Saugerties Village

Referral Number **2019170** Received: 9/24/2019
Name: **Tidewater Center** Type of Referral: **Special Permit**
Description: Cultural Arts and Science Center.
Project Location: 61 East Bridge Street
Recommendation: **Required Modifications** Abstentions:
Motion: Pecora
Second: Konior
Vote: Yes No Recusals:

Saugerties Village

Referral Number **2019171** Received: 9/24/2019
Name: **Tidewater Center** Type of Referral: **Site Plan Review**
Description: Cultural Arts and Science Center.
Project Location: 61 East Bridge Street
Recommendation: **Required Modifications** Abstentions:
Motion: Pecora
Second: Konior
Vote: Yes No Recusals:

Shandaken

Referral Number **2019175** Received: 9/23/2019
Name: **Vale Restaurant** Type of Referral: **Use Variance**
Description: Use variance to convert residence to be used as a restaurant.
Project Location: 5696 Route 28
Recommendation: **No County Impact** Abstentions:
Motion: Pecora
Second: Konior
Vote: Yes No Recusals:

Ulster

Referral Number **2019177** Received: 9/26/2019
Name: **Main Street Highway Stabilization** Type of Referral: **Area Variance**
Description: Place 1,100' linear retaining wall with a width of 5' and height of 10' along Main Street, East Kingston
Project Location: 701 Flatbush Road
Recommendation: **No County Impact** Abstentions:
Motion: Konior
Second: Gagliardi
Vote: Yes No Recusals: Almquist

Ulster

Referral Number **2019178** Received: 9/26/2019
Name: **Main Street Highway Stabilization** Type of Referral: **Site Plan Review**
Description: 6' fence height variance
Project Location: 677 Flatubsh Road
Recommendation: **No County Impact** Abstentions:
Motion: Konior
Second: Gagliardi
Vote: Yes No Recusals: Almquist

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Wawarsing

Referral Number	2019176	Received:	9/19/2019
Name:	Quality Services of Northeast, LLC	Type of Referral:	Site Plan Review
Description:	Site plan amendment to add Hertz Rental Car establishment		
Project Location:	8109 Route 209 Ellenville		
Recommendation:	Required Modifications	Abstentions:	
Motion:	Pecora	Recusals:	
Second:	Gagliardi		
Vote:	Yes <input type="text" value="20"/> No <input type="text" value="0"/>		