

**ULSTER COUNTY PLANNING BOARD**  
***Minutes – November 2, 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, D. Whitaker, J. Konior, P. Brooks, K. Lovelett, C. Lanzetta, D. Boggess, T. Wilkin, M. Baden, P. Andreassen, S. Spata, M. Watkins, F. Almquist, V. Markowitz, V. McLaughlin, G. Gagliardi, D. Doyle, R. Leibowitz, B. Samuelson **Absent:** J.Leverich, K. Hudson, J. Brown **Excused:** M. Calimano, M. Rudikoff, J. Winer, W. Murray, R. Kinnin **Guests:** Marty Irwin, Jeff Logan, Charlie Bazydlo, Peter Setaro

**2. APPROVAL OF MINUTES**

The October minutes were approved. Motion by Mr. McLaughlin, seconded by Mr. Konior. Comments: Mr. Spata asked if the link for the Capital Program that was mentioned in the minutes had been sent to the Board. Mr. Doyle stated that he emailed the link. All were in favor of the minutes.

**3. PUBLIC COMMENT**

Marty Irwin, Town Councilman from New Paltz, stated he was here to represent his constituents regarding the proposed moratorium law. He felt the proposal was not well thought through and will have unintended economic consequences on the taxpayers. Mr. Irwin submitted a handout of his comments for the record.

Jeff Logan, Town Councilman for Town of New Paltz, stated there was no local discussion on the law, except to forward the proposal to the county. He stated the Law was written to stop the CVS and Five Guys project, which have been in the making since 2013 and the law will affect a proposed new senior housing project as well. Mr. Logan submitted a handout of his full comments.

Charlie Bazydlo, Attorney for CVS/Five Guys project, stated that the proposed moratorium is against sound planning principles. He added that details of the moratorium show it is there to stop a specific project. Mr. Bazydlo stated they have been working for almost 3 years on this project. He added when the project first started variances were required and almost a year was spent with the ZBA. Mr. Bazydlo stated that the requested changes have been made and drainage, landscaping and traffic plans were done and approved by the Town's planning consultants, and they now have a totally compliant project. Mr. Bazydlo stated they are getting to point of SEQRA. He added that he felt this moratorium was a last ditch effort to stop the project.

Pete Setaro, Professional Engineer and a partner for Morris Associates in Poughkeepsie, spoke of the moratorium's impact on his project, Ferris Woods, which is a proposed 60-unit housing project for persons over 55 in New Paltz. He stated if the moratorium holds up the project, there might not be a project. Mr. Setaro also mentioned the possible economic impact on the county and the town's loss of the developer's assistance to update sewer system 6 if the project doesn't move forward.

#### **4. EDUCATION & TRAINING OPPORTUNITIES**

- Review of Training Requirements – UC Resolution 2007-101

Mr. Doyle informed the board that we included training requirements and encouraged members to review their training to be sure they have enough credit for the year. Mr. Doyle noted that Mr. Baden will be doing another workshop in Marlborough on the 10<sup>th</sup>, he stated that the Department of State has online trainings and reminded the Board that they are given 15 minutes of training credit for each of our planning board meetings. Mr. Doyle also offered to do a private training for members who felt they would not meet the requirement. He added that they would need to come to the County Building and he would like at least 4 or 5 people. Mr. Baden encouraged the board to send documentation to the planning office of any workshops that members attended outside of county sponsored seminars.

Mr. Baden stated he will be doing the Build a Better Record training in Marlborough Town hall on Thursday November 10<sup>th</sup> from 7:00-9:30PM. Mr. Wilkin asked if there would be certificates or sign-in sheets. Mr. Baden answered they would email the sign-in sheets to secretaries in local communities.

#### **5. COMMUNITY REPORTS**

Mr. Gagliardi wanted to inform the Board of a Central Hudson scam going on that was very convincing.

Mr. McLaughlin spoke about the importance of New York's Move Over law. He mentioned a colleague and two others who were struck and killed on the Thruway and asked that everyone be aware and please spread the word.

Mr. Baden stated the Rochester Town Board adopted their Solar Law.

Mr. Baden noted that this Agenda has been reconfigured. He stated the Executive Committee suggested the change, and, if in a couple months the board is in agreement, we can keep the change by amending our board's rules and procedures.

#### **6. PLANNING BOARD REPORTS**

##### **a. Chairperson Report**

- Membership Update – Chairman Baden asked members whose terms will be expiring to ask the local boards for reappointment. Mr. Doyle stated that members continue to serve until they are reappointed or replaced.

##### **b. Committee Reports**

- Nominating Committee Report – To be done in December.

#### **7. PLANNING DEPARTMENT REPORTS**

##### **a. Financial Report**

Mr. Doyle stated there is a substantial amount remaining in our Professional Services line, but we are in the process of beginning several new studies and will be encumbering funds in December. He added that the county will be voting on our 2017 budget on December 7<sup>th</sup>.

##### **b. Environmental Notice Bulletin & Grant Opportunities**

Mr. Doyle asked members to pay attention to the grant opportunities page.

##### **c. Communications**

Mr. Doyle made note of the City of Kingston Planning Board's submittal of a Revised Full EAF and application for Site Plan for the Irish Cultural Center Hudson

Valley, Inc. and also the Town of Lloyd Planning Board submittal of a Lead Agency Designation for Highland Assisted Living Center at Village View.

d. Director/Staff Reports

- Ag District #3 Public Notice

Mr. Samuelson stated the public notice is out and has been published in the Almanac Weekly and the six towns of Ag District #3 have been notified that they have the opportunity to recommend tax parcels for removal. Mr. Baden asked if comments have to come from an official government agency or if an individual can submit. Mr. Samuelson stated individuals can submit comments. Mr. Markowitz asked the location of Ag District #3. Mr. Samuelson stated it is in the Rondout Valley from Rosendale through Marbletown to Rochester, and Wawarsing into Hardenburgh. Mr. Baden added that all of Rochester and Wawarsing are included in the district and Marbletown is split between Districts 3 and 4.

- Referral Guide Update

Chairman Baden stated the Executive Committee has been working on a review and update of the referral guide. He noted that this originally started as our Greenway Project, which was transformed into the Referral Guide. Mr. Baden stated that within the next couple weeks an email will be sent to the board for approval and adoption of the guide at the December meeting. He asked the board to send comments to Rob Leibowitz. Mr. Leibowitz stated this guide is coupled with the design manual that RPA developed. Mr. Watkins thanked the department for the work put into this document. Mr. Baden thanked Mr. Brooks for his editing skills.

## 8. SPECIAL TOPICS DISCUSSION

a. Capital Program

Mr. Doyle stated that draft comments were included in the agenda packet. He added he tried to incorporate most comments received, but two were not included:

1. Mr. Almquist's comments on about \$15 million for trail funding, which he considered high and felt there were better uses for that amount of money. Mr. Baden noted that funding that is specifically for trails cannot be used for anything else.
2. Mr. McLaughlin's comments on bonding for purchase of county vehicles. Mr. Doyle explained that the County likens this to taking out a car loan. Mr. McLaughlin explained that his comment is associated with policies the Legislature adopted – due to issues with employees taking home vehicles and the number of vehicles purchased in a year. He added he would like to see more detail. Mr. Wilkin stated that the reports we see are much better now than they were in the past.

Mr. Whitaker asked if any department was playing an active role in economic impact. He works with young people and they leave Ulster County because there

is nothing keeping them here. He noted the Brownfield funding was the same as last year. He stated that developers won't even deal with Brownfield or Shovel Ready property. Mr. Doyle stated we are talking with our Legislature to deal with that.

Chairman Baden stated the Legislature meets the day of our next meeting so we need a motion to submit.

**Motion to submit comments on Capital Program to the County Executive and Legislature made by Mr. Watkins, seconded by Mr. Konior.**

Discussion: **Mr. McLaughlin wanted to include his automotive comments. Mr. Konior seconded the amendment.**

Discussion: Mr. McLaughlin stated the amendment is to include comments to include bonding for cars. Mr. Doyle clarified that Mr. McLaughlin is saying to use pay-go instead of going to bond.

**Vote for Comments with Amendment: 5 were in favor: Mr. Amquist, Mr. Spata, Mr. Gagliardi, Mr. Andreassen and Mr. McLaughlin. Nays: 11. Amendment did not carry.**

**Original motion to adopt draft comments to send to Legislature and County Executive. In Favor: 15. Opposed: 1 (Mr. McLaughlin). There were no abstentions. Motion carried.**

b. Holiday Party

Chairman Baden stated that traditionally we have a party following the December meeting in the Planning office and asked members to please bring something to share and invite your alternates.

Ms. Lanzetta stated the Benjamin Center is hosting a workshop on Landscaping Conservation at the Walls Center on Monday, November 7<sup>th</sup> from 8AM-6PM.

**MOA from Shawangunk** – Mr. Watkins recused himself from the conversation. Mr. Doyle stated that GML provides for the County Planning Board to enter into agreements with other municipalities for items they don't have to refer. Shawangunk requested a special agreement, which has been reviewed by the staff and Executive Committee, but not by the County Attorney. Mr. Doyle added that we have no disagreement with how it stands.

**Motion to allow the Chairman to sign the exception agreement with Town of Shawangunk. Motion made by Mr. McLaughlin, seconded by Mr. Lovelett. All in favor.**

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

**10. ADJOURNMENT**

The meeting adjourned at 10:30PM