

ULSTER COUNTY PLANNING BOARD

Minutes –April 7, 2010

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

The Executive Committee met

- 1. ROLL CALL - Present:** R. Pecora, J. Katz, P. Hakim, J. Konior, T. Natale, L. Biggin, T. Hokanson, H. Grant, T. Wilkin, M. Baden, F. Greitzer, J. Kane, K. Holmquist, M. Watkins, R. Budziak, R. Elwell, S. Frederick, S. Finkle, D. Doyle, J. Schwartz, R. Leibowitz **Absent:** D. Martorana, G. Matichuk, A. Yuran, T. Briggs, R. Kinnin
Guests: David Deland–Planet Pet Resorts, Anthony Zlatkin-Ellenville, Frank Mandy-New Life/Woodland Pond, Frank Drake-Rosendale

During the Roll Call it was noted that Nadine Lemmon has resigned.

- 2. PREVIOUS MINUTES** Ms. Hokanson made a motion to approve the March Minutes, seconded by Mr. Konior. All were in favor. Ms. Pecora abstained.
- 3. FINANCIAL REPORT - NOTE: Encumbrance Rollovers of \$257,371 were added to the Fees for Professional Services on March 3rd (Pre-encumbered funds from 2009 for Contracts)**
Mr. Doyle informed the Board that the rollover was added to the current budget mostly due to multi-year contracts. The County Executive has asked the department to cut 10% from this year's budget.

- 4. PUBLIC COMMENT** – There was no public comment

5. COMMUNITY REPORT

Mr. Greitzer mentioned that residents who use post office boxes are not receiving copies of the Census. Mr. Leibowitz informed the Board that Census applications are available in the lobby of the County Building. Ms. Hokanson added that forms were also available at Town Hall in New Paltz. Wawarsing, Rochester, Denning, Hardenburgh and Shandaken had hand-delivered applications. Mr. Leibowitz stated that after April 15th other communities will be getting hand-delivered applications as well.

Mr. Finkle informed the board of a study beginning Monday with the Army Corps of Engineers and the Department of State for the Rondout Harbor Study Management Plan, shore condition, environmental work will likely involve towns of Ulster & Esopus as well. Kingston also has a waterfront advisory committee meeting Tues the 13th at 5:30 pm in the Common Council chamber.

Mr. Budziak mentioned an article about Town of Milan Comp Plan. The Attorney General defended the town because they are a Greenway Compact Community. Mr. Doyle stated that Ulster County is working on becoming a Greenway Compact now by identifying priority growth areas. Ms. Elwell mentioned that the Dutchess County Compact is available online if anyone was interested.

- 6. COMMUNICATIONS - No member comment**

7. OLD BUSINESS

a. Appointment of Officers

Ms. Hokanson stated that the nominating committee recommends Tom Wilkin for Chairman, Ruth Elwell for Vice Chair and Mark Watkins for Secretary. Ms. Hokanson then made a motion to approve the appointments, which was seconded by Mr. Finkle. All were in favor.

- b. “A Plea for Parks” letter sent to Governor Paterson and others – Responses received
Mr. Doyle informed the Board that we have received letters in support of keeping the parks open from several assemblymen, however we also received a form letter from the governor appreciating our position, but it’s a difficult fiscal time. Ms. Elwell stated that the State Assembly and State Senate both passed budgets and both draft budgets submitted to the Governor have reinstated money for parks. She added that there may be legal implications to closing parks because some NYS parks have received federal funding.

8. NEW BUSINESS

- a. UCPB Seminar Scheduled – Planning & Zoning Beyond Project Review – April 27th - SUNY Ulster
Mr. Doyle informed the board that the upcoming seminar will be co-presented by Dan Shuster. Mr. Doyle stated that Ms. Schwartz will be presenting a second seminar that is scheduled for May 26th on Main Streets. Peter Fairweather, Melinda Beuf of UCDC and a representative from RUPCO will also be presenting at that seminar. Mr. Doyle stated he has been asked for basic primers for planning and zoning boards. Mr. Doyle informed the board that three public information meetings on the Long Range Transportation plan will be held in order to gather public input for the Plan.
- b. Request from City of Kingston for agreement to the exemption of future referrals of Hudson Landing project to UCPB if UC Planning Director is appointed as a voting member of the Hudson Landing Design Committee (HLDC)
Mr. Doyle stated this was a late request from the City Planner to our Board. The City is proposing some changes to the regulating plan. Our Board has already made extensive comments on this project and the City has made some changes. City of Kingston has invited the County Planning Board Director to sit on their Design Review Committee as a voting member in exchange for not having to refer the project again. Mr. Doyle stated he did not need an answer this evening but a discussion should be held. Ms. Pecora stated the Executive Committee discussed this idea and they disagreed with it, however, it was agreed that Mr. Doyle could sit in an advisory capacity. Ms. Hokanson stated that they could also waive the 12-day submittal requirement. Ms. Elwell stated that Mr. Doyle would only be one voice on the design committee board.

Mr. Baden asked if we had heard anything on our original comments. Mr. Doyle stated that we received comments back from our referral response. The City stated our comments were meaningful, but premature and inappropriate for a concept plan at this time. The Town of Ulster has not replied to our recommendations. Mr. Baden asked if there was any precedent of this type of request. Mr. Wilkin mentioned that his concern would be that our Director of Planning is no longer under the direction of the board under the Charter. The Director (not necessarily Mr. Doyle, but whoever is Director) is now under the direction of the County Executive and could be influenced in a political fashion. Ms. Hokanson found merit in having Mr. Doyle as an advisor to the committee as it would help expedite the process. Mr. Finkle stated that he misread the request initially and would now like to see if this proposal is actually legal. Mr. Doyle explained that we have a unique situation under the Charter in that this Board is responsible for zoning referrals, where in other counties the Commissioner of Planning performs that role. He added that this request is not out of the realm of what might happen in another county. Mr. Doyle urged the Board to allow a link between the design review committee and staff prior to review by the Board.

Mr. Finkle made a motion to table the request for further discussion, which was seconded by Mr. Baden. One aye. The rest voted Nay.

Ms. Hokanson made a motion to approve a County Planning staff member to sit as a advisory member (non-voting) of the Design Review Committee for Hudson Landing, as well as Sailor’s Cove in the future, and to also waive the required 12-day application submittal for referral date should that occur. Mr. Greitzer seconded the motion and wanted to add as a supplement to the motion that we are not waiving our right to review.

Discussion

Mr. Baden stated he did not feel we had enough information on the matter and asked if a design committee was already in place. Mr. Doyle stated that the committee is part of the regulating plan, which the City will need to approve. He reiterated that the city's request is timely relative to the actions required by the city regarding the regulating plan. If a committee is set up to include the County Planning Director, then they would like the Board to waive referral requirements for Hudson Landing. Ms. Pecora stated that the Board does not want to give up their rights. Mr. Finkle suggested limiting this resolution to the Hudson Landing project. Sailor's Cove could be addressed in the future.

Ms. Hokanson clarified the motion by saying, "No to the letter" but we propose that the County Planning Director, or staff, serve as an advisory member of the Design Committee and waive the 12-day submittal deadline, but not the right of the Board to review Hudson Landing. All were in favor. Mr. Finkle abstained.

c. CDBG Applications Due

Mr. Doyle stated the applications are due by April 24th. Ulster County will be submitting two applications; one for \$400,000 for farm-worker housing and the other for \$350,000 for county-wide housing rehabilitation. He encouraged the Board to have their municipalities apply. A public hearing will be held on the 13th at 6:05 pm in the County Legislative Chambers.

d. Environmental Notice Bulletin – *No Member Comment*

Mr. Doyle stated that when the comments for the AVR project were submitted to City of Kingston a discussion regarding the Sailor's Cove project was initiated. City of Kingston has now requested pre-review of the project using the FEIS and Site Plan and would like our comments. **Ms. Schwartz presented staff comments on Sailor's Cove. Mr. Greitzer made a motion to support staff recommendations, seconded by Mr. Konior. All were in favor. Mr. Finkle abstained.**

e. Zoning Referrals – *See Separate Zoning Minutes*

9. ADJOURNMENT

The meeting adjourned at 9:30 pm.