

**ULSTER COUNTY PLANNING BOARD**  
***Minutes – Wednesday, January 2, 2019***

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

**The Executive Committee Met at 6:30 PM**

Chairman Calimano called the meeting to order at 7:04 PM and asked Mr. Leibowitz to read the roll call

- 1. ROLL CALL – Present:** R. Pecora, L. Mance, J. Konior, P. Brooks, K. Lovelett, C. Lanzetta, M. Calimano, D. Boggess, T. Wilkin, M. Baden, J. Brown, R. Hlavaty, V. Welton, F. Almquist, V. Markowitz, V. McLaughlin, G. Gagliardi, D. Doyle, R. Leibowitz, B. Samuelson **Absent:** J. Bonavita-Goldman **Excused:** L. Geary, M. Watkins, R. Barnhart, M. Rudikoff, J. Winer, W. Murray **Guests:** Owen Harvey, Hillary Harvey, Laura Petit, Nancy Gagliardi, Barbara Scott

Lisa Mance, new member representing the Town of Hurley, introduced herself and relayed some of her background information to the Board.

**2. APPROVAL OF MINUTES**

**Mr. Baden noted that the vote on Town of Saugerties - Wyldwyck River Camp #2018-202 should have been 18 in favor. The zoning referral minutes have been corrected.**

**The December minutes were approved as amended. Motion made by Mr. McLaughlin and seconded by Ms. Pecora. All were in favor.**

**3. EDUCATION & TRAINING OPPORTUNITIES**

- Discussion on training by Whiteman, Osterman & Hanna on new SEQRA rules

Mr. Brooks stated that the recent Association of Towns newsletter had an article on the newly advised SEQRA rules, written by Rob Stout, who happens to be the Town of Lloyd's Planning Attorney. He added that Mr. Stout is available to do a training session on SEQRA in February. Mr. Doyle stated that we will check venue availability at SUNY Ulster and send a "Save the Date."

**4. COMMUNITY REPORTS**

Ms. Welton stated that Town of Shandaken will be having a hearing on January 22<sup>nd</sup> regarding the Hamlet of Shandaken Community Wastewater Management Program.

Mr. Brooks stated the Town of Lloyd is proposing a moratorium on peak power plants while it considers changing the language in the zoning code. Mr. Leibowitz added that we received that moratorium as a referral today, but it will not be reviewed tonight.

Ms. Welton stated that the Town of Shandaken ZEO noted the calculated fee for a building permit was done by using the proposed cost of project instead of square footage. She asked what other towns do. Mr. Doyle stated that we had discussed doing a local fee schedule. There was some discussion about if letters were sent to local boards. Ms. Pecora stated they were requested at the daytime training last year

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

and thought there had been some response. Mr. Doyle said he would have staff work on it and added that he has seen fees calculated both ways, by estimated cost of the project and square footage.

Mr. Brooks stated that Town of Lloyd has an interestingly written, very complex and completely unmanageable affordable housing section. He added they are looking to see if another community has a section that works. Mr. Doyle stated that most affordable housing statutes are written that the Town has the responsibility. If the community is serious about doing affordable housing they could require self-certification that the rental for the unit meets income level for housing established under the statute. Mr. Doyle explained how land trusts work in Kingston and how the County uses Community Development Block Grant funds to do affordable housing gap financing.

Mr. McLaughlin informed the Board that the Village of Saugerties has a new alternate member on the UCPB, Scott Campbell.

## 5. **PLANNING BOARD REPORTS**

### a. Chairperson Report

Chairman Calimano stated that for review of projects, he would like for Mr. Leibowitz to go through a project before members make a motion. He felt the work that goes into developing the review should be heard. Mr. Leibowitz stated he changed the format of the referral presentation somewhat as well.

### b. Committee Reports

None

## 6. **PLANNING DEPARTMENT REPORTS**

### a. Financial Report

Mr. Doyle informed the Board that the Legislature passed the 2019 budget at its December meeting and the County Executive has signed the resolution. A substantial portion of our budget is for Transportation Council projects. Mr. Doyle noted that funding for construction of trail projects was added onto what was originally submitted. He also noted that the original budget contained funding for economic development projects for communities for help with comprehensive plan work or changes to planning documents to support economic development. That money was returned to the Legislature and placed in contingency until criteria is developed. Mr. Doyle added there was also money for arts projects and other projects for a creative economy that was also returned to the. He added that we have work to do before those funds will be released.

### b. Environmental Notice Bulletin & Grant Opportunities

Mr. Doyle noted that the new SEQRA regulations went into effect. Mr. Wilkin stated they are working on the handbook.

Ms. Lanzetta informed the Board that Greenway has \$5,000-10,000 grants available for community planning.

### c. Communications

*No Comment*

d. Director/Staff Reports

Mr. Doyle stated that the County received funding under the Bridge NY program for a large culvert and a large bridge on the Mombaccus Creek in the Town of Rochester.

Mr. Samuelson noted that Kelder's farm won a implementation protection grant from NYS for over \$800,000 Scenic Hudson will hold easement. Mr. Baden added that next door is the Grace Farm, whose land will be included in the application as well. The Kelder's will be able to purchase that property to continue farming there. Mr. Baden stated that with the Davis Farm, Grace Farm and Kelder's Farm the entire stretch of 209 will be protected for agriculture and the viewshed as well.

Mr. Doyle stated he recently gave a presentation on Regulation of Short Term Rentals to the Town of Esopus and will be giving the same presentation to the Town of Shandaken. He noted that he has also been engaged with the Town of Woodstock about their proposed law on Short Term Rentals.

**7. SPECIAL TOPICS DISCUSSION**

Mr. Leibowitz gave an update on the Brownfields Opportunity Analysis Pre-nomination study. All 5 reports have been submitted to the state and we are waiting for approval.

**8. PUBLIC COMMENT**

Owen Harvey of 26 Abeel St, Kingston, had materials to submit regarding the Irish Cultural Center and the SEQRA work on project. His concerns were with the Negative Declaration, whether or not the property was located in a Brownfield Opportunity as defined by NYS and the testimony of applicant/developer (from 12/17/18 hearing) stating that rainfall was not taken into account. Mr. Harvey also had a letter from Green Plan Inc, submitted in 2017, regarding neighboring residential properties. He stated that the Planning Board didn't consider construction/excavation on neighboring properties and that a 2017 Traffic Study was ignored. Mr. Harvey would like to see a new SEQR study with environmental impact and a positive declaration.

Hillary Harvey, also of 26 Abeel St, Kingston, spoke in regard to the Irish Cultural Center, wanted the Board to know that other neighbors could not attend and many letters were submitted to the Kingston Planning Board. Company Hill Path was affected by water runoff after excavation was completed. She read another letter from a neighbor making complaints about damage to her property and trespassing. She asked UCPB to include recommendations for the new developments. She added that this Board's input is very helpful.

Barbara Scott of 66 Spruce St, Kingston, which is near the Irish Cultural Center project site, asked for a Positive Declaration on SEQR, which she said, this is their 3<sup>rd</sup> application and each time it is not complete. She added that the only way they are taken into compliance for the storm runoff is by the City's enforcement. They have had no interest in taking care of the property or keeping it safe for the neighborhood.

Nancy Gagliardi of Marbletown, who said she was here on behalf of hundreds of residents of Marbletown who wanted to thank the County Planning Board for rejecting Local Law#2, which law addressed accessory apartments, but also had zoning changes for special events venues buried in it. She added that this has been a very

contentious issue in the Town and countless residents are not in favor of the stance of the Town Board and Supervisor.

Mr. Doyle stated we also received an email from Deanna Baum regarding the ICCHV.

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

**10. ADJOURNMENT**

The meeting adjourned at 9:00 PM. All were in favor.

# Ulster County Planning Board Minutes



1/2/2019

## Esopus

---

Referral Number      **2019011**      Received:      12/26/2018  
Name:      **Pangea East, Inc.**      Type of Referral:      **Special Permit**  
Description:      Convert single-family home to educational/institutional use. Previous area variance granted. 836 sf pavilion proposed  
Project Location:      1170 Route 213  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      McLaughlin  
Second:      Baden  
Vote:      Yes  No       Recusals:      Pecora

## Esopus

---

Referral Number      **2019012**      Received:      12/26/2018  
Name:      **Pangea East, Inc.**      Type of Referral:      **Site Plan Review**  
Description:      Convert single-family home to educational/institutional use. Previous area variance granted. 836 sf pavilion proposed  
Project Location:      1170 Route 213  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      McLaughlin  
Second:      Baden  
Vote:      Yes  No       Recusals:      Pecora

## Gardiner

---

Referral Number      **2019002**      Received:      12/12/2018  
Name:      **Golden Dome Realty, LLC**      Type of Referral:      **Special Permit**  
Description:      Retail space in existing structure. No changes to site proposed.  
Project Location:      658/664 Route 208 Gardiner  
Recommendation:      **No County Impact**      Abstentions:  
Motion:      Pecora  
Second:      Baden  
Vote:      Yes  No       Recusals:

## Gardiner

---

Referral Number      **2019003**      Received:      12/12/2018  
Name:      **Golden Dome Realty, LLC**      Type of Referral:      **Site Plan Review**  
Description:      Retail space in existing structure. No changes to site proposed.  
Project Location:      658/664 Route 208 Gardiner  
Recommendation:      **No County Impact**      Abstentions:  
Motion:      Pecora  
Second:      Baden  
Vote:      Yes  No       Recusals:

# ~Ulster County Planning Board Minutes~

## Gardiner

---

Referral Number      **2019004**      Received:      12/6/2018  
Name:      **Jeff Frey**      Type of Referral:      **Site Plan Review**  
Description:      2 structures (total 6,000 sf) - dance studio, music recording facility, and photography studio.  
Project Location:      Intersection of Route 44/55 and Albany Post Road  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      Pecora  
Second:      Boggess  
Vote:      Yes  No       Recusals:

## Hurley

---

Referral Number      **2019001**      Received:      12/17/2018  
Name:      **O'Reilly and Gasparinni**      Type of Referral:      **Use Variance**  
Description:      Use variance for keeping chickens, pigs, and potentially bees.  
Project Location:      115 Dewitt Mills Road Hurley NY 12443  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      Pecora  
Second:      Brooks  
Vote:      Yes  No       Recusals:

## Hurley

---

Referral Number      **2019005**      Received:      12/10/2018  
Name:      **Solar Solutions**      Type of Referral:      **Site Plan Review**  
Description:      Visual Assessment/site plan required for solar array (42 panels on a single ground mount - appx 900 sq ft)  
Project Location:      70 High Rocks Road West Hurley  
Recommendation:      **No County Impact**      Abstentions:  
Motion:      Pecora  
Second:      Baden  
Vote:      Yes  No       Recusals:

## Kingston City

---

Referral Number      **2019006**      Received:      12/20/2018  
Name:      **Irish Cultural Center of the Hudson Valley**      Type of Referral:      **Site Plan Review**  
Description:      16,213 sf, 3-story, structure for use as a cultural center with multiple purposes  
Project Location:      32 Abeel Street  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      Baden  
Second:      Gagliardi  
Vote:      Yes  No       Recusals:

## Kingston City

---

Referral Number      **2019014**      Received:      12/31/2018  
Name:      **HAHV Mary's Avenue Campus Expansion**      Type of Referral:      **Site Plan Review**  
Description:      Amend previous - reduce by two stories, elimination of concrete deck for emergency drive - conventional fill and pave  
Project Location:      105 Mary's Avenue  
Recommendation:      **Advisory Comments**      Abstentions:  
Motion:      Brooks  
Second:      Brown  
Vote:      Yes  No       Recusals:      NO: McLaughlin

# ~Ulster County Planning Board Minutes~

## **New Paltz Village**

---

Referral Number      **2019007**      Received:      12/19/2018  
Name:      **76 N. Chestnut St.**      Type of Referral:      **Other Special Authorization**  
Description:      Other special authorization to rebuild a preexisting nonconforming gas station and convenience store per 212-54(D)  
Project Location:      76 N. Chestnut St  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      Baden  
Second:      Almquist  
Vote:      Yes  No       Recusals:

## **Saugerties Village**

---

Referral Number      **2019008**      Received:      12/12/2018  
Name:      **AutoZone**      Type of Referral:      **Use Variance**  
Description:      Use variance - Allow parking within the R-1 zoning district  
Project Location:      298 Ulster Avenue  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      Baden  
Second:      Boggess  
Vote:      Yes  No       Recusals:      NO: McLaughlin

## **Saugerties Village**

---

Referral Number      **2019009**      Received:      12/12/2018  
Name:      **AutoZone**      Type of Referral:      **Area Variance**  
Description:      Area Variance - Allow parking within 15' of highway ROW (12' variance)  
Project Location:      298 Ulster Avenue  
Recommendation:      **No County Impact**      Abstentions:  
Motion:      Baden  
Second:      Pecora  
Vote:      Yes  No       Recusals:      NO: McLaughlin

## **Ulster**

---

Referral Number      **2019010**      Received:      12/13/2018  
Name:      **Sunrise on Hudson Seamless Gutters**      Type of Referral:      **Use Variance**  
Description:      40x60 building for fabricate galvanized steel seamless gutters in a residential zone.  
Project Location:      121 Old Kings Highway  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      Pecora  
Second:      Brown  
Vote:      Yes  No       Recusals:      Almquist

## **Woodstock**

---

Referral Number      **2019013**      Received:      12/28/2018  
Name:      **Zinn Glenn Fence**      Type of Referral:      **Area Variance**  
Description:      2' fence height variance in front yard  
Project Location:      3259 Route 212 Bearsville  
Recommendation:      **No County Impact**      Abstentions:  
Motion:      Pecora  
Second:      McLaughlin  
Vote:      Yes  No       Recusals: