

# ULSTER COUNTY PLANNING BOARD

## *Minutes – July 2, 2012*

The Ulster County Planning Board Meeting  
7:30 p.m. – Surrogate Courtroom, 3<sup>rd</sup> Floor  
County Office Building

### **The Executive & Greenway Committees Will Met**

Mr. Watkins, Mr. Wilkin, Ms. Hokanson, Mr. Budziak, Mr. Baden & Mr. Hakim

1. **ROLL CALL - Present:** F. Zimmer, P. Hakim, T. Marion, K. Lovelett, T. Hokanson, T. Wilkin, M. Baden, J. Brown, P. Economos, K. Holmquist, M. Watkins, R. Budziak, V. Markowitz, M. Weitman, R. Kinnin, G. Swanzey, D. Doyle, R. Leibowitz, B. Samuelson **Absent:** A. Yuran, E. Hooper **Excused:** R. Pecora, J. Konior, W. Falkenberg, H. Grant **Guests:** Elmer LeSuer, Peter Duvaloois, Cathy Duvaloois, Clay & Debra Trumpbour, Robert Lewis

2. **PREVIOUS MINUTES**

The June minutes were corrected for errors in the Community Report. Motion to approve minutes as amended made by Ms. Hokanson, seconded by Mr. Baden. All were in favor.

3. **FINANCIAL REPORT**

Mr. Doyle stated we are working on Transportation contracts that are awaiting signature that will affect the balance. We have approval for reimbursement for our Main Street work in the mountain towns for about \$36,000.

4. **PUBLIC COMMENT**

Peter Duvaloois of Old Kings Highway in Saugerties spoke to the board about his concerns of the convalescent home (Amity Solutions) referral proposed for his neighborhood. He added that a similar convalescent center was established across from his property in NJ and caused trouble for his property and that neighborhood.

Clay Trumpour said that he lives on his family farm on Old Kings Highway across the corner from the proposed drug and alcohol treatment center. He stated that Amity Solutions was already in operation on a permit issued for a bed and breakfast. Mr. Trumpour felt they were not using the proper variance/permit and shared his worries of the future; how many people would be there and what type of people would be there.

Elmer LeSuer, a partner of the Amity Solutions operation, said they were not sneaking in and they are trying to be good neighbors. He added that when Amity Solutions took over the operation they made sure all the permits were in place. Mr. LeSuer stated they will be having an open house Tuesday, July 10<sup>th</sup> from 3:30 – 7:30PM. Mr. LeSuer answered questions from the board of what the facility does and the type of funding and persons who would be attending the counseling. The facility accommodates a maximum of 10 guests. A 28-day minimum stay is recommended.

Mr. Lovelett asked what guarantee there was to keep the kind of exclusive, high paying clientele. Mr. LeSuer stated this is their business model; this facility is not OASIS compliant and cannot take any other type of clientele.

Mr. Watkins asked how the neighbors will be protected if the clients decide to walk out. Mr. LeSuer answered that the people who can afford to stay at the residency are not the type of people who would just walk; they would have someone come pick them up.

Mr. Doyle asked if the corporation operated any other facilities that offer rehab. Mr. LeSuer stated Amity Solutions does not operate another facility like this one; their other properties are residential.

Mr. Doyle asked Mr. LeSuer if he knew how this property was classified (zoned). Mr. LeSuer stated he believed it was classified as I-1. Mr. Economos stated this was a Residential Care Facility under

the zoning and he added that Dan Schuster agreed to that classification. It would need a separate special use permit to operate as an Oasis compliant facility and would be classified as an Assisted Care Facility, as it would be a different use under the zoning.

One of the guests in attendance stated since this is an accepted use it didn't seem like there was anything they could do about the facility. Mr. Doyle stated there are many uses for Special Permits. Controlling nuisance issues associated with various uses can be accomplished by permits. Mr. Doyle added that you could make a permit renewable to keep the facility as a good neighbor. Mr. Baden stated that time frames can be assigned to a special permit to have the permit be reviewed and renewed. He added that local boards can put conditions on approvals to help alleviate concerns.

## 5. COMMUNITY REPORT

No Community Report

## 6. COMMUNICATIONS

Mr. Doyle stated that we do not have comments under communications.

He added that we are currently working to help with preparation of environmental work on the response to the consent order from DEP. (releases to the Lower Esopus) We are working on the response with representatives from office of the County Executive, the County Attorney and others.

Mr. Doyle stated we continue to see a substantial amount of communication between the department and various requests for support for CFAs (Consolidated Funding Applications). The department has written support letters for these requests along with the County Executive's office.

Mr. Doyle mentioned that a copy of the *Land Use Referral Guide* was included in this evening's packet.

## 7. ZONING REFERRALS – See Separate Zoning Minutes

## 8. OLD BUSINESS

### a. Adoption of ByLaws

Mr. Baden stated the Executive Committee has been meeting on the ByLaws, a draft has been circulated to everyone and there are some copies on the table. Mr. Baden stated the Board will be voting on the bylaws this evening then the Director will tell them what happens after that.

Mr. Baden added that there are some changes:

- Page 5 – C: Staff - 1: Planning Director – h) *Represent the Board in its dealings and responsibilities with County government, local governments, agencies and private parties* **add “when authorized.”**
- Page 5 – C: Staff – 1: Planning Director – i) - **delete sentence.**
- Page 5 - Section IV. Meetings/Hearings - **change to Meetings.**
- Page 6 – D: Hearings - **the entire section will be deleted** because we do not hold public hearings as a Planning Board.
- The remainder of the document will be renumbered. ie: *Records* will become item D and *Conduct* will become item E.

Mr. Watkins asked if there were any comments from the board. Someone asked what “when authorized” meant. Mr. Watkins stated it means authorized by the board, the chair or executive committee.

**Ms. Hokanson made a motion to adopt the bylaws as amended. Seconded by Mr. Holmquist. All were in favor.**

Mr. Watkins expressed his thanks to everyone involved for himself and for the Board.

Mr. Doyle stated that the Charter indicates that the board can adopt the bylaws without action by the legislature. The legislation that the board relies on to adopt bylaws states the bylaws need to be approved by the appointing body. We need an interpretation from the County Attorney to be sure we do not need the legislative action. If we do need legislative action we will submit the appropriate documentation to our committee and ask the Legislature to adopt the Board's bylaws.

## 9. NEW BUSINESS

### a. Town of Esopus Referral Exception Agreement

We received a referral exception agreement from the Town of Esopus containing some changes, which staff is reviewing. We will get back to the board with a recommendation next month.

Mr. Doyle stated we continue to do a lot of work on Transportation. A new Transportation Bill was passed by Congress and is awaiting signature of the President.

New SEQR forms need to be utilized by local boards in October. WE would like to get someone from DEC down to explain the new forms at a seminar. Mr. Doyle stated this board provided extensive comments on the new forms courtesy of Mike Baden. Mr. Wilkin asked if they should start handing out the new forms when it gets close to October. Mr. Doyle said they should do both. Mr. Baden stated the new short form is intended for smaller applications and does a good job.

Ms. Hokanson stated we will have info on the process for becoming a Compact Community for Greenway available in August. The Greenway Committee will begin meeting again in September. Mr. Watkins asked Mr. Leibowitz where he was in the process. Mr. Leibowitz stated that we have assignments tasked out – meeting with regional plan have a possible consultant and are moving along. Mr. Watkins stated we should have an organizational meeting of the Greenway Committee next month. Mr. Doyle stated that we would prefer not to overlap the Committee meetings. Mr. Watkins stated the Executive Committee will discuss Greenway next month, decide who will chair the Greenway Committee and get back to the board on when to meet.

### b. Environmental Notice Bulletin & Grant Opportunities– *No Member Comment*

## 10. ADJOURNMENT

Mr. Watkins stated he wanted tonight's adjournment to be in honor of Mr. Robert Pritchard who was a previous Chairman and served on this board for many years.

Mr. Baden made the motion to adjourn in Mr. Pritchard's honor, seconded by Mr. Holmquist.

# Ulster County Planning Board Minutes



7/2/2012

## Esopus

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Referral Number      **2012109**      Received:      6/21/2012  
Name:      **Jon Hoy Enterprises**      Type of Referral:      **Subdivision**  
Description:      3-lot subdivision that separates a single family home from a marina and creates a vacant commercial lot  
Project Location:      161 First Street @ Spring Street (Connelly)  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      Baden  
Second:      Hakim  
Vote:      Yes  No       Recusals:      Zimmer

## Esopus

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Referral Number      **2012110**      Received:      6/21/2012  
Name:      **Connelly Terrace (Phase IV)**      Type of Referral:      **Special Permit**  
Description:      29 unit mobile home development  
Project Location:      James Street, Connelly  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      Kinnin  
Second:      Baden  
Vote:      Yes  No       Recusals:      Zimmer

## Esopus

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Referral Number      **2012111**      Received:      6/21/2012  
Name:      **Connelly Terrace (Phase IV)**      Type of Referral:      **Site Plan**  
Description:      29 unit mobile home development  
Project Location:      James Street, Connelly  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      Kinnin  
Second:      Baden  
Vote:      Yes  No       Recusals:      Zimmer

## Gardiner

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Referral Number      **2012114**      Received:      6/22/2012  
Name:      **Chestnut Petroleum Distributor**      Type of Referral:      **Site Plan**  
Description:      Remove existing structures, replace existing convenience store and new canopy, pumps, and signage  
Project Location:      604-606 Route 208 Gardiner  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      Baden  
Second:      Kinnin  
Vote:      Yes  No       Recusals:

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### Gardiner

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Referral Number      **2012127**      Received:      6/26/2012  
Name:      **Charles Majestic**      Type of Referral:      **Special Permit**  
Description:      Construct driveway, (2750 ft) house and septic system  
Project Location:      North Mountain Road  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      Hokanson  
Second:      Economos      Recusals:  
Vote:      Yes  No

### Gardiner

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Referral Number      **2012128**      Received:      6/26/2012  
Name:      **Charles Majestic**      Type of Referral:      **Site Plan**  
Description:      Construct driveway, (2750 ft) house and septic system  
Project Location:      North Mountain Road  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      Hokanson  
Second:      Economos      Recusals:  
Vote:      Yes  No

### Marbletown

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Referral Number      **2012115**      Received:      6/22/2012  
Name:      **Peters**      Type of Referral:      **Subdivision**  
Description:      Subdivide 3.191 acre parcel with 2 existing residences to two separate lots  
Project Location:      Old Kings Highway  
Recommendation:      **No County Impact**      Abstentions:  
Motion:      Hokanson  
Second:      Baden      Recusals:      Lovelett  
Vote:      Yes  No

### Marbletown

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Referral Number      **2012116**      Received:      6/22/2012  
Name:      **Pavan**      Type of Referral:      **Subdivision**  
Description:      Divide existing lot into 2 - each with existing single family home  
Project Location:      Buck Road  
Recommendation:      **No County Impact**      Abstentions:  
Motion:      Hokanson  
Second:      Baden      Recusals:      Lovelett  
Vote:      Yes  No

### Marbletown

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Referral Number      **2012117**      Received:      6/22/2012  
Name:      **Ron Sharkey site plan amendment**      Type of Referral:      **Site Plan**  
Description:      Move existing barn 4 feet  
Project Location:      Bruceville Road  
Recommendation:      **No County Impact**      Abstentions:  
Motion:      Hokanson  
Second:      Baden      Recusals:      Lovelett  
Vote:      Yes  No

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### **New Paltz Village**

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Referral Number      **2012130**      Received:      7/2/2012  
Name:      **Number of Principal Buildings on Lot**      Type of Referral:      **Amend Zoning Statute**  
Description:      Amend number of principal buildings on lot and amend site plan review requirements  
Project Location:  
Recommendation:      **Advisory Comments**      Abstentions:  
Motion:      Baden  
Second:      Hokanson  
Vote:      Yes  No       Recusals:

### **Rochester**

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Referral Number      **2012112**      Received:      6/20/2012  
Name:      **G. Sterrett Smith**      Type of Referral:      **Site Plan**  
Description:      Expand and convert existing single family home for bed and breakfast use  
Project Location:      34 Evers Lane, High Falls  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      Hokanson  
Second:      Holmquist  
Vote:      Yes  No       Recusals:      Baden

### **Rosendale**

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Referral Number      **2012129**      Received:      6/27/2012  
Name:      **Aleo A-Q Trust**      Type of Referral:      **Subdivision**  
Description:      Subdivide 31.27 acres into two 2 parcels - 5.2 and 26.07  
Project Location:      826 Route 32 Tillson  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      Hokanson  
Second:      Baden  
Vote:      Yes  No       Recusals:      Brown

### **Saugerties Town**

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Referral Number      **2012118**      Received:      6/21/2012  
Name:      **Route 32 Regen Station**      Type of Referral:      **Site Plan**  
Description:      Erect new building now and a second in the future for regen station to serve lines owned by AT&T  
Project Location:      3160 NYS Route 32  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      Baden      No: Zimmer  
Second:      Markowitz  
Vote:      Yes  No       Recusals:

### **Saugerties Town**

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Referral Number      **2012119**      Received:      6/25/2012  
Name:      **Brian Ellsworth**      Type of Referral:      **Site Plan**  
Description:      Erect 50' x 70' metal recycled building for storage on the Rip Van Winkle Campground property  
Project Location:      149 Blue Mountain Road  
Recommendation:      **No County Impact**      Abstentions:  
Motion:      Hokanson  
Second:      Baden  
Vote:      Yes  No       Recusals:

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## Saugerties Town

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Referral Number      **2012120**      Received:      6/25/2012  
Name:      **Amity Solutions LLC Recovery Home**      Type of Referral:      **Special Permit**  
Description:      Use existing building with site improvements for counseling organization  
Project Location:      4 Schoolhouse Road  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      Baden  
Second:      Hokanson  
Vote:      Yes  No       Recusals:      Economos

## Saugerties Town

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Referral Number      **2012121**      Received:      6/25/2012  
Name:      **Amity Solutions LLC Recovery Home**      Type of Referral:      **Site Plan**  
Description:      Use existing building with site improvements for counseling organization  
Project Location:      4 Schoolhouse Road  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      Baden  
Second:      Hokanson  
Vote:      Yes  No       Recusals:      Economos

## Ulster

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Referral Number      **2012122**      Received:      6/21/2012  
Name:      **Hoffman Landscaping**      Type of Referral:      **Subdivision and Site Plan**  
Description:      Establish landscaping supply business  
Project Location:      647 Route 28  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      Economos  
Second:      Holmquist  
Vote:      Yes  No       Recusals:

## Ulster

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Referral Number      **2012123**      Received:      6/21/2012  
Name:      **Kingston Kingdom of Jehovah's Witnesses**      Type of Referral:      **Subdivision**  
Description:      2-lot subdivision for construction of 4,500 place of worship  
Project Location:      Intersection of Sawkill Road and Barbarosa Lane  
Recommendation:      **No County Impact**      Abstentions:  
Motion:      Hokanson  
Second:      Baden  
Vote:      Yes  No       Recusals:

## Ulster

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Referral Number      **2012124**      Received:      6/21/2012  
Name:      **Kingston Kingdom of Jehovah's Witnesses**      Type of Referral:      **Site Plan**  
Description:      Construct 4,500 building for religious use  
Project Location:      Intersection of Sawkill Road and Barbarosa Lane  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      Hokanson  
Second:      Baden  
Vote:      Yes  No       Recusals:

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### Ulster

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Referral Number      **2012125**      Received:      6/19/2012  
Name:      **Prestige Toyota of Kingston**      Type of Referral:      **Variance-Area**  
Description:      14' area variance to construct ornamental façade  
Project Location:      756 East Chester Bypass  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      Hokanson  
Second:      Hakim      Recusals:  
Vote:      Yes  No

### Woodstock

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Referral Number      **2012126**      Received:      6/18/2012  
Name:      **Timber Harvest**      Type of Referral:      **Special Permit**  
Description:      Selective timber harvest according to stewardship forest management plan  
Project Location:      44 Eastwoods Drive (Off Zena-Highwoods Rd)  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      Hokanson  
Second:      Markowitz      Recusals:  
Vote:      Yes  No