

ULSTER COUNTY PLANNING BOARD

Minutes – January 2, 2013

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

The Executive Committee met at 6:30 PM

Vice Chairman Budziak called the meeting to order.

Mr. Budziak wished the board a happy new year. He stated that the board needs to keep in mind the educational requirements of 4 hours minimum training per year. Mr. Budziak also stressed the importance of attendance as members are the link from our board to the community. He added that attendance is also very important as we need to have a quorum of our board members to vote on referrals. Mr. Budziak brought up the issue of recusal and stated if you are sitting on a local board you may not participate in voting or deliberations.

Mr. Doyle wanted to remind the board that mileage reimbursements are being collected on a quarterly basis and we now require odometer readings.

Mr. Budziak stated the Executive Committee has expanded their discussions and believe the board needs to take more of a stand regarding policy issues in order to be more efficient and effective. Mr. Budziak added that one challenge in the coming year we will be developing the Greenway compact, which Mr. Doyle will speak more of later in the meeting.

Mr. Leibowitz read the roll call

- 1. ROLL CALL – Present:** R. Pecora, T. Marion, K. Lovelett, W. Falkenberg, T. Hokanson, H. Grant, T. Wilkin, M. Baden, J. Brown, K. Holmquist, R. Budziak, V. Markowitz, A. Yuran, M. Weitman, R. Kinnin, D. Doyle, R. Leibowitz, B. Samuelson **Absent:** P. Hakim, P. Economos, E. Hooper, G. Swanzey **Excused:** J. Konior, M. Watkins **Guests:** Mike Calimano (alt. Town of New Paltz), Trista Kellman, Mark Maseo, N. Struber, Steve Noble

2. APPROVAL OF MINUTES

The December minutes were approved. Motion by Mr. Wilkin, seconded by Ms. Hokanson.

Mr. Baden abstained. All were in favor.

3. FINANCIAL REPORT

Mr. Doyle stated that we are in the process of getting additional revenues from the State Department of Transportation, we have submitted two invoices from the 2nd and 3rd quarter (SFY) and should bill out approximately \$350,000 for the Transportation division. We are encumbering \$150,000 for contracts not completed in 2012. Mr. Doyle informed the board that we will have some additional funding for the Office of Business Services, which is now part of the county planning department's budget, so our budget will appear a bit larger. The Office of Business Services will do outreach to local businesses, as well as the function of the UCDC and will act as staff and support for the IDA. Two new staff will start by mid-January; they are both former employees of UCDC. Mr. Doyle stated the new division will be headed by March Gallagher who is the Deputy Director for Economic Development.

4. PUBLIC COMMENT

There was no public comment.

Mr. Budziak welcomed Steve Noble Chairman of the EMC. Mr. Doyle stated that Mr. Noble, as chair of the EMC, is also an ex-officio member of our board.

5. COMMUNITY REPORT

Mr. Baden informed the board that the Town of Rochester secured a Local Government Records Management Grant. They have 50 years of paper records in their office that they are using to create an electronic database. The work needs to be done by June 30th. Mr. Baden stated that there is a new round of that grant coming up in February or March for \$1.4 million. Go to NYS Archives webpage, there is a section on local government grants.

Mr. Budziak stated the Millens project is moving forward with their relocation to the Town of Ulster. Millens has a long history of violations, the move appears to be a good thing for the City of Kingston, and they will be monitored and should be compliant with the requirements of their new location. Mr. Budziak stated a second project in Ulster was Bucks junkyard in Eddyville. There were certain requirements that they have not complied with so the Town Board has denied them a permit.

Mike Calimano stated the Wilmorite project, which is for dormitories for SUNY New Paltz, is built on private land owned by the college, is up for review. They have filed a Draft Environmental Impact Statement, there have been public hearings, which will be continued at their Jan 14th meeting. The Town of New Paltz has received a number of comments on the project. Their board will begin working on the FEIS to address the comments.

Mr. Wilkin stated that locally stormwater ponds are set up for inspections when doing a site plan; for subdivisions they are set up for a stormwater district. In a neighboring town (not in Ulster County) they have no budget for inspections of stormwater facilities. Mr. Wilkin stated that town boards have a responsibility to inspect these things and asked members to bring this information back to their towns. Mr. Doyle clarified it should be stated that only MS4 communities have this responsibility. Ms. Hokanson stated that is why there should be stormwater districts, which become a taxing district. Mr. Doyle noted there are other recourses to provide for maintenance beyond the formation of districts. There is a responsibility under the statute's general permits issued for MS4 to do that work.

6. COMMUNICATIONS

Mr. Doyle stated that our office was very involved with business grants and other county grants. We supported the City of Kingston's Hudson River Promenade working with Steve Finkle as part of the CFA application. Mr. Doyle noted that outside the CFA, Ulster County submitted for \$750,000 with RUPCO to help lower and middle income property owners who were affected by Irene. Mr. Doyle stated we are completing CDBG and Main Street funding for Irene damages in Shandaken and Olive and other eligible communities. This has helped 29 businesses do repairs and replace equipment. All of those funds have been expended. We still need to bill out administrative expenses. Mr. Doyle added that the state has done a Herculean effort with respect to this. Mr. Doyle informed the board that money from the grants flows directly to the applying entity. Ms. Hokanson wanted to know which elementary school was being used for SUNY Ulster. Mr. Doyle answered it is Sophie Finn, which is behind the High School. Mr. Budziak asked what will the Promenade extent be as the cost was double the grant award. Mr. Doyle stated that was up to the City/Town and the developer.

7. OLD BUSINESS

a. Greenway Contract Scope of Services

Mr. Doyle stated that there was a handout in the packet for our scope of services from the contract with RPA. Mr. Leibowitz added that the contract was out for signature. The kickoff meeting should be in the next couple weeks. The Advisory

Committee (TAC) will be invited to the kickoff meeting. Greenway advisory members will also be invited. Mr. Budziak asked who was on the Greenway Committee. The Greenway Committee was determined to be made of the Executive Committee, Mr. Konior and Mr. Swanzey. Mr. Budziak encouraged anyone else interested to join them

- b. Mr. Doyle stated that we have filled our Transportation Planner position. His name is David Staas, he began on December 17th and he is hard at work on GIS improvement and traffic counts.

Mr. Doyle stated that we have been able to cut the Transportation program under MAP21. Ulster County typically has programmed \$38 million on our TIP in a 5 year period. We are now allocated about \$16 million. We have been able to move projects back, reallocate funding and seek additional funding from other sources to move these projects down to \$21 million.

We have made the appeal to NYSDOT that these projects are currently ongoing and have already started expending federal money. We'd also like to be able to work on a few key projects that haven't started yet. Mr. Doyle stated there was a decision made by DPW to do some bridge work in house. He added that there is very little money for trails and it is very hard to maintain a TIP in this fiscal climate. Mr. Doyle stated we are programming 4 years of funding for a 2 yr bill.

8. SPECIAL TOPICS DISCUSSION

Mr. Samuelson stated he is working with the department of environment on a hydrofracking resource website. The website will contain a summary of what is going on in Ulster County, hydrofracking laws, ways to regulate heavy truck traffic, road preservation laws, weight regulations and truck routes. Mr. Samuelson stated there will be PDF files, links to Cornell and general educational materials. The website should be out by February.

Mr. Doyle stated the information also can be utilized with respect to logging, quarrying or other high frequency truck traffic such as transfer stations and recycling centers. Mr. Doyle added that Shivertown Rd in Town of New Paltz now has weight restrictions between Route 32 and Putt Corners Rd. He added that this only applies to local routes, state and county routes are not restricted under local laws.

Mr. Doyle stated we have a small CDBG technical assistance grant for a shovel ready program to do analysis on the County's existing shovel ready investments and to look at best practices from around the state and elsewhere. The goal is to streamline projects that are shovel ready. Mr. Doyle stated we have an active program that is already up and running that is funded by the IDA and Central Hudson. We use a consensus building approach to change the dynamic of the planning process to develop the site plan. The team consists of the municipality, representatives from Ulster County, economic development members, the applicant, etc. Outside consultants would be used only when necessary. Mr. Doyle added that we continue to ask for sites. We have a site in the Town of Ulster, have received something from Town of Plattekill and we welcome sites from other communities. The applicant pays 50% of the costs and the shovel ready community pays 50%. We take a lien on the property and when the property is developed the applicant pays us the 50%. The community waives the development fees and we pick up the consultant work. Mr. Budziak asked the board to bring this information back to their communities.

9. NEW BUSINESS

a. Environmental Notice Bulletin & Grant Opportunities

Grants discussed during communications

Mr. Doyle stated DEC draft permits were done for the Williams Lake project. They are approaching the FEIS after 7 years.

Mr. Doyle stated the state issued a revised rule making for high volume hydraulic fracturing. This was done last minute over the objections of environmental groups. Ms. Yuran asked if a community could ban hydro-fracking. Mr. Doyle stated that this had been brought up in the Town of Dryden, who won their case at the Supreme Court level. The judge's opinion was that you can't regulate the process, but you can ban the use as to where it can occur, but not how it can occur. Mr. Baden stated the City of Binghamton had a similar case which was thrown out due to procedural issues because the city cut corners and did not refer it properly. The judge was clear that it was the procedural issues and not the content as the reason it was thrown out.

Mr. Wilkin stated that at the town level the town should have all the regular meeting dates posted. He asked if this was a law. Mr. Doyle stated that the dates should be posted not necessarily the frequency. Mr. Budziak asked if Mr. Wilkin was saying the county should do this. Mr. Wilkin answered that he meant for the local level.

Mr. Budziak asked the board to hold their referral questions until after the presentations.

10. ZONING REFERRALS – See Separate Zoning Minutes

Ms. Pecora wanted to thank Ms. Hokanson for all her years of service on our board, as she understands that she will not be reappointed.

11. ADJOURNMENT

The meeting adjourned at 9:00 pm. Motion by Mr. Holmquist, seconded by Mr. Marion. All were in favor.

Ulster County Planning Board Minutes



1/2/2013

Hurley

Referral Number **2013010** Received: 12/27/2012
Name: **Whidden Subdivision** Type of Referral: **Variance-Area**
Description: Residential lot width variances for minor subdivision
Project Location: 1447 Route 28A West Hurley
Recommendation: **Required Modifications** Abstentions:
Motion: Wilkin No: Hokanson
Second: Baden
Vote: Yes No Recusals:

New Paltz Town

Referral Number **2013001** Received: 12/14/2012
Name: **Ultra Seal Greenhouse** Type of Referral: **Site Plan**
Description: Construct 345 sq. ft. greenhouse to existing structure
Project Location: 521 Main Street
Recommendation: **No County Impact** Abstentions:
Motion: Holmquist
Second: Pecora
Vote: Yes No Recusals:

New Paltz Village

Referral Number **2013002** Received: 12/12/2012
Name: **Moratorium** Type of Referral: **Amend Zoning Statute**
Description: Moratorium in R-1,R-2,R-3,B-3, F, H, and P-B districts on site plans, subdivisions, and new construction.
Project Location:
Recommendation: **Required Modifications** Abstentions:
Motion: Hokanson No: Baden
Second: Wilkin
Vote: Yes No Recusals: Weitman

Rochester

Referral Number **2013003** Received: 12/20/2012
Name: **Nichols Field** Type of Referral: **Site Plan**
Description: Construct barn, riding area, driveway and parking area w/ fencing for horse boarding, riding lessons, training, etc.
Project Location: Sherman Road off Lower Granite Road
Recommendation: **Advisory Comments** Abstentions:
Motion: Pecora
Second: Marion
Vote: Yes No Recusals: Baden

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Rosendale

Referral Number **2013007** Received: 12/21/2012
Name: **Rowe Logging** Type of Referral: **Special Permit**
Description: Selective timber harvest
Project Location: 72 Grist Mill Road
Recommendation: **Required Modifications** Abstentions:
Motion: Hokanson
Second: Baden Recusals: Brown
Vote: Yes No

Rosendale

Referral Number **2013008** Received: 12/21/2012
Name: **Kalleco Nursery** Type of Referral: **Special Permit**
Description: Permit for greenhouse/nursery in residential district
Project Location: NYS Route 32 South
Recommendation: **Required Modifications** Abstentions:
Motion: Wilkin
Second: Baden Recusals: Brown
Vote: Yes No

Rosendale

Referral Number **2013009** Received: 12/21/2012
Name: **Kalleco Nursery** Type of Referral: **Site Plan**
Description: Construct nursery w/ retail space and greenhouses
Project Location: NYS Route 32 South
Recommendation: **Required Modifications** Abstentions:
Motion: Wilkin
Second: Baden Recusals: Brown
Vote: Yes No

Saugerties Town

Referral Number **2013011** Received: 12/24/2012
Name: **Local Law #3 of 2013** Type of Referral: **Amend Zoning Map**
Description: Re-zone parcel from Industrial to Moderate Density Residential
Project Location: Tissal Road
Recommendation: **Required Modifications** Abstentions:
Motion: Holmquist
Second: Pecora Recusals: Markowitz
Vote: Yes No

Ulster

Referral Number **2013004** Received: 12/19/2012
Name: **Kenco** Type of Referral: **Variance-Area**
Description: front yard setback variance (encroach by 19' 10")
Project Location: 1000 Hurley Mountain Road
Recommendation: **No County Impact** Abstentions:
Motion: Pecora
Second: Baden Recusals:
Vote: Yes No

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Ulster

Referral Number **2013005** Received: 12/19/2012
Name: **Kenco** Type of Referral: **Site Plan**
Description: 2-story, 3,640 sq. ft. addition to existing commercial building
Project Location: 1000 Hurley Mountain Road
Recommendation: **Required Modifications** Abstentions:
Motion: Pecora
Second: Baden Recusals:
Vote: Yes No

Ulster

Referral Number **2013006** Received: 12/19/2012
Name: **Lang Media Billboard** Type of Referral: **Variance-Use**
Description: Install digital CEVMS face on existing billboard
Project Location: 2125 Ulster Avenue
Recommendation: **Disapprove** Abstentions:
Motion: Hokanson
Second: Markowitz Recusals:
Vote: Yes No