

ULSTER COUNTY PLANNING BOARD
Minutes – October 4, 2017

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

The Executive Committee Met at 6:30 PM

Chairman Lovelett called the meeting to order and asked Mr. Samuelson to read the roll call.

- 1. ROLL CALL – Present:** J. Leverich, F. Zimmer, P. Brooks, K. Lovelett, C. Lanzetta, M. Calimano, D. Boggess, T. Wilkin, M. Baden, J. Brown, P. Andreassen, S. Spata, M. Watkins, V. Markowitz, D. Gilmour, V. McLaughlin, G. Gagliardi, D. Doyle, R. Leibowitz, B. Samuelson
Absent: D. Whitaker, R. Kinnin **Excused:** R. Pecora, L. Geary, J. Konior, F. Almquist, M. Rudikoff, J. Winer, W. Murray

2. APPROVAL OF MINUTES

Mr. McLaughlin asked to correct the September Minutes to show that he should have been excused and not absent.

The September Minutes were approved with that correction. Motion made by Mr. Watkins, seconded by Mr. Baden. All were in favor.

3. PUBLIC COMMENT

No Public Comment

4. EDUCATION & TRAINING OPPORTUNITIES

NYSDEC Endorsed: 4 Hour Contractors Training in Erosion & Sediment Control Principals & practices of erosion & sediment control on construction sites. November 1st from 9:00am to 1pm, SUNY Ulster, College Lounge, \$50 fee.

Mr. Doyle made note of the above.

Mr. Baden stated the Dutchess County Planning Federation is hosting three fall seminars. The first training entitled "The Ongoing Relationship Between Comprehensive Plan & Zoning Code" originally scheduled for this evening, has been postponed until November 29th. The second, on October 18th, "Ag Districts: Balancing Farmer's Needs & Local Concerns," and the third is two sessions back to back for a combined 4 hours credit: "Form Based Zoning" and "Sign Regulation." Sessions are held in Millbrook at the Cornell Coop Office and cost \$5 to attend, which includes food.

Chairman Lovelett stated that NYS DOS offers end of year "emergency hours" and asked members to please share if you see training opportunities. He also noted that last month we went to the Town of Marlborough for a seminar on Design Guidelines. Mr. Lovelett added that the training was the same topic that was covered in April, but was restructured and improved. Mr. Wilkin added that Mr. Doyle asked Chairman Lovelett to speak and he did a great job. Mr. Doyle offered this kind of training to any community that invites us (particularly before the end of the year).

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

Chairman Lovelett informed the Board of a summary of training credits in the meeting folder, which includes 2017 credits and carry-over of credit to 2018. He asked members to be mindful of a balance less than four hours and get some more training if needed. He added that some people may have professional training or have attended other seminars that we have not seen, if so please send in your certificates. Mr. Lovelett also asked members to please contact their alternates, because they are not exempt from the mandatory four hour annual training. Mr. Baden noted the year was incorrect on the second page. Chairman Lovelett stated for members up for reappointment to please talk to your Planning Board Chairman or Town Board and urged members to be up to date on training so that doesn't come into question. Mr. Andreassen stated that he and Mr. Hlavaty are on the Town of Saugerties agenda for reappointment. Mr. Doyle asked to have the paperwork sent to us. He added that members continue to serve on the board if their term expires, but also to get the town moving on the reappointment. Mr. Watkins asked why the Legislature appoints our members. Mr. Doyle explained that the Charter or the Code makes the Legislature appointing authority; it sets up so the towns make recommendations and the Legislature appoints. He added that we would also like up to date resumes, as we sometimes get questions from the committee.

5. COMMUNITY REPORTS

Ms. Lanzetta stated the Marlborough planning board is looking at a request for a home occupation for B&B on a private road that has a shared liability. She added that the board is considering/weighing that heavily as the homeowner wants to engage in a commercial operation that could impact fellow neighbors. Mr. Wilkin asked if the private road had no restrictions. Ms. Lanzetta stated it is an old road so it's basically just maintenance, but all share liability. Mr. Baden offered that in Rochester, official bed & breakfasts are covered under NYS building code as a residential use, and as such, are allowed in all zoning districts. However, they are required to come in for site plan approval. Mr. Baden added that as long as there is a signed maintenance agreement, the town has no say except for access for fire and rescue. Mr. Doyle stated that we will take a look at it.

Mr. Boggess stated that there is a NY Rising project in Olive - upgrading electrical system, adding solar panels and adding a backup generator to Town Hall. In August, there was a CWC grant to relocate businesses out of floodplain. Also NYC DEP is doing a buyout of existing properties with improvements on them. There is at least one tomorrow (old Stuckey's building) and 3 or 4 more interested. He added that Hurricane Irene wiped out the Trail Hotel and the owner applied for the buyout. Earlier this year FEMA money helped tear down the hotel and cleaned up the site.

Mr. Gilmour stated the Springtown Road Bridge on the Wallkill Valley Rail Trail over the Wallkill River is open. He added that there is a green infrastructure capital improvement feasibility plan request for qualification and proposals out – received \$45,000 from Hudson Estuary Program to fund.

Mr. Andreassen stated he enjoyed his trek to Texas and Florida and added that it was a very humbling experience. There were 700,000 impacted homes in Florida and 500,000 in Texas. He added that crews will be working in Puerto Rico for the next 5 years and Key West for the next 3 years. The board thanked Mr. Andreassen for his work. He asked Mr. Doyle if there was anything new on the fire training facility. Mr. Doyle stated there will be an announcement within a few weeks and we are still looking at alternative sites. Mr. Andreassen asked if the planning department had something to do with the DEC landing on Sandy Road. Mr. Doyle stated that we

participated in the buyouts, but there were many other county departments involved, including the Department of Environment, who did a lot of work towards promoting the opportunity, which DEC picked up on. Mr. Doyle stated there are some problems with the amount of debris in the Esopus, which makes it hard for kayakers to maneuver, but it's still a pretty awesome site.

Mr. Baden informed the board that he brought Rick Jones from the Rochester planning board who may be his alternate on our board next year.

Mr. Wilkin thanked everyone for input last month on the planning board clerk position. He added that his opinion was correct; that the planning board had the right to do the hiring. He was involved in the interviews and the new clerk starts next week.

Mr. Watkins stated that the Wallkill Centers properties in Shawangunk have been working diligently to build out the center of town and they have something to bring to the town board to acknowledge cluster development. He added that he is proud of the applicant and gave credit to the planning board for helping to spread things out.

6. PLANNING BOARD REPORTS

a. Chairperson Report

Chairman Lovelett gave a reminder that mileage expenses for 3rd quarter are due.

b. Committee Reports

No Report

7. PLANNING DEPARTMENT REPORTS

a. Financial Report

Mr. Doyle stated the County Executive announced budget initiatives at the budget meeting yesterday, adding that we haven't seen the departmental budget yet. The major initiatives were for infrastructure investment, establishment of Restorative Justice Center (case management program at Probation building), and smaller environmental initiatives. Mr. Doyle noted that the 2018 Budget reduced taxes for the 5th year in a row. Mr. Doyle stated that we are waiting to see Capital Program and added there are no major new initiatives except the Restorative Justice Center and an upgrade of signage on county roads to include public safety. Trail projects currently in the budget are grant funded: trails at the Ashokan Reservoir, Kingston to Hurley trail, Lloyd to South Street trail and a Linear Park in the City of Kingston. Mr. Markowitz asked if Wawarsing was out of the money. Mr. Doyle stated that Wawarsing had money to extend the trail from Ellenville to the prison, but the town hasn't been implementing the funding. Mr. Doyle added that OSI has been working on a proposal connecting Ellenville to the Minnewaska park. Study work and some design work has been done. but he believes there are some funding problems. Mr. Boggess asked when construction on the Ashokan trail would start. Mr. Doyle stated that track and tree removal work is out to bid and due back in two weeks. In order to implement the bid, we must go to the Legislature for their required authorization to tear up track.

b. Environmental Notice Bulletin & Grant Opportunities

Mr. Samuelson made note of the Zero Emission Vehicles rebate program listed in the grant opportunities and added that Amanda LaValle, of the Department of Environment, is willing to work with municipalities that are interested. Mr.

Samuelson stated that various municipalities, including Ulster County, received rebates last year, so we have examples of applications and required documents.

c. Communications

Mr. Doyle stated we received a communication from the attorneys for Cypress Creek Renewables & Kambak Solar regarding a project our board reviewed in the Town of Wawarsing. UCPB made the recommendation to disapprove due to the project covering 100% of the area of a farm that was in an agricultural district that has prime soils and soils of statewide significance. Unfortunately, the way the Wawarsing code is written, as "prime soils of statewide significance," caused the attorneys to contact us, indicating that they believe we were mistaken because the ordinance is vague and they asked us to reconsider and to approve it. We would like to request that the community set up a gateway meeting to sit down with the applicant and ask for the project to be resubmitted. The community may still look at this project under SEQRA, which questions the impact on agricultural lands. They can also ask the zoning enforcement officer for an interpretation, to determine if the use is permitted or not. We'd like the opportunity to sit down and talk to the community and the applicant face to face within the next 30 days.

d. Director/Staff Reports

No Reports

8. SPECIAL TOPICS DISCUSSION

Mr. Leibowitz stated we are working a large grant from the department of state for a Brownfield Opportunity Areas (BOA) study. We have contracted with a consultant and identified five areas for pre-nomination for BOA. This will allow communities to move to the next step, which is nomination. The areas do not have to be industrial – they can be blighted, vacant or underutilized or in that condition based on the suspicion of contamination. Properties are in Ellenville, Wawarsing, Kerhonkson, Saugerties and mid-town Kingston. Mr. Zimmer asked if Esopus (Atlas) could be on the list. Mr. Doyle stated they looked at the site, but the problem is these are areas and not individual sites. Mr. Zimmer also mentioned the KOSCO property in Sleightsburgh. Mr. Doyle asked Mr. Zimmer to send him an email.

9. ZONING REFERRALS – *See Separate Zoning Minutes*

10. ADJOURNMENT

The meeting adjourned at 9:08. All were in favor.

Ulster County Planning Board Minutes



10/4/2017

Gardiner

Referral Number **2017169** Received: 9/27/2017
Name: **Shaft Road LLC** Type of Referral: **Subdivision**
Description: 10 lot open space development (9 new residential lots)
Project Location: South Mt Road and Shaft Road
Recommendation: **Required Modifications** Abstentions:
Motion: McLaughlin
Second: Calimano Recusals:
Vote: Yes No

Lloyd

Referral Number **2017159** Received: 9/8/2017
Name: **Big Sky Realty, LLC** Type of Referral: **Area Variance**
Description: Lot coverage variance (70% where 35% is allowed)
Project Location: 261-271 North Road
Recommendation: **Required Modifications** Abstentions:
Motion: Watkins
Second: Boggess Recusals: Brooks
Vote: Yes No Gagliardi

Lloyd

Referral Number **2017160** Received: 9/8/2017
Name: **Big Sky Realty, LLC** Type of Referral: **Site Plan Review**
Description: 7,750 sq.ft. addition to existing 18,500 sq.ft. industrial building for product warehousing.
Project Location: 261-271 North Road
Recommendation: **Required Modifications** Abstentions:
Motion: Watkins
Second: Boggess Recusals: Brooks
Vote: Yes No Gagliardi

Marbletown

Referral Number **2017161** Received: 9/18/2017
Name: **Local Law #7 of 2017** Type of Referral: **Zoning Statute Amendment**
Description: Supplementary lot area and density requirements (revised)
Project Location:
Recommendation: **No County Impact** Abstentions:
Motion: McLaughlin
Second: Watkins Recusals: Lovelett
Vote: Yes No

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Marlborough

Referral Number **2017162** Received: 9/21/2017
Name: **Highland Pet Center** Type of Referral: **Site Plan Review**
Description: Expand an existing pet center by adding a kennel.
Project Location: 131 Bailey's Gap Road
Recommendation: **Required Modifications** Abstentions:
Motion: McLaughlin
Second: Baden
Vote: Yes **16** No **0** Recusals: Lanzetta

New Paltz Village

Referral Number **2017163** Received: 9/18/2017
Name: **Storm Sewers and Stormwater Management** Type of Referral: **Other Special Authorization**
Description: Add Chapter 165 and add reference to Zoning Statute to Reference Chapter
Project Location: Villagewide
Recommendation: **No County Impact** Abstentions:
Motion: Watkins
Second: McLaughlin
Vote: Yes **17** No **0** Recusals:

Rochester

Referral Number **2017167** Received: 9/27/2017
Name: **6140 Route 209 Rochester Community Solar** Type of Referral: **Special Permit**
Description: Large scale solar project on Town property to serve the Town of Rochester
Project Location: 6140 Route 209
Recommendation: **Required Modifications** Abstentions:
Motion: McLaughlin
Second: Calimano
Vote: Yes **16** No **0** Recusals: Baden

Rochester

Referral Number **2017168** Received: 9/27/2017
Name: **6140 Route 209 Rochester Community Solar** Type of Referral: **Site Plan Review**
Description: Large scale solar project on Town property to serve the Town of Rochester
Project Location: 6140 Route 209
Recommendation: **Required Modifications** Abstentions:
Motion: McLaughlin
Second: Calimano
Vote: Yes **16** No **0** Recusals: Baden

Saugerties Village

Referral Number **2017164** Received: 9/11/2017
Name: **Performing Arts Center** Type of Referral: **Zoning Statute Amendment**
Description: Add definition for Performing Arts Center and add it as a special permitted use to the Planned Waterfront Zone
Project Location: Planned Waterfront District
Recommendation: **Required Modifications** Abstentions:
Motion: McLaughlin
Second: Calimano
Vote: Yes **17** No **0** Recusals:

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Wawarsing

Referral Number **2017165** Received: 9/25/2017
Name: **Cano's Recycling** Type of Referral: **Site Plan Review**
Description: Metal Recycling facility.
Project Location: 1087 Ulster Heights Road
Recommendation: **Required Modifications** Abstentions:
Motion: Wilkin
Second: Baden
Vote: Yes No Recusals:
NO: McLaughlin

Woodstock

Referral Number **2017166** Received: 9/19/2017
Name: **Auslander Accessory Apartment** Type of Referral: **Area Variance**
Description: Construct an accessory apartment needs 0.15 acre variance to allow freestanding accessory apartment
Project Location: 123 Upper Pond Road
Recommendation: **No County Impact** Abstentions:
Motion: McLaughlin
Second: Gilmour
Vote: Yes No Recusals:

Woodstock

Referral Number **2017170** Received: 9/18/2017
Name: **Scarborough Variance** Type of Referral: **Area Variance**
Description: 40' rear yard setback variance and 596SF lot coverage variance as part of converting existing apt bldg to hotel use
Project Location: 5-7-9 Rock City Road
Recommendation: **No County Impact** Abstentions:
Motion: Andreassen
Second: McLaughlin
Vote: Yes No Recusals: