

**ULSTER COUNTY PLANNING BOARD**  
***Minutes - October 2, 2013***

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

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

Chairman Watkins called the meeting to order at 7:35pm and apologized for the late start. He explained that the Executive Committee was in discussion about the Board taking a more active role and added that the Board will be brought up to speed as this progresses. Mr. Watkins asked Mr. Leibowitz to read the roll call.

Chairman Watkins introduced Mr. Matthew Rudikoff to the Board. Mr. Rudikoff is a proposed member for the Town of Woodstock.

**1. ROLL CALL – Present:** F. Zimmer, D. Whitaker, K. Lovelett, W. Falkenberg, M. Calimano, H. Grant, T. Wilkin, M. Baden, J. Brown, K. Holmquist, M. Watkins, R. Budziak, V. Markowitz, M. Weitman, D. Doyle, R. Leibowitz, B. Samuelson **Absent:** R. Kinnin **Excused:** R. Pecora, J. Konior, P. Brooks, P. Andreassen, G. Swanzey **Guests:** Matthew Rudikoff

**2. APPROVAL OF MINUTES**

The September minutes were approved. Motion made by Mr. Baden, seconded by Mr. Holmquist.

**3. FINANCIAL REPORT**

Mr. Doyle stated that Mr. Lovelett requested that percentage of budget spent be added to the Financial Report. He added that this Board does not have a fiduciary responsibility for the budget, but we can certainly make that addition. Mr. Doyle stated that we are in fairly good shape, but there is a freeze on conferences. Mr. Doyle stated that the Planning Department is divided into two divisions – Planning and Office of Business Services (OBS). Ulster County Transportation Council is part of the Planning division and the Planning Department supports the Council. Two and a half staff persons in the Planning Department are assigned to do Transportation work. The “Planning Studies” line item is for contractual work, most of which is for transportation council contracts. Those funds are run on State Calendar Year and many of their balances carry into the next year. “Other Fees for Prof Svcs” supports the Housing Consortium, which uses clerical support through an outside agency – this money is usually paid out near the end of the year. The Housing Consortium and Continuum of Care are required by HUD. Most “Conference” money is for the Transportation division and OBS. Mr. Budziak asked why the Transportation and Planning budgets are not separate. Mr. Doyle explained it provides more flexibility for staff and line items.

Mr. Doyle informed the Board that the County Executive released the tentative budget with no tax increase. The Planning Department’s budget is basically the same, Virginia Craft’s position is included. A Request to Fill for this year has not been approved.

**4. PUBLIC COMMENT**

No Public Comment

**5. COMMUNITY REPORT**

Mr. Wilkin noted an article in the newspaper about DEC Region 3 having a new Regional Director and asked Mr. Doyle’s opinion. Mr. Doyle said he saw the article and that it was a promotion from within.

Mr. Watkins stated the Walkkill Fire Company was turned down for a new firehouse so they are now showing up to every Planning Board meeting in Shawangunk and they comment on all projects in front of the Board. Mr. Leibowitz asked what to do when you need approval of the Fire Department. Mr. Watkins stated they have asked and get no response.

Mr. Wilkin stated that after the SEQR training session he asked Jack Nasca, the DEC representative, about the length of hard copy versions of the workbooks. The workbook for the new short form was 130 pages and workbook for the long form is 300 pages. The DEC recommends that people go online to view the documents. Mr. Wilkin added that Jack Nasca did a good job.

Mr. Baden said his board will be reviewing the new short form EAF on Tuesday. He stated the Town of Rochester has 3 cell towers and his board will be reviewing 3 applications for new antennas and another 3 or 4 coming in the next 2 months, which the Town Attorney has been saying shouldn't even be reviewed. The Town's Code Enforcement officer takes the opinion that the law states the application can't be denied, but it doesn't say it shouldn't be reviewed.

Mr. Markowitz stated the Walmart in Napanoch will be opening October 16<sup>th</sup>.

Mr. Weitman stated the Village of New Paltz Mayor is back.

## 6. COMMUNICATIONS

Mr. Doyle made note of the Board of Education for the Kingston High School lead agency request, Town of Marlborough public hearing notice, Barton & Loguidice for Town of Rosendale lead agency request and Town of New Paltz sent an Ag Data Statement for a lot line revision.

## 7. OLD BUSINESS

### a. Update CRZ (now called New York Rising) Program

Mr. Doyle stated representatives of the New York Rising Program, which locally includes 11 communities plus the Town of Shandaken, met in New Paltz with the Governor to kick off the meeting. Community Development Grant funds are being used for this initiative. Key projects that are flood prone or disaster prone are being identified. A timeline has been established to complete a concept plan for sister communities and a regional concept plan by November, with final plan in place by February or March of 2014. Then they will move to implementation. One consultant is working with 10 communities and another is working with the Towns of Shandaken and Hardenburgh.

### b. Watershed Issues

Mr. Doyle stated the main watershed issues are the FAD (Filtration Avoidance Document) and the Lower Esopus consent order. The NYS Department of Health has granted an extension of the FAD comments for 30 days mid-November. Lack of inclusion of Lower Esopus in the FAD is a problem. The FAD provides an additional \$50 million in acquisition funds in the watershed and a requirement for the City to match \$10.5 million in disaster mitigation funds for flood buyout. The FAD also requires a City only buyout program for about \$10.5 million available to residential and commercial properties. There is also a \$17 million program available to Catskill Watershed Corp for businesses to relocate within the watershed.

### c. County Budget

Mentioned during Financial Report

### d. Agricultural Districts

Mr. Samuelson informed the Board that Ag Dist 1 was recertified September 19<sup>th</sup> after the 8-year review was performed, which includes 741 parcels or about 15,000 acres. We notified the Towns which include Lloyd and Marlborough and parts of Plattekill, Esopus and Town of New Paltz.

Mr. Samuelson stated this year's Ag inclusions have been sent to Albany. We are recommending 18 parcels (about 503 acres) to 3 of the 4 districts (although it is now 17 parcels as 2 parcels have been consolidated in Wawarsing at the Tax Assessor's request). Mr. Samuelson added that Ag is changing a lot – we are seeing high tech greenhouses, crops such as mushrooms, etc, by more young, tech savvy farmers, most likely from NYC.

Mr. Wilkin asked how much was taken out of Ag Dist 1 from the 8 year review. Mr. Samuelson stated he couldn't say how many acres, but it was over 150 parcels. Mr. Doyle added that when you look at it, each year we add parcels to the Ag Districts, so he wasn't sure that it's not a wash. Mr. Markowitz asked about the parcels added in Wawarsing. Mr. Samuelson stated we added 4 parcels, but 2 were consolidated, and added that is a hay operation.

Mr. Doyle added that the fact that the reports were certified by the Commissioner as submitted, the County Legislature took the recommendations from the Ag & Farmland Protection Board and added a couple parcels, attests to the work of the Farmland Protection Board, our Legislature and our staff. Mr. Baden said Agriculture is a big passion of his (his family was involved in the business) he stated the detail of the reports is a testament to Ginny's work, and now Burt's work. Mr. Doyle added that we have been asked by Ag and Markets to review the procedures and make comments on how to make them easier and simpler. Mr. Budziak asked what the rationale was for taking parcels off the list. Mr. Samuelson stated we look at the tax assessment roles and aerials of the property and if it is not actively being farmed it's taken out. Mr. Samuelson stated we work closely with the County's Real Property staff to review lot line revisions and subdivisions. Mr. Watkins stated they were contacted by Orange County about a building used for compost – so he could see how technology is coming into play and things are changing.

e. Ulster County Housing Consortium

Mr. Doyle stated the Housing Consortium and Continuum of Care (COC) are going through significant change. The Housing Consortium will become secondary to the function of the Continuum of Care due to changes in Federal Regulations – called the Hearth Act. Mr. Doyle stated there will be a better process to make decisions about which agencies are being funded and what is to be funded. COC is self-directed by intention by HUD. We have been supporting the agency for about 5 years. Mr. Budziak asked about the housing report conducted a few years ago, stating it made reference to a substantial deficit in affordable housing, which was projected to get worse. Is there any new data? Making progress? Mr. Doyle stated that there is no updated data. The Tri-County Housing Consortium was produced during the 2008-2009 start of the recession. Mr. Doyle added that there are those who say the data is no longer valid. Yet both price and income were impacted. Today price seems to be recovering, whereas income is not and bank financing is more difficult.

f. Greenway Update

Mr. Leibowitz stated the full draft Compact is coming out on Monday. We will have a meeting of the Technical Advisory Committee on Friday October 11<sup>th</sup> at 9:15am. We can send out the draft copies by email to the board and it will also be on the dropbox. RPA will printout copies for those attending the meeting.

g. Revised Exception Agreement Update

Mr. Leibowitz stated the draft Schedule B that was handed out last month has been edited for language. He added that "accessory apartment variances" have been added, as well as

updating "subdivisions" to say includes any access roads or structures in 100-yr flood plain. Mr. Baden appreciated the wording about subdivisions and he asked about Ag Districts. Mr. Leibowitz answered that farm operations are a trigger for General Municipal Law.

**Motion to adopt the revised Schedule B to be part of the Referral Exception Agreement made by Mr. Baden, seconded by Mr. Budziak. All were in favor.**

Mr. Leibowitz stated that this will be sent with a coverletter to all local boards that have signed the agreement and we will remind other communities that have not. We will do a feedback/review in a year to see how this is working. Mr. Leibowitz stated that Board Chairpersons can send us comments at any time. Mr. Baden suggested changing the page to the Referral Guide on the website. Mr. Doyle stated that we plan on updating the page.

**8. SPECIAL TOPICS DISCUSSION**

Mr. Watkins stated some members have terms expiring at the end of this year and he passed around a list. He asked members to let Mr. Doyle know if they are interested in reappointment. He added that under Public Officers Law you can continue to serve until you are reappointed or replaced.

**9. NEW BUSINESS**

➤ Environmental Notice Bulletin & Grant Opportunities – *No Member Comment*

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

**11. ADJOURNMENT**

**The meeting adjourned.**

# Ulster County Planning Board Minutes



10/2/2013

## Esopus

---

Referral Number      **2013146**      Received:      9/12/2013  
Name:      **St Remy Reformed Church**      Type of Referral:      **Variance-Area**  
Description:      Donation of \$4000, lot line adjustment, reducing church property which is already non-conforming  
Project Location:      534 Main St, St. Remy  
Recommendation:      **No County Impact**      Abstentions:  
Motion:      Baden  
Second:      Holmquist      Recusals:      Zimmer  
Vote:      Yes  No

## Gardiner

---

Referral Number      **2013147**      Received:      9/9/2013  
Name:      **Amendment to Zoning**      Type of Referral:      **Amend Zoning Statute**  
Description:      Local Law Amending Chapter 220  
Project Location:  
Recommendation:      **No County Impact**      Abstentions:  
Motion:      Calimano  
Second:      Wilkin      Recusals:  
Vote:      Yes  No

## Gardiner

---

Referral Number      **2013148**      Received:      9/15/2013  
Name:      **Amendment to Zoning Map**      Type of Referral:      **Amend Zoning Map**  
Description:      Change HM district in Hamlet of Gardiner to "CH" or Central Hamlet  
Project Location:  
Recommendation:      **Advisory Comments**      Abstentions:  
Motion:      Calimano  
Second:      Wilkin      Recusals:  
Vote:      Yes  No

## Hurley

---

Referral Number      **2013149**      Received:      9/20/2013  
Name:      **George Jacquemart**      Type of Referral:      **Special Permit**  
Description:      Permission to operate rock crusher on property, use crushed stone on roads & sell remainder. Near Tn Marbletown  
Project Location:      Dug Hill Rd/Reichel Rd  
Recommendation:      **No County Impact**      Abstentions:  
Motion:      Calimano  
Second:      Wilkin      Recusals:  
Vote:      Yes  No

## ~Ulster County Planning Board Minutes~

### Hurley

---

Referral Number      **2013159**      Received:      9/20/2013  
Name:      **George Jacquemart**      Type of Referral:      **Use Variance**  
Description:      Permission to operate rock crusher on property, use crushed stone on roads & sell remainder. nearTn Marbletown  
Project Location:      Dug Hill Rd/Reichel Rd  
Recommendation:      **No County Impact**      Abstentions:  
Motion:      Calimano  
Second:      Wilkin  
Vote:      Yes  No       Recusals:

### Kingston Town

---

Referral Number      **2013151**      Received:      9/17/2013  
Name:      **Dollar General**      Type of Referral:      **Site Plan**  
Description:      New Construction of Dollar General Store  
Project Location:      NYS Route 28  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      Baden  
Second:      Holmquist  
Vote:      Yes  No       Recusals:

### Marbletown

---

Referral Number      **2013150**      Received:      9/23/2013  
Name:      **Finn Subdivision**      Type of Referral:      **Subdivision**  
Description:      Create 2 lots from 3,099 acre parcel. Lot 1 to be 1,867 ac w/ existing house & lot 2 to be 1,232 ac - new single family  
Project Location:      51 Depew Road, High Falls  
Recommendation:      **No County Impact**      Abstentions:  
Motion:      Wilkin  
Second:      Baden  
Vote:      Yes  No       Recusals:      Lovelett

### Marlborough

---

Referral Number      **2013152**      Received:      9/20/2013  
Name:      **Baker Subdivision**      Type of Referral:      **Subdivision**  
Description:      2 lot subdivision, Lot 1 on 5.4 acres w/existing 4BR home & lot 2 on 1.24 acres w/existing 2-BR home  
Project Location:      439 Lattintown Rd, Marlboro  
Recommendation:      **No County Impact**      Abstentions:  
Motion:      Holmquist  
Second:      Calimano  
Vote:      Yes  No       Recusals:      Falkenberg

### New Paltz Village

---

Referral Number      **2013153**      Received:      9/23/2013  
Name:      **Colucci Building Apartment**      Type of Referral:      **Site Plan**  
Description:      Conversion of 10 Church St from 3 apartment structure to 2 apartments and retail flower shop  
Project Location:      10 Church Street  
Recommendation:      **No County Impact**      Abstentions:  
Motion:      Wilkin  
Second:      Calimano  
Vote:      Yes  No       Recusals:      Weitman

## ~Ulster County Planning Board Minutes~

### Plattekill

---

Referral Number      **2013154**      Received:      9/20/2013  
Name:      **A Messina & Sons**      Type of Referral:      **Site Plan**  
Description:      Lot Line Revision & Site Plan Modification  
Project Location:      Orchard Drive  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      Calimano  
Second:      Lovelett  
Vote:      Yes  No       Recusals:      Wilkin

### Saugerties Town

---

Referral Number      **2013156**      Received:      9/27/2013  
Name:      **Saugerties Comfort Inn**      Type of Referral:      **Site Plan**  
Description:      Add covered portico and new vestibule with elevator, pool house /fitness room and 3 new guest rooms  
Project Location:      2790 Route 32  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      Baden  
Second:      Holmquist  
Vote:      Yes  No       Recusals:

### Ulster

---

Referral Number      **2013155**      Received:      9/9/2013  
Name:      **MHMG\_KM Kingston**      Type of Referral:      **Subdivision**  
Description:      6 lot subdivision  
Project Location:      1561 & 1601-1629 Ulster Ave  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      Calimano  
Second:      Baden  
Vote:      Yes  No       Recusals:

### Ulster

---

Referral Number      **2013157**      Received:      9/27/2013  
Name:      **Dallas Hot Weiners**      Type of Referral:      **Site Plan**  
Description:      Covnert former retail store to 48-seat restaurant  
Project Location:      1706 Ulster Avenue/Carle Terrace  
Recommendation:      **No County Impact**      Abstentions:  
Motion:      Holmquist  
Second:      Baden  
Vote:      Yes  No       Recusals:

### Ulster

---

Referral Number      **2013158**      Received:      9/27/2013  
Name:      **1146 Ulster Avenue Billboard**      Type of Referral:      **Site Plan**  
Description:      Relocate two existing billboards (510 Rt 28 and 17 Stahlman Place) onto a single monopole billboard  
Project Location:      1146 Ulster Avenue  
Recommendation:      **Disapprove**      Abstentions:  
Motion:      Wilkin  
Second:      Holmquist  
Vote:      Yes  No       Recusals: