

TOWN OF ULSTER TOWN BOARD MEETING (16)

AUGUST 19, 2021

PUBLIC HEARING SCHEDULED: 7:10 PM

Special Permit for Kingston Ulster Airpark/Helipad, SBL: 40.17-1-19.110, 1121 Flatbush Road, Kingston, NY

CALLED TO ORDER BY SUPERVISOR QUIGLEY, at 7:00 PM

(MEETING HELD IN PERSON; AVAILABLE VIRTALLY VIA ZOOM; BROADCAST FACEBOOK LIVE)

SALUTE TO THE FLAG

MOMENT OF SILENCE for Anthony Costanzi

ROLL CALL by Town Clerk, Suzanne Reavy:

TOWN COUNCILMAN ERIC KITCHEN
TOWN COUNCILMAN JOHN MORROW
TOWN COUNCILMAN ROCCO SECRETO
TOWN COUNCILMAN CLAYTON VAN KLEECK
SUPERVISOR JAMES E. QUIGLEY 3rd

ALSO IN ATTENDANCE:

1. Warren Tutt, Building Inspector
2. Frank Petramale, Highway Superintendent
3. Jason Kovacs, Town Attorney
4. Kyle Berardi, Police Chief
5. Bill Kemble, Daily Freeman
6. 50+ attendees

ADDITIONS OR CHANGES TO AGENDA – None

PUBLIC DISCUSSION ON AGENDA ITEMS – None

TOWN OF ULSTER TOWN BOARD MEETING (16)

AUGUST 19, 2021

APPROVAL OF MINUTES – July 1st and 15th (2021-M-203)

MOTION: Councilman Kitchen
SECOND: Councilman Morrow

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

COMMUNICATIONS –

Supervisor thanks everyone involved for today’s senior picnic at Post Park: JoeBeez, RCAL, Kingston Kiwanis, our park attendant, ShopRite, Binnewater, Van Kleeck’s Tire.

ABSTRACT OF CLAIMS (2021-M-204)

Presented by Councilman Van Kleeck

August, 2021

Prepaid Bills:	\$	310,863.75
Abstract Bills:	\$	221,695.02
Escrow Bills:	\$	2,687.50
Reserve:	\$	524.45
TOTAL:	\$	535,770.72

MOTION: Councilman Secreto
SECOND: Councilman Kitchen

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

AUGUST 19, 2021

New Business:

Presentation and Acceptance of the Town Clerk's Monthly Report for the month of July 2021(2021-M-205)

MOTION: Councilman Morrow

SECOND: Councilman Secreto

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

Motion to set a Public Hearing for a Special Use Permit for the placement of a Mobile Home outside of a Mobil Home Park-Orna Haike, 88 Old Stage Road, Saugerties, for Thursday, September 2, 2021, at 7:15pm (2021-M-206)

Tutt: Mobile home outside of an R-60, O&M, and outside of a mobile home park requires special permit from town board.

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

AUGUST 19, 2021

Motion to authorize the hiring of one Part Time Seasonal Employee for the Recreation Department (2021-M-207)

Presented by Councilman Secreto

Bradley Clark: \$13/hour; start date 8/20/2021; end date is two weeks after park closure.

MOTION: Councilman Kitchen

SECOND: Councilman Morrow

Town Councilman Kitchen -Yes

Town Councilman Morrow -Yes

Town Councilman Secreto -Yes

Town Councilman Van Kleeck -Yes

Supervisor Quigley -Yes

CARRIED

Motion to authorize the hiring of one Part Time Court Clerk for a 30-day period, pending Personnel Committee Interview (2021-M-208)

Presented by Councilman Van Kleeck

Taylor Crespino: 30-day period; \$13.50/hour; 20 hours/week; handling new regulations project from NYS

MOTION: Councilman Kitchen

SECOND: Councilman Morrow

Town Councilman Kitchen -Yes

Town Councilman Morrow -Yes

Town Councilman Secreto -Abstain

Town Councilman Van Kleeck -Yes

Supervisor Quigley -Yes

CARRIED

TOWN OF ULSTER TOWN BOARD MEETING (16)

AUGUST 19, 2021

Motion to authorize the hiring of two Part Time Police Dispatchers (2021-M-209)

Presented by Councilman VanKleeck

Chief: Hiring of two part time dispatchers to supplement our full time staff

1. Joandino Celadon: \$17.53/hour
2. Madison VanCuren: \$17.53/hour

MOTION: Councilman Van Kleeck

SECOND: Councilman Kitchen

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

Motion to accept the resignation of Part Time Police Officer Fazio (2021-M-210)

Chief Berardi: In good standing. Opportunity to take a job elsewhere.

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

AUGUST 19, 2021

Resolution Adopting Local Law ___ of 2021: A Local Law Pertaining to Regulation of Digital Signs (2021-R-211)

Supervisor: Both planning and zoning boards considered this law and now recommends the town board pass the law. Calls attention to the third paragraph in resolution, which will be amended and recirculated tomorrow.

Resolution of the Town Board
TOWN OF ULSTER

Resolution Authorizing Adoption by the Town Board of the Town of Ulster of Local Law No. _____ of 2021: A Local Law Pertaining to Regulations of Digital Signs

WHEREAS an introductory Local Law entitled Local Law No. _____ of 2021: A Local Law Pertaining to Regulations of Digital Signs was introduced before the Town Board of the Town of Ulster on June 17, 2021, and upon notice duly published and posted, a hearing was held on July 15, 2021, at 7:15 p.m. before the Town Board,

WHEREAS, public discussion was heard at such hearing concerning the merits and environmental significance of said introductory local law, and be it

RESOLVED, that the adoption of the introductory local law entitled Local Law No. _____ of 2021: A Local Law Pertaining to Regulations of Digital Signs is hereby determined to be a Type II SEQR action, and be it further

RESOLVED, that the Town Board of the Town of Ulster hereby adopts said Local Law No. _____ of 2021: A Local Law Pertaining to Regulations of Digital Signs, a copy of which is attached hereto and made a part of this resolution, and be it further

RESOLVED, that the Town Clerk be, and he hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Ulster, and to give due notice of the adoption of said Local Law to the Secretary of State of New York.

AUGUST 19, 2021

**TOWN OF ULSTER
LOCAL LAW
ZONING AMENDMENTS**

PERTAINING TO THE REGULATION OF DIGITAL SIGNS

BE IT ENACTED by the Town Board of the Town of Ulster, County of Ulster, State of New York, as follows:

Section 1. Legislative intent. The Town Board of the Town of Ulster has received a recommendation from its Zoning Board of Appeals concerning the need to implement various zoning law amendments pertaining to the regulation of digital signs and billboards. More businesses desire to utilize advancements in technology, which permit signs to change copy electronically (e.g., utilizing an LED type of sign). These newer technologies pose additional risks of impacting adjacent areas and adversely dominating the environment in which they operate unless regulated in a reasonable fashion. The intent of this article is to establish operating standards and regulations for signs which utilize these newer technologies, other than billboards which are regulated separately by the Town, in order to minimize the secondary effects that often accompany the unregulated display of digital signs, preserve the character and peacefulness of adjacent areas (with a principal focus on residential neighborhoods), protect property values, and reduce traffic hazards caused by undue distractions.

Section 2. Chapter 190, titled “Zoning,” of the Code of the Town of Ulster is amended as follows:

I. Article II, Section 190-4 titled “Definitions” is amended by adding new terms and definitions, to read as follows:

SIGN, DIGITAL – A sign that has or appears to contain movement or that appears to change, caused by a method other than physically removing and replacing the sign or its components, whether the real or apparent movement or change is in the display, the sign structure itself, or any other part of the sign. A digital sign often incorporates a technology allowing the sign face to change the image without the necessity of physically or mechanically replacing the sign face or its components. A digital sign may include a rotating, revolving, moving, flashing, blinking, or animated display and any display that incorporates rotating panels, LED lights manipulated through digital input, electronic message centers, or other similar methods or technologies that permit a sign face to present different images or displays.

II. Article VIII Section 190-34 titled “Pre-existing and non-conforming signs” is amended by adding the following

(F) Pre-existing Digital Signs. A Digital Sign installed with a sign permit prior to the effective

TOWN OF ULSTER TOWN BOARD MEETING (16)

AUGUST 19, 2021

date of the amendment to this chapter, is permitted to remain until the sign is replaced, provided however, such sign shall conform to the requirements of this subsection if these requirements can be complied with without replacing the sign. A pre-existing Digital Sign is required to comply with all sign regulations that were in effect at the time the sign permit was issued.

III. Article VIII Section 190-33, titled "Sign Standards" is amended by

1. removing subsection 190-33(B)(8)(d); and
2. adding subsection 190-33-(b)(11) as follows:

(11) Digital Standard

Digital signs are allowed in the LC, HC, RC, and OM zoning districts subject to the following conditions:

- (a) There may be no more than one programmed Digital Sign on a lot. There may be no more than one automated or interactive Digital Sign for each business on a lot.
- (b) A digital sign, other than a digital billboard, may not allow the display or message to change more frequently than once every eight seconds, with a transition period of one second or less. Messages may not contain the appearance of motion or animation. Transitions between messages may contain the appearance of motion or animation.
- (c) A digital sign must have installed an ambient light monitor, which shall continuously monitor and automatically adjust the brightness level of the display based on ambient light conditions consistent with the terms of this article. Certification must be provided to the Town demonstrating that the sign has been preset to automatically adjust the brightness to these levels or lower. Re-inspection and recalibration may be periodically required by the Town in its reasonable discretion, at the owners expense, to ensure that the specified brightness levels are maintained at all times.
- (d) Maximum brightness levels for Digital Signs shall not exceed 10,000 nits or "Candelas per Square Meter" or (cd/m²) when measured from the signs face at its maximum brightness, during daylight hours. The maximum brightness levels for Digital Signs shall not exceed 750 nits or Candelas per Square Meter" or (cd/m²) when measured from the signs face at its maximum brightness, between sunset and sunrise, as those times are determined by the National Weather Service.

TOWN OF ULSTER TOWN BOARD MEETING (16)

AUGUST 19, 2021

- (e) Written certification from the sign manufacturer must be provided at the time of application for a sign permit certifying that the light intensity of the sign has been preset not to exceed the illumination levels established by this section, and that the preset intensity level is protected from end user manipulation by password protected software or other approved method.
- (f) Digital Signs may not display messages about goods or services that are not sold and delivered or provided on the premises where the sign is located. The foregoing notwithstanding, a Digital Sign may display messages about public emergencies and public events.
- (g) The digital sign must be located no closer than 300 feet from a property either zoned for residential use or built as a residential property (including, but not limited to, single-family home, two-family home, multifamily residence, townhouse, condominium), whether or not the property is currently being used for residential purposes.
- (h) Brightness of digital signs shall be measured as follows:
 - [1] At least 30 minutes following sunset, a foot-candle meter shall be used to obtain an ambient light reading for the location. This is done while the sign is off or displaying black copy. The reading shall be made with the meter aimed directly at the sign area at the pre-set location.
 - [2] The sign shall then be turned on to full white copy to take another reading with the meter at the same location.
 - [3] If the difference between the readings is 0.2 foot candles or less, the brightness is properly adjusted.
 - [4] Other Requirements. The use, size and location of digital signs must comply with all other relevant regulations and laws of the Town.
- (i) If the digital signs malfunctions, the display must automatically go dark.
- (j) The Planning Board shall have complete discretion to waive or vary any aspect of this section.
- (k) The color scheme of the digital sign must be presented to the Planning Board for its review.

TOWN OF ULSTER TOWN BOARD MEETING (16)

AUGUST 19, 2021

MOTION: Councilman Morrow

SECOND: Councilman Secreto

ROLL CALL VOTE:

Town Councilman Kitchen -Yes

Town Councilman Morrow -Yes

Town Councilman Secreto -Yes

Town Councilman Van Kleeck -Yes

Supervisor Quigley -Yes

CARRIED

Motion to close Checking Account with Bank of Greene Count for the Katrine Lane Sewer Capital Project as the project has been completed and closed out (2021-M-212)

MOTION: Councilman Morrow

SECOND: Councilman Kitchen

Town Councilman Kitchen -Yes

Town Councilman Morrow -Yes

Town Councilman Secreto -Yes

Town Councilman Van Kleeck -Yes

Supervisor Quigley -Yes

CARRIED

AUGUST 19, 2021

Old Business:

Resolution Authorizing the Town of Ulster Town Board to Jointly Purchase a Lenco Bearcat with the City of Kingston (2021-R-213)

Chief Berardi: Joint purchase with City of Kingston. Chief Tinti and I provide safety for community, officers, and staff. Both agencies are NYS accredited.

Resolution of the Town Board
TOWN OF ULSTER

Resolution Authorizing the Town of Ulster Town Board to Jointly Purchase a Lenco Bearcat with the City of Kingston

WHEREAS, the City of Kingston Police Department has secured a grant totaling \$100,000.00 through the New York State Department of Homeland Security and Safety 2019 Tactical Team Grant; and

WHEREAS, the City of Kingston has informed the Town of Ulster that it would like to use the above-mentioned grant for the purchase of an armored vehicle to be utilized by the Kingston/Ulster Police Emergency Services Unit; and

WHEREAS, the City of Kingston is proposing to utilize their \$100,000 grant towards the purchase, with the Town of Ulster would contributing the remaining \$69,725; and

WHEREAS, the acquisition of said armored vehicle would allow the Kingston/Ulster Police Emergency Services Unit to resolve an incident with the least amount of risk of injury to civilians and officers; and

WHEREAS, there are only two armored vehicles that are accessible to the Kingston/Ulster Police Emergency Services Unit agencies should the need arise: (1) one such vehicle is located at Stewart Airport and is property of the New York State Police, and is responsible for a coverage area spanning from the Hudson Valley to Long Island; and (2) the other vehicle is property of the Ulster County Sheriff's Office, and said vehicle requires specially trained operators, due to the size and weight of said vehicle; and

WHEREAS, the Town of Ulster now desires to purchase a certain armored security-vehicle from LENCO, namely a LENCO BearCat, jointly with the City of Kingston, as further described in Exhibit A, attached hereto and incorporated herein;

TOWN OF ULSTER TOWN BOARD MEETING (16)

AUGUST 19, 2021

NOW, THEREFORE, be it resolved by the Town of Ulster Town Board, meeting in regular session as follows:

Section 1. The Town of Ulster Town Board hereby approves the special purchase of the LENCO BearCat, jointly with the City of Kingston, up to the sum of \$70,000.00.

Section 2. The Town of Ulster Town Board hereby authorizes the Town Supervisor and/or the Chief of Police to execute any and all documents necessary to effectuate the purchase of the LENCO BearCat.

Section 3. Deployment of said LENCO BearCat is subject to adoption by the Town Board of the Town of Ulster of Rules and Regulations pertaining to the use and operation of said vehicle.

Section 4. Deployment of said LENCO BearCat is subject to approval of a specific Operations and Maintenance Agreement with the City of Kingston.

Section 5. This Resolution shall be of full force and effect from and upon its adoption and in accordance with New York law.

RESOLUTION READ ALOUD BY TOWN CLERK

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

ROLL CALL VOTE:

Town Councilman Kitchen -Yes

Town Councilman Morrow -Yes

Town Councilman Secreto -Yes

Town Councilman Van Kleeck -Yes

Supervisor Quigley -Yes

Supervisor:

CARRIED

AUGUST 19, 2021

Resolution Designating Site Plan Amendment Application a Type II Action and Referring the Application to the Ulster County Planning Board for Tristen Mazzone / Automotion, P-852, 888 Ulster Ave, Kingston, N.Y. 12401, SBL 48.50-5-14 (2021-R-214)

Process approval only; not approval of the project

RESOLUTION
TOWN OF ULSTER TOWN BOARD
Automotion / Tristen Mazzone, P-852
888 Ulster Avenue
SBL 48.50-5-14
ZONE : HC
Site Plan Amendment

WHEREAS, the applicant – Automotion / Tristen Mazzone, seeks Site Plan Amendment approval for improvements at existing automotive sales and repair facility; and,

WHEREAS, the applicant has submitted a complete Site Plan application to the Town of Ulster Planning Board including a submitted State Environmental Quality Review Act (SEQRA) Short Environmental Assessment Form; and,

WHEREAS, the Town Board of the Town of Ulster has final review and approval authority for this application in coordination with the Town of Ulster Planning Board; and,

WHEREAS, said Planning Board has reviewed this application as complete and has recommended the Town Board take the following actions:

NOW THEREFORE BE IT RESOLVED, the Planning Board recommends, and the Town Board finds that this application is a Type II Action under the New York State Environmental Quality Review Act (SEQRA), and no further environmental review is required; and,

BE IT FURTHER RESOLVED, the Planning Board recommends, and the Town Board formally refers this application to the Ulster County Planning Board for review consistent with the Ulster County Planning Board Land Use Referral Guide and NYS General Municipal Law 239.

TOWN OF ULSTER TOWN BOARD MEETING (16)

AUGUST 19, 2021

MOTION: Councilman Morrow

SECOND: Councilman Secreto

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

Resolution addressing Ulster County Planning Board Comments on the Crossings Apartments, 400-416 Old Neighborhood Road, Lake Katrine, N.Y. 12449, SBL 48.7-1-12.110 (2021-R-215)

Overriding certain recommendations by the UC Planning Board by home rule

RESOLUTION
TOWN OF ULSTER TOWN BOARD
Uncle B's The Crossings Apartments
400-416 Old Neighborhood Road
SBL 48.7-1-12.110 ZONE: RC
Site Plan Amendment

TOWN OF ULSTER TOWN BOARD MEETING (16)

AUGUST 19, 2021

Summary - override of the Ulster County Planning Board comments on Site Plan application for final review and approval by the Ulster Town Board.

Resolution:

WHEREAS, the applicant – Uncle B’s Holdings LLC – seeks site plan approval for phase 2 of an existing mixed use development to include two (2) new three-story apartment buildings and related improvements ; and,

WHEREAS, the applicant has submitted a complete Site Plan application to the Town of Ulster Town Board and Planning Board including a submitted State Environmental Quality Review Act (SEQRA) Short Environmental Assessment Form; and,

WHEREAS, the Town Board, in coordination with the Planning Board, previously determined the Town Board was lead agency, typed the application as an Unlisted Action, and initiated the coordinated review under the New York State Environmental Quality Review Act (SEQRA); and,

WHEREAS, this application was referred under New York State General Municipal Law 239 to the Ulster County Planning Board who returned comments as described below; and,

WHEREAS, the application materials in support of the Proposed Action include:

Application for Site Plan Review prepared by Richard Tompkins, AIA, Mauri Architects PC, dated 3/30/21

*SEQRA Short Environmental Assessment Form prepared by Bart Panesa, dated 3/30/21
memo to Geoffrey Ring from Richard K. Tompkins, AIA dated 3/30/21 summarizing project proposed*

Completed owner consent and escrow agreement forms

Amended Site Plan for Uncle B’s Car Wash, originally dated 3/30/21 and updated 7/26/21 and 7/28/21, prepared by Mauri Architects, PC and consisting of four (4) sheets as follows:

Sheet S-1 Amended Site Plan Sheet S-2 Proposed Landscaping Plan

Sheet S-3 Proposed Free Standing Sign

Sheet S-4 Proposed Elevations

Additional Amended Site Plan documentation, revised 7/26/21 and prepared by CPL Architects and Engineers, Inc. consisting of nine (9) sheets as follows:

Sheet C-101 Utility Plan

Sheet C-201 Grading Plan

Sheet C-301 Lighting Plan

Sheet C-401 Erosion and Sediment Control Plan

Sheet C-501 Site Details

TOWN OF ULSTER TOWN BOARD MEETING (16)

AUGUST 19, 2021

Sheet C-502 Water and Site Details

Sheet C-503 Sanitary Sewer and Stormwater Details

Sheet C-504 Stormwater Infiltrator and ESC Details

Sheet C-505 Lighting Details

Amended Stormwater Pollution Prevention Plan for Uncle B's Wash & Lube, prepared by Clark Patterson Lee, dated May 2018 with revisions July 2018, September 2018, and June 2021

Recommendation Memo from Ulster County Planning Board, Referral No. 2021-140, dated 7/7/21; and,

WHEREAS, the Town Board and Planning Board considered all of the application materials submitted by the applicant in support of the Proposed Action, along with the comments of the Ulster County Planning Board, as well as Town consultants and staff; and,

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Town Board, with a recommendation from the Town of Ulster Planning Board, moves to override the comments from the Ulster County Planning Board as follows:

First, the Town of Ulster has been and continues to be the leading Town in Ulster County in the provisions of rental and affordable housing. As such, the Town reviewed and considered with the applicant the comment by the Ulster County Planning Board and finds unnecessary the requirement for 2-3 units further dedicated as affordable: and,

Second, the Town with the applicant considered and discussed ways the proposed project can incorporate NYS Energy Stretch Code elements, and the applicant has agreed to research and pursue if practical incorporation of rooftop solar panels, heat pumps, and provision of infrastructure for an electric vehicle charging station.

MOTION: Councilman Secreto

SECOND: Councilman Morrow

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

AUGUST 19, 2021

Resolution providing for a Negative Declaration under SEQRA and Granting Conditional Site Plan Approval for the Crossings Apartments, 400-416 Old Neighborhood Road, Lake Katrine, N.Y. 12449, SBL 48.7-1-12.110 (2021-R-216)

RESOLUTION
TOWN OF ULSTER TOWN BOARD
Uncle B's The Crossings Apartments
400-416 Old Neighborhood Road
SBL 48.7-1-12.110 ZONE: RC
Site Plan Amendment

Summary - A motion for final review and approval by the Ulster Town Board.

Resolution:

WHEREAS, the applicant – Uncle B's Holdings LLC – seeks site plan approval for phase 2 of an existing mixed use development to include two (2) new three-story apartment buildings and related improvements ; and,

WHEREAS, the applicant has submitted a complete Site Plan application to the Town of Ulster Town Board and Planning Board including a submitted State Environmental Quality Review Act (SEQRA) Short Environmental Assessment Form; and,

WHEREAS, the Town Board, in coordination with the Planning Board, previously determined the Town Board was lead agency, typed the application as an Unlisted Action, and initiated the coordinated review under the New York State Environmental Quality Review Act (SEQRA); and,

WHEREAS, this application was referred under New York State General Municipal Law 239 to the Ulster County Planning Board who returned comments as described below; and,

WHEREAS, the application materials in support of the Proposed Action include:

Application for Site Plan Review prepared by Richard Tompkins, AIA, Mauri Architects PC, dated 3/30/21

SEQRA Short Environmental Assessment Form prepared by Bart Panesa, dated 3/30/21

memo to Geoffrey Ring from Richard K. Tompkins, AIA dated 3/30/21 summarizing project proposed

Completed owner consent and escrow agreement forms

TOWN OF ULSTER TOWN BOARD MEETING (16)

AUGUST 19, 2021

Amended Site Plan for Uncle B's Car Wash, originally dated 3/30/21 and updated 7/26/21 and 7/28/21, prepared by Mauri Architects, PC and consisting of four (4) sheets as follows:

Sheet S-1 Amended Site Plan Sheet S-2 Proposed Landscaping Plan

Sheet S-3 Proposed Free Standing Sign

Sheet S-4 Proposed Elevations

Additional Amended Site Plan documentation, revised 7/26/21 and prepared by CPL Architects and Engineers, Inc. consisting of nine (9) sheets as follows:

Sheet C-101 Utility Plan

Sheet C-201 Grading Plan

Sheet C-301 Lighting Plan

Sheet C-401 Erosion and Sediment Control Plan

Sheet C-501 Site Details

Sheet C-502 Water and Site Details

Sheet C-503 Sanitary Sewer and Stormwater Details

Sheet C-504 Stormwater Infiltrator and ESC Details

Sheet C-505 Lighting Details

Amended Stormwater Pollution Prevention Plan for Uncle B's Wash & Lube, prepared by Clark Patterson Lee, dated May 2018 with revisions July 2018, September 2018, and June 2021

Recommendation Memo from Ulster County Planning Board, Referral No. 2021-140, dated 7/7/21; and,

WHEREAS, the Town Board and Planning Board considered all of the application materials submitted by the applicant in support of the Proposed Action, along with the comments of the Ulster County Planning Board, as well as Town consultants and staff; and,

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Town Board makes a Negative Declaration under SEQRA for this Unlisted Action based on coordinated review with the Town Planning Board and others; and,

BE IT FURTHER RESOLVED that the Town of Ulster Town Board makes final review of this Application and grants Conditional Site Plan approval for the Proposed Action subject to the conditions, limitations and restrictions set forth below.

1. Compliance with any final comments as may be needed from the Town Engineer, Town Sewer Department, and/or Town Water Department.
2. Applicant agrees to consider, as recommended by Ulster County Planning Board and discussed with the Town of Ulster Planning Board, inclusion of certain NYS Stretch Energy Code elements into the proposed project including if practical rooftop solar, heat pumps, and infrastructure for an electric vehicle charging station;
3. Compliance with applicable zoning and building laws, rules and regulations;

TOWN OF ULSTER TOWN BOARD MEETING (16)

AUGUST 19, 2021

4. Compliance with all representations made by the applicant;
5. Compliance with documentation, site plan, design plans and all details as cited herein;
6. The Town's consulting planner and Building Inspector are hereby authorized to approve minor Site Plan changes of a ministerial nature, which may arise due to unforeseen circumstances in the project site development; and
7. All fees, including Town Recreation Fees and consultant fees, shall be paid.

MOTION: Councilman Morrow

SECOND: Councilman Secreto

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

**Presentation of Resolution addressing Ulster County Planning Board
Comments on the Kingston Ulster Airpark Helipad, P-846, 1121 Flatbush
Road, Kingston, N.Y. 12401, SBL 40.17-1-19.110**

No town board action

**Presentation of Resolution for Granting of a Special Use Permit and Site Plan
Amendment for the Kingston Ulster Airpark Helipad, P-846, 1121 Flatbush
Road, Kingston, N.Y. 12401, SBL 40.17-1-19.110**

*No town board action; Town board policy not to make a decision same meeting as public
hearing*

AUGUST 19, 2021

Resolution Initiating SEQRA for Site Plan Application and Referring Application to the Ulster County Planning board for Ulster Recreation Facility, P-851, Route 28, Kingston, N.Y. 12401, SBL 47.2-4-3.100 (2021-R-217)

Tennis facility. Process resolution; for review under town planning board

RESOLUTION
TOWN OF ULSTER TOWN BOARD
Ulster Recreation Facility, P-851
Route 28, SBL 47.2-4-3.100
ZONE: HC
Site Plan

WHEREAS, the applicant – Ulster Recreation Facility (aka Ulster Tennis), seeks Site Plan approval for construction of a recreation and tennis facility; and,

WHEREAS, the applicant has submitted a complete Site Plan application to the Town of Ulster Planning Board, in coordination with the Ulster Town Board, including a submitted State Environmental Quality Review Act (SEQRA) Short Environmental Assessment Form; and,

WHEREAS, the Ulster Town Board has final Site Plan review and approval authority for this application.

NOW THEREFORE BE IT RESOLVED, based on a review of the application and recommendations by the Town of Ulster Planning Board, the Town Board takes the following actions:

BE IT RESOLVED, that the Town Board of the Town of Ulster determines that the Special Use & Site Plan application is an Unlisted Action under the New York State Environmental Quality Review Act (SEQRA) and that the Town Board of the Town of Ulster declares intent to be the Lead Agency for coordinated review with the Town of Ulster Planning Board; and,

NOW BE IT FURTHER RESOLVED, the Town Board formally refers the Special Use & Site Plan application to the Ulster County Planning Board for review consistent with the Ulster County Planning Board Land Use Referral Guide and NYS General Municipal Law 239.

TOWN OF ULSTER TOWN BOARD MEETING (16)

AUGUST 19, 2021

MOTION: Councilman Secreto
SECOND: Councilman Kitchen

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

Motion to Set a Public Hearing for a Special Use Permit for Home Occupation for Robert Ienuso, P-850, 185 Eastern Parkway Extension, Saugerties, N.Y. 12477, SBL 39.11-5-1.300 for Thursday, September 2, 2021, at 7:10PM (2021-M-218)

MOTION: Councilman Kitchen
SECOND: Councilman Morrow

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

TOWN OF ULSTER TOWN BOARD MEETING (16)

AUGUST 19, 2021

PUBLIC HEARING

Kovacs: Helipad aviation facility project. Aviation facilities are permitted in this zoning district, subject to special permit of town board.

Supervisor: Parcel separate from airport parcel. Does not affect airport operations, but operations of the adjacent property.

~ Discussion ~

Todd Coggeshall, Kingston-Ulster Airport: Current use is storage and flight of helicopters. In 2018, permit issued for hanger construction; certificates of occupancy and compliance given 2019 – certificate of compliance. FAA approved for aviation use and deemed ready for use. Light and notoriously quiet helicopters stored, not state police-type helicopters, which frequently visit the public use side of the airport. Will be private use. State police and Army National Guard typically only do touch and go on main runway.

MOTION to Open Public Hearing (7:24 PM) (2021-M-219)

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

COMMENTS:

1. Geoffrey Ring: Planning Board Chairman; Tenant of the airport; FAA Safety Representative for the Airport; and Town Resident (speaking personally)
2018 increase in helicopters; FAA met to discuss mixing of challenges in helicopter and fixed-wing aircraft; recommended a separate site for helicopters. Airport publicly funded, privately

TOWN OF ULSTER TOWN BOARD MEETING (16)

AUGUST 19, 2021

owned. Decision tonight will not affect traffic. Will move traffic and noise about ½ mile away from Whittier neighborhood. Fuel site is near helipad. Increases safety.

Supervisor: As FAA safety representative, any notable issues that FAA brought to operators? Knowledge of flight patterns?

Ring: Noted that not a good idea to run helicopters up and over the fence that divides the two properties. Fixed-wing airplanes from SE fly over residential. Helicopters fly over non-residential (south side). Helicopters further away from fixed-wing.

Would like to add a condition that any future construction or expansion does not negatively impact the public-use side of the airport.

2. Stewart Dean, Town Resident (Ulster Landing Road)

Final leg of landing at airport is over his neighborhood. Thudding makes house shake; twice as much for helicopters. Are there any limitations to size/weight of helicopters?

Supervisor: Design group details Cessna wingspan, helicopter max gross weight 12,500 lbs. Are those the designs you are seeking?

Dean: No problem with fixed-wing. Will send written comments to supervisor.

3. Steve Hagopian, (owner abutting parcel to airport, west part of Route 32)

Will conditions adhere to flight path shown tonight? And if they deviate what happens?

~ Discussion on whether or not a tower was to be placed on his property in 1956/1958; property north of Sorensen ~

Ring: Received notice of determination from FAA, site plan from Coggeshall.

Supervisor: Town Clerk will put those documents on website tomorrow.

Ring: Clarifies that FAA runs grant assurance program; FAA describes type of operations allowed at airport and must be maintained (aviation 1 and 2). Helicopters cannot be discriminated against, and FAA oversees flight patterns.

AUGUST 19, 2021

MOTION to Close Public Hearing (7:39 PM) (2021-M-220)

MOTION: Councilman Secreto

SECOND: Councilman Morrow

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

Supervisor: Written comments accepted for 30 days.

Report from Chief Berardi on Quail Drive Extension Traffic Issues

Chief Berardi: Findings after traffic safety sign deployed at dead end section of Quail Drive for five days. Data obtained: 10 motorists went through the one way, four from Ulster Gardens. None went over 30 MPH. Will make contact with management of Ulster Gardens. Cannot determine where other vehicles originate.

TOWN OF ULSTER TOWN BOARD MEETING (16)

AUGUST 19, 2021

PUBLIC COMMENT:

1. Larry Woerner, Town Resident

What kind of protection and safety is there for mobile homes? Trees down, sewage leaks, and no reasonable response from management.

Supervisor: First call should be to the building department. Will discuss with town attorney if town has any enforcement due to public safety. Sewer – has had discussions with Bottini engineers about connecting to public sewer.

Tutt: The park is next on list to be fully inspected. Complaints can be submitted to his department anonymously.

2. Supervisor: Thanks everyone for attending the most attended meeting in two years.

MOTION to adjourn (7:48 pm) (2021-M-221)

MOTION: Councilman Morrow

SECOND: Councilman Secreto

Town Councilman Kitchen	-Yes
Town Councilman Morrow	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

Respectfully Submitted by Suzanne Reavy
Ulster Town Clerk