

ULSTER COUNTY PLANNING BOARD
Minutes – MONDAY, July 9, 2018

The Ulster County Planning Board Meeting
7:00 p.m. – Surrogate Courtroom, 3rd Floor
County Office Building

The Executive Committee Did Not Meet

- 1. ROLL CALL – Present:** J. Leverich, J. Konior, P. Brooks, K. Lovelett, H. Baker, M. Calimano, H. Grant, T. Wilkin, M. Baden, J. Brown, R. Hlavaty, V. Welton, F. Almquist, V. Markowitz, J. Winer, V. McLaughlin, J. Bonavita-Goldman, G. Gagliardi, D. Doyle, R. Leibowitz, B. Samuelson
Absent: D. Whitaker **Excused:** R. Pecora, D. Boggess, M. Watkins, M. Rudikoff, W. Murray

- 2. APPROVAL OF MINUTES**
The June minutes were approved. Motion by Mr. McLaughlin, seconded by Mr. Konior. All were in favor.

- 3. PUBLIC COMMENT**
No Public Comment

- 4. EDUCATION & TRAINING OPPORTUNITIES**
No Member Comment

- 5. COMMUNITY REPORTS**
Mr. Brooks circulated pamphlets regarding the Town of Lloyd’s Historical Society sponsored Trolley artwork. He also shared the Economic Development Committee of Highland’s “What to do in Highland ” handout.

Mr. Markowitz informed the Board that the Tractor Supply in Town of Wawarsing is being completed, Stewarts in Ellenville should be opening soon and the Mobil station on Route 209 is moving along. Mr. Markowitz also noted that Gary Horowitz, who served on the Ellenville ZBA for 28 years, just passed away.

Mr. Wilkin asked if the new trail by the Central Hudson on Route 299 would be paved. Mr. Doyle answered yes it will.

Ms. Welton stated the Shandaken Inn will begin renovating by expanding the number of rooms from 8 to 14 and enlarging the parking lot. She added that there is also a ropes course proposed in Big Indian. Mr. Leibowitz stated the ropes course is on our agenda.

- 6. PLANNING BOARD REPORTS**
 - a. Chairperson Report
Chairman Lovelett informed the Board that Mileage forms are due and that blank forms are available.

 - b. Committee Reports
No Committee Report

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

7. **PLANNING DEPARTMENT REPORTS**

a. Financial Report

Mr. Doyle stated that all is well as far as the budget. We are entering the 2019 budget cycle, had discussions/meeting regarding adding money for outreach/public education because the Census is coming up. Mr. Doyle noted that there have also been other discussion on funding for trails and how to continue to fund transportation work.

Mr. Doyle informed the Board that the Planning Department has two divisions – the planning/transportation division and the economic development division. Economic Development staff report directly to Executive staff, so there is an ongoing discussion between all three entities at budget time.

b. Environmental Notice Bulletin & Grant Opportunities

Mr. Doyle noted two major things:

- TAP grants are out (Transportation Alternatives Program) and due end of July. We are working with Town of Marlborough and City of Kingston on their TAP applications.
- Farmland protection grants are due soon. He added that we have two farms in Ulster County, both in the Rondout Valley going through the process. Mr. Doyle stated that the State released another \$30 million of farm protection grants specifically for dairy farms. He added that there are grants available to update farmland protection plans and there are three towns in Ulster County have done this. (New Paltz, Marletown & Shawangunk.) The County's plan was last done in 1989.

c. Communications

No Report

d. Director/Staff Reports

Mr. Doyle informed the Board that Ulster County was part of a petition to the Surface Transportation Board (STB) with regard to whether or not the U&D railroad was abandoned in accordance with the appropriate federal processes. The petition was filed by U&D Corridor, a non-profit entity who would like to maintain the railroad in that location. We maintain that the line had been abandoned since the 1976 Railroad Reorganization Act. Mr. Doyle noted that the County has letters saying that abandonment had been consummated. He added that the STB ruled that the line was abandoned. Mr. Doyle added that the tourism operations that are running show that the County had no intention of abandoning the railroad purpose, just the line under the common carrier status under federal jurisdiction. The County was also sued for a temporary restraining order for the demolition associated with the Ashokan Rail Trail and the County won that case.

8. **SPECIAL TOPICS DISCUSSION**

Mike Baden – Overview of NYSERDA roundtable discussion about agriculture and solar

Mr. Baden stated he was invited to a Solar Siting & Agriculture workshop with 20 others for a full day session of information. He noted there were many presenters and

the forum was facilitated by the Consensus Building Institute. There is a position paper from Ag & Markets, which was presented by Bob Sommers. NYSERDA looking to see how both entities can coexist and not be one or the other. Mr. Baden noted that the improvement of the solar is separate from the assessment of the land.

Mr. Doyle stated that most zoning statutes provide for utilities to be located anywhere and added that most statutes don't define utilities. He stated that we've been going through a learning curve that utilities are not created equal since 1996 when the Telecommunications law showed that telecom facilities were unique. Municipalities responded by changing their zoning statutes to regulate telecom separately from other utilities. Since then, the regulatory environment has matured with better understanding and federal guidance. Since 2008-09 we have seen solar facilities proposed in various areas. Around 2014-15 we saw solar projects calling themselves utilities. Communities responded by thinking of how to treat solar as a special utility. In 2018 the Town of Ulster is wrestling with a power plant, which is a permitted use vs. the environmental community who would prefer a different fuel source, even though it is a permitted use. Taken together, now is the opportunity to examine zoning statutes of a broader sense – what we mean by utilities with special kinds of needs. Ulster County is a good spot for small power facilities who are paid for capacity, not to produce energy. The State is looking at how to encourage battery storage facilities. Communities may want to look at the utilities section of the zoning statute.

Mr. Doyle informed the Board that Pace University has asked us to nominate individuals from two or three towns to participate in a training on what you can do with your zoning statute with respect to resiliency. He asked the Board if anyone from their community would like to attend to let him know. Mr. Doyle added that it is worth it if you have the time.

Ms. Lanzetta noted there will be a public meeting on Wednesday in Poughkeepsie. The Army Corps of Engineers will be talking about options for resiliency to protect against storm surges. One idea is to put gates across the river and some of its tributaries.

9. ZONING REFERRALS – *See Separate Zoning Mins*

10. ADJOURNMENT

The meeting adjourned at 8:25PM . All were in favor.

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7/9/2018

Gardiner

Referral Number **2018106** Received: 6/29/2018
Name: **Richard Majestic** Type of Referral: **Subdivision**
Description: 2-lot subdivision
Project Location: Northside Route 44/55 to Majestic Drive
Recommendation: **No County Impact** Abstentions:
Motion: Baden
Second: Konior
Vote: Yes **18** No **0** Recusals:

Marbletown

Referral Number **2018097** Received: 6/6/2018
Name: **Hardenburgh Hills II** Type of Referral: **Subdivision**
Description: 6-lot conservation subdivision
Project Location: Hardenburgh Drive Stone Ridge, off Van Derburgh
Recommendation: **Required Modifications** Abstentions:
Motion: Brooks
Second: Konior
Vote: Yes **17** No **0** Recusals: Lovelett

New Paltz Village

Referral Number **2018110** Received: 6/28/2018
Name: **160 New Paltz, LLC** Type of Referral: **Site Plan Review**
Description: Revised Plans for Referral #2018-066 for automotive repair/convenience store, adding 1800 sf of professional office s
Project Location: 158-160 Main Street
Recommendation: **Required Modifications** Abstentions:
Motion: Baden
Second: Markowitz
Vote: Yes **18** No **0** Recusals:

Rochester

Referral Number **2018096** Received: 6/12/2018
Name: **Local Law #4 of 2018** Type of Referral: **Zoning Map Amendment**
Description: Various zoning map amendments
Project Location:
Recommendation: **No County Impact** Abstentions:
Motion: Calimano
Second: Konior
Vote: Yes **17** No **0** Recusals: Baden

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Rosendale

Referral Number **2018111** Received: 6/29/2018
Name: **T-Mobile** Type of Referral: **Special Permit**
Description: Addition of 6 antennas to existing cell antenna including extension of tower itself (15')
Project Location: 138 Davis Road, Tillson
Recommendation: **No County Impact** Abstentions:
Motion: Calimano
Second: Konior
Vote: Yes No Recusals: Brown

Rosendale

Referral Number **2018112** Received: 6/29/2018
Name: **T-Mobile** Type of Referral: **Site Plan**
Description: Addition of 6 antennas to existing cell tower including extension of tower itself (15') 83' to 98'
Project Location: 138 Davis Road, Tillson
Recommendation: **No County Impact** Abstentions:
Motion: Calimano
Second: Konior
Vote: Yes No Recusals: Brown

Shandaken

Referral Number **2018099** Received: 6/18/2018
Name: **Local Law #1 of 2018** Type of Referral: **Zoning Map Amendment**
Description: Rezone two split-zone parcels (R-1.5 and R-5) to be wholly R-5 for a mountain ropes course proposal
Project Location: 8145 NYS Route 28 Big Indian
Recommendation: **No County Impact** Abstentions:
Motion: Calimano
Second: Konior
Vote: Yes No Recusals:

Shandaken

Referral Number **2018100** Received: 6/18/2018
Name: **Ropes Course** Type of Referral: **Special Permit**
Description: Ropes course operation, 6 courses, starting platform, harness station, and parking
Project Location: 8145 NYS Route 28 Big Indian
Recommendation: **Required Modifications** Abstentions:
Motion: McLaughlin
Second: Konior
Vote: Yes No Recusals:

Shandaken

Referral Number **2018101** Received: 6/18/2018
Name: **Ropes Course** Type of Referral: **Site Plan Review**
Description: Ropes course, 6 courses, starting platform, harness station, and parking
Project Location: 8145 NYS Route 28 Big Indian
Recommendation: **Required Modifications** Abstentions:
Motion: McLaughlin
Second: Konior
Vote: Yes No Recusals:

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Ulster

Referral Number **2018102** Received: 6/25/2018
Name: **Uncle B's Carwash & Lube** Type of Referral: **Site Plan Review**
Description: 2-phase project. Phase 1 - 8,895 sf carwash with vacuum stations. and 4086 sf laundrymat Phase 2 - 3-story, 22,500
Project Location: 400-416 Old Neighborhood Road Lake Katrine
Recommendation: **Required Modifications** Abstentions:
Motion: Konior
Second: Baden
Vote: Yes No Recusals: Almquist

Ulster

Referral Number **2018105** Received: 6/11/2018
Name: **Digital Signage Law** Type of Referral: **Zoning Statute Amendment**
Description: Add standards and definitions for digital signage to the Town zoning statute
Project Location: Townwide
Recommendation: **Required Modifications** Abstentions:
Motion: Baden
Second: Gagliardi
Vote: Yes No Recusals: Almquist

Wawarsing

Referral Number **2018107** Received: 6/25/2018
Name: **South Hill** Type of Referral: **Subdivision**
Description: 26 single-family home subdivision
Project Location: South Hill Road Near Sullivan County Boundary
Recommendation: **Disapprove** Abstentions:
Motion: Baden
Second: McLaughlin
Vote: Yes No Recusals: NO: Calimano

Wawarsing

Referral Number **2018108** Received: 6/25/2018
Name: **Reisender Solar** Type of Referral: **Special Permit**
Description: 2 MW solar energy facility on 15 acre portion of 72 acre parcel, plus 2-lot subdivision to separate the landowners ho
Project Location: 104 Weiner Road
Recommendation: **Required Modifications** Abstentions:
Motion: McLaughlin
Second: Baden
Vote: Yes No Recusals: NO: Markowitz

Wawarsing

Referral Number **2018109** Received: 6/25/2018
Name: **Reisender Solar** Type of Referral: **Site Plan Review**
Description: 2 MW solar energy facility on 15 acre portion of 72 acre parcel, plus 2-lot subdivision to separate the landowners ho
Project Location: 104 Weiner Road
Recommendation: **Required Modifications** Abstentions:
Motion: McLaughlin
Second: Baden
Vote: Yes No Recusals: NO: Markowitz

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Woodstock

Referral Number **2018103** Received: 6/7/2018
Name: **The Mud Club** Type of Referral: **Area Variance**
Description: Fence height, front yard variance, and deck from side and rear yard lines
Project Location: 43-45 Mill Hill Road
Recommendation: **No County Impact** Abstentions:
Motion: Baden
Second: McLaughlin Recusals:
Vote: Yes **18** No

Woodstock

Referral Number **2018104** Received: 6/7/2018
Name: **Prefab Shed** Type of Referral: **Area Variance**
Description: 50' infringement into 50' setback for prefab 10' x 16' shed for storage
Project Location: 310 Cooper Lake Road Bearsville
Recommendation: **No County Impact** Abstentions:
Motion: Calimano
Second: Konior Recusals: NO: McLaughlin
Vote: Yes **17** No **1**