

ULSTER COUNTY PLANNING BOARD

Minutes – June 1, 2016

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

The Executive Committee Met at 6:30PM

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

1. **ROLL CALL – Present:** R. Pecora, K. Hudson, J. Konior, P. Brooks, K. Lovelett, C. Lanzetta, M. Calimano, D. Boggess, T. Wilkin, M. Baden, J. Brown, P. Andreassen, S. Spata, M. Watkins, F. Almquist, V. Markowitz, M. Rudikoff, D. Gilmour, V. McLaughlin, D. Doyle, R. Leibowitz, B. Samuelson **Absent:** S. Cahill **Excused:** D. Whitaker, K. Holmquist, W. Murray, R. Kinnin **Guests:** Kimberly Nason, Robert Hlavaty (Alt. Town of Saugerties)

2. **APPROVAL OF MINUTES**
The May Minutes were approved. Motion by Mr. McLaughlin, seconded by Ms. Pecora. All were in favor.

3. **FINANCIAL REPORT**
Mr. Doyle stated we have \$345,000 in the Professional Services account for projects that are about to begin, primarily for Transportation funding, and we have \$26,000 for support of the Continuum of Care Program (HUD programs for homeless housing programs.) Mr. Doyle made note that we are working on budget projections with the County Executive's staff for 2017. The board will be reviewing the Capital Program when it is available and will be making a report to the Legislature and County Executive. Mr. Gilmour asked if there will be any new projects in the capital improvement program. Mr. Doyle answered that there are continuations of projects and there will be one new rail trail project.

Mr. McLaughlin asked about the project on Washington Avenue by the Quik Chek and Caboose. Mr. Doyle stated that is a project called Kingston Commons. Mr. McLaughlin asked if the rail project would have any effect on that project. Mr. Doyle said it would not.

4. **PUBLIC COMMENT**
No Comment.

5. **COMMUNITY REPORT**
Mr. McLaughlin stated there were concerns about parking for the 45 Partition Street project on pages 4 and 5 of this evening's referral agenda. The Village Planning Board met last night and the amount of parking has been downsized and addressed to board's satisfaction. Mr. McLaughlin stated, on behalf of the Village of Saugerties, in regard to the waterfront project that Mr. Struzzieri has proposed, the public concerns that the project has not been transparent are not valid and the village feels all has been done correctly. He noted that the Village requested Lead Agency status. He added that the Mayor, Mr. Struzzieri and DEC met regarding shoreline issues. Mr. McLaughlin stated there was a public hearing last night and the Board will vote on project next week.

Mr. Baden stated there is a very large eagle's nest on the Roundout by the Crested Hen project in Alligerville. The neighbors have brought this up as a way to stop the project. The DEC has reviewed the regulations and findings and is allowing the project to continue because it is more than 560' away from the nest. A monitor will keep people from congregating near the nest. Mr. Baden also added that the DEC has concurred with town's noise requirements for the project.

Mr. Watkins stated a man bought Audrey's B&B in Shawangunk and is proposing converting a greenhouse into a convention center there as well.

Ms. Pecora informed the Board that two projects will be coming to this board from the Town of Esopus: Star Estates, located across from Christian Bros in West Park, will be putting a vodka distillery and restaurant/hotel there. The other project is located in the old Aesthetics school in West Park, which will be turning into a hotel and cottages (Seth Tapper is manager).

Mr. Baden stated the Town of Rochester is working on Solar law. The Town Board decided working on large, medium and small scale law was too overwhelming so they voted to send back to committee who came up with a small scale proposal.

Ms. Pecora noted that Marist is coming before their board for the Payne Estate which they inherited and would like to make into a conference center.

Chairman Baden informed the Board he had blank mileage forms and please turn them in for April, May and June.

6. COMMUNICATIONS

Mr. Doyle read the communications listed.

7. OLD BUSINESS

a. Pilgrim Pipeline Update

Mr. McLaughlin asked to recuse himself from the conversation due to a conflict with his employer.

Mr. Doyle stated that there has been a decision by the Commissioner to allow the NYSDEC and NYS Thruway Authority to act as co-leads agencies. Ms. Hudson stated they met with DEC and Thruway Authority permit staff regarding SEQRA. They will be asking Pilgrim Pipeline to submit the long form EAF because they need additional information to issue a comprehensive positive declaration that was not provided by the preliminary DEIS submitted. Ms. Hudson continued that there are 9 cities and villages in the path of the pipeline, and under state transportation law, villages and cities have the authority to say no to having a pipeline within their borders. The City of Albany has indicated their disapproval of the pipeline by resolution. Beginning and end of the pipeline are in the City of Albany. The City of Rensselaer and a couple villages are the only municipalities that haven't weighed in. Ms. Hudson added that Assemblyman Skartados has introduced a bill into the Legislature that would add towns.

Mr. McLaughlin rejoined the conversation at this point.

b. Solar Regulations Update

Mr. Doyle stated that a copy of the new NYS Solar Energy Law was in the member's packet and he thanked Mr. Brooks for bringing it to our attention. Mr.

Brooks stated his town has a moratorium on all solar projects except residential projects. His board will be proposing to the Town board something based on the model statute.

Mr. Doyle stated we have two proposed municipal laws related for solar. Some of our comments were to limit size to 20 acres (limiting the size instead of discussing megawatts) because in most communities that is the largest amount to be disturbed for large projects, limiting them in residential districts and the balance of food production vs. energy production on farmland by limiting solar to no more than 20% of the prime soils on the parent parcel.

Mr. Doyle stated we would continue to revisit this topic.

Ms. Lanzetta asked to have the NYS Solar Energy Law sent electronically to the board.

8. SPECIAL TOPICS DISCUSSION

Mr. Samuelson stated the Ag & Farmland Protection Board voted to recommend all 23 parcels be accepted in this year's annual inclusion. He added that this year included high class ducks, hops and a lot of smaller farms. The public hearing will be June 21st. Mr. Baden asked if there was any discussion on property being fragmented. Mr. Doyle answered that it was originally established for a 10 acre minimum to qualify for ag districts and an agriculture exemption, which is usually looking at wholesale agriculture. He continued that as ag has evolved, retail agriculture has become trendy and much more successful in smaller areas. Small plot intensive ag that can earn more than \$10,000 a year on 3 to 5 acres is considered successful. Mr. Doyle added that the definition of what constitutes agriculture has also changed.

9. NEW BUSINESS

a. Environmental Notice Bulletin & Grant Opportunities

Mr. Doyle made note of the two grants listed that pertain to the Hudson River: Local Stewardage Grant – DOS & NYS DEC River Access Ed grants.

Mr. Doyle informed the board that Consolidated Funding Application (CFA) grants announcement and notice of funding availability is out. He added that there is \$750 million available. Mr. Doyle urged municipalities to apply; there are many planning grants. He noted that applications are due by July 29th and some grants require holding a public hearing so it's best to start now.

Ms. Lanzetta asked if there was a debriefing on the Ag Conservation grants. Mr. Doyle clarified that Ms. Lanzetta is speaking of the Farmland Protection grants where \$20 million was available for the Mid-Hudson region. Ulster County had 4 farms proposed, but none were funded. Mr. Doyle stated there was a debriefing, and, in general, areas to south and north of us fared better due to development pressure. Mr. Doyle noted there is an additional \$15 million available statewide, but we don't know if Scenic Hudson will apply again for that funding.

Mr. Doyle stated if anyone has questions about CFA, please reach out to Suzanne Holt, Director of the Office of Economic Development. We will offer assistance for individuals and businesses to write CFA applications.

Ms. Hudson had questions about two items noted on the ENB agenda.

- The Damberg property in the Town of Rochester proposed disturbance to protected stream. She noted the absence of an agency and wanted to know if they were applying for a permit. Mr. Baden stated the person was applying individually, so DEC is the lead agency.
- The City of Kingston Former Manufactured Gas Plant/NYS DEC Brownfield Cleanup Program. She asked what was the sediment contaminant? Mr. Doyle answered it was whatever was typical in that area down off the Rondout. Mr. Leibowitz stated the applicant was Central Hudson. Mr. Doyle noted there is a brownfields report on the City of Kingston website and asked if we should track it down? Ms. Hudson answered yes or just send her a link.

10. ZONING REFERRALS – *See Separate Zoning Minutes*

11. ADJOURNMENT

The meeting adjourned at 9:15PM

Ulster County Planning Board Minutes



6/1/2016

Hurley

Referral Number **2016100** Received: 5/18/2016
Name: **Woodstock Art Exchange** Type of Referral: **Variance-Area**
Description: Minimum lot size variance to allow garage to be converted for gallery use
Project Location: 1398 Route 28
Recommendation: **No County Impact** Abstentions:
Motion: Pecora
Second: Andreassen
Vote: Yes 19 No 0
Recusals:

Hurley

Referral Number **2016101** Received: 5/12/2016
Name: **Woodstock Art Exchange** Type of Referral: **Site Plan**
Description: Convert existing garage for use as an art gallery
Project Location: 1398 NYS Route 28
Recommendation: **Required Modifications** Abstentions:
Motion: Pecora
Second: McLaughlin
Vote: Yes 19 No 0
Recusals:

Hurley

Referral Number **2016102** Received: 5/12/2016
Name: **Modern Shacks, LLC** Type of Referral: **Site Plan**
Description: Model Home sales and parking. Granted use variance
Project Location: RT 28 Between Van Dale and Williams
Recommendation: **Required Modifications** Abstentions:
Motion: Pecora
Second: Watkins
Vote: Yes 19 No 0
Recusals:

Hurley

Referral Number **2016103** Received: 5/18/2016
Name: **Garrison** Type of Referral: **Variance-Use**
Description: Use variance to allow 6 chickens to be kept
Project Location: 1242 Route 28 West Hurley
Recommendation: **No County Impact** Abstentions:
Motion: Watkins
Second: Wilkin
Vote: Yes 19 No 0
Recusals:

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Lloyd

Referral Number **2016104** Received: 5/25/2016
Name: **Gina Marie'z Dance Studio** Type of Referral: **Site Plan**
Description: Renovate existing structure to utilize second story of building for dance studio use
Project Location: 10 Commercial Avenue
Recommendation: **Required Modifications** Abstentions:
Motion: Watkins
Second: Lovelett
Vote: Yes No Recusals: Brooks

Lloyd

Referral Number **2016105** Received: 5/25/2016
Name: **Highland Self Storage** Type of Referral: **Site Plan**
Description: Construct two self storage buildings (37,000 sf foortpint, 89,300 total square footage)
Project Location: 3663 Route 9W
Recommendation: **Required Modifications** Abstentions:
Motion: Pecora
Second: McLaughlin
Vote: Yes No Recusals: Brooks

Marbletown

Referral Number **2016106** Received: 5/6/2016
Name: **Schneller Subdivision** Type of Referral: **Subdivision**
Description: 2-lot subdivision
Project Location: 75 Bowden Road
Recommendation: **No County Impact** Abstentions:
Motion: Pecora
Second: Andreassen
Vote: Yes No Recusals: Lovelett

Marbletown

Referral Number **2016107** Received: 5/9/2016
Name: **Reynolds, Bash, & Gorn** Type of Referral: **Subdivision**
Description: Convert two building lots into four (2 existing parcels in approved open development area)
Project Location: 88 & & 72 Cherry Hill Road
Recommendation: **Advisory Comments** Abstentions:
Motion: Andreassen
Second: McLaughlin
Vote: Yes No Recusals: Lovelett

Marbletown

Referral Number **2016108** Received: 5/25/2016
Name: **Ballincurry Builders Subdivision** Type of Referral: **Subdivision**
Description: 5-lot average density subdivision
Project Location: Canary Hill Rd (off of Hurley Mountain Rd)
Recommendation: **Required Modifications** Abstentions:
Motion: Andreassen
Second: Calimano
Vote: Yes No Recusals: Lovelett

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Marlborough

Referral Number **2016109** Received: 5/18/2016
Name: **AT&T Upstate NY Build Site** Type of Referral: **Special Permit**
Description: Monopole tower with nine panel antennas, 18 remote radiohead units, and a ground-based 11.5ft x 12 ft equipment s
Project Location: 10 Ann Kaley Lane
Recommendation: **No County Impact** Abstentions:
Motion: Pecora
Second: McLaughlin Recusals: Lanzetta
Vote: Yes No

Marlborough

Referral Number **2016110** Received: 5/18/2016
Name: **AT&T Upstate NY Build Site** Type of Referral: **Site Plan**
Description: monopole tower with nine panel antennas, 18 remote radiohead units, and a ground-based 11.5ft x 12 ft equipment s
Project Location: 10 Ann Kaley Lane
Recommendation: **No County Impact** Abstentions:
Motion: Pecora
Second: McLaughlin Recusals: Lanzetta
Vote: Yes No

New Paltz Town

Referral Number **2016111** Received: 5/19/2016
Name: **Twin Star Orchards, LLC** Type of Referral: **Site Plan**
Description: Agricultural site plan for apple picking operation
Project Location: 155 N. Ohioville Rd
Recommendation: **Advisory Comments** Abstentions:
Motion: Watkins
Second: Lovelett Recusals: Calimano
Vote: Yes No

New Paltz Village

Referral Number **2016112** Received: 5/6/2016
Name: **Subdivision Definition** Type of Referral: **Amend Zoning Statute**
Description: Create consistent definition with zoning and subdivision laws
Project Location:
Recommendation: **No County Impact** Abstentions:
Motion: Andreassen
Second: McLaughlin Recusals:
Vote: Yes No

Plattekill

Referral Number **2016113** Received: 5/20/2016
Name: **Veterinary Clinic** Type of Referral: **Special Permit:Special Permit an**
Description: Convert existing single family home for veterinary practice
Project Location: 2264 State Route 32 Modena
Recommendation: **Required Modifications** Abstentions:
Motion: Andreassen
Second: McLaughlin Recusals: Wilkin
Vote: Yes No

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Rosendale

Referral Number **2016116** Received: 5/27/2016
Name: **Rosendale Realty Corp** Type of Referral: **Variance-Area**
Description: Legalize shed converted into dwelling (was a heated workshop)
Project Location: 423 Main Street Rosendale
Recommendation: **No County Impact** Abstentions:
Motion: McLaughlin
Second: Pecora Recusals:
Vote: Yes No

Saugerties Village

Referral Number **2016114** Received: 5/16/2016
Name: **44 Partition Street** Type of Referral: **Special Permit**
Description: Convert residence for use as a B&B
Project Location: 44 Partition Street
Recommendation: **Required Modifications** Abstentions:
Motion: Pecora
Second: McLaughlin Recusals:
Vote: Yes No

Saugerties Village

Referral Number **2016115** Received: 5/16/2016
Name: **44 Partition Street** Type of Referral: **Site Plan**
Description: Convert residence for use as a B&B
Project Location: 44 Partition Street
Recommendation: **Required Modifications** Abstentions:
Motion: Pecora
Second: McLaughlin Recusals:
Vote: Yes No

Shawangunk

Referral Number **2016117** Received: 5/12/2016
Name: **Leonette Property Management** Type of Referral: **Subdivision**
Description: 6-lot subdivision
Project Location: End of Grandview Terrace, Walkkill, NY
Recommendation: **Required Modifications** Abstentions:
Motion: Pecora
Second: Andreassen Recusals: Watkins
Vote: Yes No

Shawangunk

Referral Number **2016118** Received: 5/27/2016
Name: **Walkkill Valley Federal Savings and Loan** Type of Referral: **Variance-Area**
Description: Variance for signage size
Project Location: 23 Walkkill Avenue
Recommendation: **No County Impact** Abstentions:
Motion: Andreassen
Second: McLaughlin Recusals: Watkins
Vote: Yes No

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Shawangunk

Referral Number **2016119** Received: 5/27/2016
Name: **Kolenovic** Type of Referral: **Variance-Use**
Description: Convert single family home to 3-family home
Project Location: 42 Schubert Drive
Recommendation: **Required Modifications** Abstentions:
Motion: Pecora
Second: Lovelett
Vote: Yes No Recusals:

Wawarsing

Referral Number **2016120** Received: 5/20/2016
Name: **Retail Antique Shops** Type of Referral: **Amend Zoning Statute**
Description: Amend statute to allow retail antique shops in the RU zoning district via special permit
Project Location: RU zoning District
Recommendation: **Advisory Comments** Abstentions:
Motion: Andreassen
Second: Lovelett
Vote: Yes No Recusals:

Wawarsing

Referral Number **2016121** Received: 5/25/2016
Name: **Aerostar Petroleum** Type of Referral: **Special Permit**
Description: Replace existing convenience store with new convenience store
Project Location: 8112 Route 209
Recommendation: **Required Modifications** Abstentions:
Motion: Andreassen
Second: Lovelett
Vote: Yes No Recusals:

Wawarsing

Referral Number **2016122** Received: 5/25/2016
Name: **Aerostar Petroleum** Type of Referral: **Site Plan**
Description: Replace existing convenience store with new convenience store
Project Location: 8112 Route 209
Recommendation: **Required Modifications** Abstentions:
Motion: Andreassen
Second: Lovelett
Vote: Yes No Recusals:

Woodstock

Referral Number **2016123** Received: 5/26/2016
Name: **Studio Units** Type of Referral: **Variance-Area**
Description: Setback variances for structures, garage, and parking
Project Location: 7 Lark Drive
Recommendation: **Advisory Comments** Abstentions:
Motion: McLaughlin
Second: Calimano
Vote: Yes No Recusals: