

**ULSTER COUNTY PLANNING BOARD**  
***Minutes – May 4, 2016***

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

- 1. ROLL CALL – Present:** R. Pecora, K. Hudson, D. Whitaker, J. Konior, P. Brooks, S. Ricci, C. Lanzetta, M. Calimano, D. Boggess, T. Wilkin, M. Baden, J. Brown, P. Andreassen, K. Holmquist, M. Watkins, F. Almquist, V. Markowitz, W. Murray, V. McLaughlin, D. Doyle, R. Leibowitz, B. Samuelson **Absent:** M. Rudikoff, E. Cafaro, R. Kinnin, S. Cahill **Excused:** K. Lovelett **Guests:** Kevin McManus
  
- 2. APPROVAL OF MINUTES**  
The April minutes were approved. Motion by Mr. McLaughlin, seconded by Mr. Watkins. All were in favor.
  
- 3. FINANCIAL REPORT**  
Mr. Doyle stated all is well.
  
- 4. PUBLIC COMMENT**  
No Public Comment
  
- 5. COMMUNITY REPORT**  
Mr. Almquist said the Town of Ulster Planning Board received a letter stating there were no plans from the State to do anything with the Sycamore tree near the traffic circle on Washington Avenue. They were told it would need approval by the NYSDOT Landscape Architects office before any tree with a diameter larger than 6 inches can be taken down. Mr. Doyle asked if the site plan showed that the entrance to the project would require the tree to be removed. He added that the county has a right-of-way that needs to be moved for that project. We may ask for an amendment. If there is a proposal to remove the tree they will need an arborist to say that the tree is in bad shape.  
  
Mr. Whitaker said there were numerous people at a Town Planning Board meeting who were upset that the rails are going away and they don't understand why with the number of people coming in for the special event trains. Mr. Doyle stated there is a "fog" of misinformation out that has us considering the need for a fact sheet. He continued that the Legislature has made a policy that rail will remain and will be rail with trail in the City of Kingston, from the plaza up to mile 8.83 (near Basin Road) and in Phoenicia from the Boiceville/Cold Brook area. The other portions of the railroad, along the Ashokan Reservoir and west of Phoenicia, by Legislative policy, is devoted to trail only. Mr. Doyle noted that there is a short segment in Highmount where it was provided that the train could come back up to Belleayre. Mr. Doyle stated the areas that the Legislature designated for rail are larger and longer than the CMRR runs on now. Our office has issued an RFP and the deadline has been

extended to May 20<sup>th</sup>. The County is going through the procurement process now. There was a proposal by a member of the Legislature to extend the CMRR lease, which expires at the end May, but the proposal was postponed in Committee until June. We now have a settlement agreement with CMRR for the lawsuit, which includes the railroad vacating the tracks and removing their equipment by July. Mr. McLaughlin stated he heard there might be a petition to discharge the resolution. Mr. Holmquist said he lives near the tracks in Phoenicia and they have done a good job cleaning it up there. Ms. Pecora asked Mr. Doyle if there was interest in the RFP. Mr. Doyle said he heard that there was interest, but until we see the bids we don't know. Mr. Doyle clarified that CMRR has to cease operations at the end of May per the existing lease agreement. Mr. Baden brought up the use variance in Phoenicia that our board reviewed. Mr. Leibowitz stated the variance has been tabled by the ZBA for more information.

Mr. Markowitz wanted to thank all the fire departments who helped fight the fire on the Shawangunk Ridge and also those in the community who made donations to help the effort.

Ms. Hudson stated the recycling center in Gardiner had been taking recyclables and re-selling them and using the proceeds to help fund the operations of the facility. They had to stop due to the risk of being sued, which she felt was unfortunate. Mr. Baden stated that Town of Rochester does what they call "free stuff" where useful items are left out for people free of charge.

## 6. COMMUNICATIONS

Mr. Doyle made note of the listed communications.

## 7. OLD BUSINESS

### a. Ag District Inclusion Update

Mr. Samuelson informed the Board that we received 12 applications for 11 farms. This amounts to 23 parcels or approximately 368 acres. These areas include Esopus, Saugerties, Hurley, Marbletown, Rochester, Wawarsing and Gardiner. He noted that active farms this year are mostly represented by livestock. Mr. Samuelson added that there is a high interest in the Ag program in this county and the applications will be online by the end of the week.

Mr. Baden stated, on an ag note, that the Rondout Valley School District received a \$750,000 grant for a greenhouse, which has been constructed and finished recently, and now they are starting an ag program. Mr. Baden noted the funding is coming from the Local Economies Project (old Gill Farm.) Mr. McLaughlin stated Saugerties just got an \$800,000 grant to do something similar.

Mr. Doyle stated that he had spoken to the Board about a \$20 million Mid-Hudson Ag Preservation grant that was available. We had worked with Scenic Hudson to submit applications for farms in Rochester and New Paltz. We have received notice that Ulster County did not receive funding for either project. Mr. Doyle stated that we've had further discussions with Scenic Hudson for the statewide farm preservation application for \$15 million, but we do not have an answer on that funding yet. Ms. Lanzetta stated that the Town of Marlborough sent Governor Cuomo a letter that stated the Town was concerned that the hierarchy was focused on soils because Ulster County has a unique micro-climate that we should not be penalized for. The State replied that due to our unique climate, farming requires a special skill, which actually works against us. Mr.

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

Doyle said “unique agricultural lands” would seem to fit in the State Ag District law. Ms. Hudson inquired about Scenic Hudson’s role. Mr. Doyle said Scenic Hudson put the application together and pledged the 25% local match. He added that the decision on who to fund was made somewhere on the State level.

b. Solar Update

Mr. Brooks stated he reached out to Jessica Bacher for information on the model solar law. He added that she is expecting the law to be out in May. Mr. Leibowitz sent out a package with several model laws to the Board. Ms. Lanzetta stated she found it frustrating working with a pdf when trying to put together a resolution for the Unified Solar Permit for her Town. Mr. Doyle asked who knew if their town adopted the law. Rochester, Hurley and Olive have adopted the Unified Solar Permit and Marlborough has it on the Agenda. Mr. Wilkin said Plattekill is thinking about it. Mr. Baden stated adopting the permit streamlines the process and makes homeowners and the building department happier. Ms. Lanzetta offered to share her Town’s resolution to adopt the permit for others to use as a template.

**8. SPECIAL TOPICS DISCUSSION**

a. Broadband

Mr. Doyle stated we have been keeping an eye on Broadband with the \$500 million that the Governor’s Office has put out there to improve broadband. It seems that only a portion of Denning is eligible for this funding. New Charter may take over Time Warner Cable. Under that takeover TWC has responsibility to improve service to certain customers. As of now, TWC has approval from FCC and every state except California. They will have to provide the Public Service Commission with data and there are requirements for low and moderate income access. We have provided maps to the Supervisor’s Association of where service is and isn’t. We would like to show gaps in service for when TWC is ready to roll out. Mr. Doyle added that TWC plans on upgrading to 300 megabit per second broadband regardless of whether the merger goes through or not.

**9. NEW BUSINESS**

a. Environmental Notice Bulletin & Grant Opportunities – No Member Comment

- **2016 CFA Grants Announced**

Mr. Doyle stated funding was announced. He encouraged the board to talk to local businesses, sit down with local officials, boards, building inspectors, etc., and discuss what needs to be funded.

- **\$20 Million Hudson Valley Agricultural Enhancement Program Awards Announced** – Covered under Old Business

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

**11. ADJOURNMENT**

The meeting adjourned at 9:10pm

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

# Ulster County Planning Board Minutes



5/4/2016

## Esopus

---

Referral Number: **2016099** Received: 5/3/2016  
Name: **Saunders Fence Variance** Type of Referral: **Variance-Area**  
Description: Legalize existing fence (7' in height)  
Project Location: 1352 Old Post Rd  
Recommendation: **No County Impact** Abstentions:  
Motion: Watkins  
Second: Andreassen  
Vote: Yes  **19** No  **0** Recusals:

## Gardiner

---

Referral Number: **2016097** Received: 4/29/2016  
Name: **The Stone House Creamery, Inc** Type of Referral: **Site Plan**  
Description: Ice Cream Take Out  
Project Location: 2809 Route 44/55  
Recommendation: **Required Modifications** Abstentions:  
Motion: Andreassen  
Second: Konior  
Vote: Yes  **19** No  **0** Recusals:

## Hurley

---

Referral Number: **2016086** Received: 4/15/2016  
Name: **Modern Shacks, LLC** Type of Referral: **Variance-Use**  
Description: Allow model home/office (Classified as a "Sales Yard") in R-1 zoning district and Route 28 Overlay Districts  
Project Location: Route 28 at Williams Lane  
Recommendation: **Required Modifications** Abstentions:  
Motion: Andreassen  
Second: Konior  
Vote: Yes  **18** No  **0** Recusals: Whitaker

## Hurley

---

Referral Number: **2016087** Received: 4/15/2016  
Name: **Modern Shacks, LLC** Type of Referral: **Variance-Area**  
Description: Side-yard variances and sign variances  
Project Location: Route 28 at Williams Lane  
Recommendation: **No County Impact** Abstentions:  
Motion: Andreassen  
Second: Konior  
Vote: Yes  **18** No  **0** Recusals: Whitaker

# ~Ulster County Planning Board Minutes~

## Kingston City

---

Referral Number      **2016088**      Received:      4/14/2016  
Name:      **Smorgasburg**      Type of Referral:      **Special Permit**  
Description:      Seasonal Flea Market and food vending use at former Hutton Brickyard (1 YR special permit)  
Project Location:      200 North Street  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      Andreassen  
Second:      McLaughlin      Recusals:  
Vote:      Yes  No

## Kingston City

---

Referral Number      **2016089**      Received:      4/14/2016  
Name:      **Smorgasburg**      Type of Referral:      **Site Plan**  
Description:      Seasonal Flea Market and food vending use at former Hutton Brickyard (1 YR special permit)  
Project Location:      200 North Street  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      Andreassen  
Second:      McLaughlin      Recusals:  
Vote:      Yes  No

## Lloyd

---

Referral Number      **2016090**      Received:      4/25/2016  
Name:      **Local Law D of 2016**      Type of Referral:      **Amend Zoning Statute**  
Description:      Amend 100-23.1 - Add factors planning board considers when reviewing proposed site plans  
Project Location:      Townwide  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      Watkins  
Second:      Konior      Recusals:      Brooks  
Vote:      Yes  No

## Lloyd

---

Referral Number      **2016098**      Received:      5/2/2016  
Name:      **Local Law E of 2016**      Type of Referral:      **Other Special Authorization**  
Description:      Moratorium on the installation of commercial solar facilities for 6-months  
Project Location:      Townwide  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      Andreassen  
Second:      Konior      Recusals:      Brooks  
Vote:      Yes  No

## Marlborough

---

Referral Number      **2016091**      Received:      4/27/2016  
Name:      **Amendment to 155-30(B)**      Type of Referral:      **Amend Zoning Statute**  
Description:      Amend 155-30(B) - design standards for multiple dwellings and adding 155-18(D) - regulation of seasonal dwellings  
Project Location:  
Recommendation:      **Required Modifications**      Abstentions:  
Motion:      Watkins  
Second:      Konior      Recusals:      Lanzetta  
Vote:      Yes  No

# ~Ulster County Planning Board Minutes~

## **New Paltz Town**

---

Referral Number **2016096** Received: 4/29/2016  
Name: **River to Ridge Trail** Type of Referral: **Site Plan**  
Description: Hiking Trail from Walkill River with parking @ Springtown Boat Launch parking lot. Links to lands of Mohonk  
Project Location: Walkill River along Route 299 to Mohonk Preserve  
Recommendation: **Required Modifications** Abstentions:  
Motion: Watkins  
Second: Konior  
Vote: Yes  No  Recusals: Calimano

## **Rosendale**

---

Referral Number **2016092** Received: 4/21/2016  
Name: **Leonard Loza** Type of Referral: **Variance-Use**  
Description: Use existing building for medical use  
Project Location: 885 Route 32  
Recommendation: **No County Impact** Abstentions:  
Motion: McLaughlin  
Second: Holmquist  
Vote: Yes  No  Recusals:

## **Shandaken**

---

Referral Number **2016093** Received: 4/27/2016  
Name: **Stapleton** Type of Referral: **Variance-Area**  
Description: Replace existing mobile home with new, requires a variance for an increase in lot coverage (2% increase)  
Project Location: 8222 Route 28 Big Indian  
Recommendation: **No County Impact** Abstentions:  
Motion: Pecora  
Second: Konior  
Vote: Yes  No  Recusals:

## **Woodstock**

---

Referral Number **2016094** Received: 4/11/2016  
Name: **Cumberland Farms** Type of Referral: **Variance-Area**  
Description: Applicant desires internally lit sign (2 new LED pump toppers) - prohibited sign  
Project Location: 63 Mill Hill Rd  
Recommendation: **No County Impact** Abstentions:  
Motion: Watkins  
Second: Konior  
Vote: Yes  No  Recusals:

## **Woodstock**

---

Referral Number **2016095** Received: 4/18/2016  
Name: **22 Rock City Rd LLC** Type of Referral: **Variance-Area**  
Description: Front yard variance to reconstruct front entry (patio/steps) and side-yard setback variance for patio.  
Project Location: 22 Rock City Rd  
Recommendation: **No County Impact** Abstentions:  
Motion: Watkins  
Second: Pecora  
Vote: Yes  No  Recusals: