

TOWN OF ULSTER TOWN BOARD MEETING (16)

AUGUST 16, 2018

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

ROLL CALL by Town Clerk, Suzanne Reavy:

TOWN COUNCILMAN JOEL B. BRINK
TOWN COUNCILMAN ERIC KITCHEN
TOWN COUNCILMAN JOHN MORROW
TOWN COUNCILMAN ROCCO SECRETO
SUPERVISOR JAMES E. QUIGLEY 3rd

ALSO IN ATTENDANCE:

1. Town Attorney, Jason Kovacs
2. Town Assessor, James Maloney
3. Building Inspector, Kathy Moniz
4. 51 audience members

ADDITIONS OR CHANGES TO THE AGENDA— None

PUBLIC DISCUSSION ON AGENDA ITEMS –

Vicki Lucarini, 170 Ledge Rd:

Referring to the Smoothie King Resolution – why can't this business use one of the many vacant buildings on Route 9W?

APPROVAL OF MINUTES – July 19th

MOTION: Councilman Brink
SECOND: Councilman Secreto

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Town Councilman Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

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ANNOUNCEMENTS –

Town received a letter from Catskill Mountainkeeper; Citizens for Local Power; Hudson River Sloop Clearwater, Inc; Kingstoncitizens.org; Riverkeeper; and Scenic Hudson, asking for clarity on whether the Town of Ulster Zoning Code currently regulates gas-fired power plants, and how the Town is treating the proposed Lincoln Park Grid Support Center under the Zoning Code.

ABSTRACT OF CLAIMS

Presented by Councilman Brink (Previously reviewed by Councilmen Brink & Secreto)

August, 2018

Prepaid Bills:	\$ 198, 859.75
Abstract Bills:	\$ 198, 911.70
Escrow Bills:	\$ 6, 972.50
Reserve:	\$ 512.18

TOTAL: \$ 405, 256.13

MOTION: Councilman Secreto
SECOND: Councilman Kitchen

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Town Councilman Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

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BUDGET MODIFICATIONS

Presented by Councilman Brink

General Fund:	Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Softball League) softball team registration to USSSA	200.00
	Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Softball League) electric at Orlando St. Ballfield	426.74
	Modify Appropriation A7140.401 (Rec.Equip.Reserve) to be funded through A5110 (Approp.Reserve-Softball League) scoreboard bulbs-Eastern State Elec.	85.44
Reverse Budget Mod. of 6/21/18	Appropriation A5133.200 (Hwy. Sand & Salt Shed) and A5110 (Approp.Reserve-Building) payment to Brinnier & Larios for engin.services (April 26-May 30,2018) for the Hwy.Salt Shed	(2,170.00)
	Modify Appropriation A9950.900 (Transfer, Capital Project) to be funded through A5110 (Approp.Reserve-Building) payment to Brinnier & Larios for engin. Services for the Hwy.Salt Shed (April 26-May 30. 2018) record expense to Salt Shed Cap. Proj.	2,170.00
Highway Fund:	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) June Gas Reimb.-Oper.Funds	7,982.72
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) June Gas Reimb. (Ruby Fire Dist.)	150.28
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) June Gas Reimb. (E.Kng.Vol.Fire Co.)	361.35
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas & Oil) June Gas Reimb. (Town of Kng. Hwy. Dept.)	675.85
	Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5110.420 (Gas &	

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Oil) June Gas Reimb. (Ulster Fire Dist.#1)	77.31
Modify Revenue D1289 (Oth. Dept. Income) and Appropriation D5142.420 (Gas & Oil) Gas Reimb. (Ulster Fire Dist.#5)	

MOTION: Councilman Secreto
SECOND: Councilman Kitchen

Town Councilman Brink -Aye
Town Councilman Kitchen -Aye
Town Councilman Morrow -Aye
Town Councilman Secreto -Aye
Supervisor Quigley -Aye

CARRIED

New business:

Presentation and Acceptance of the Town Clerk's Monthly Report for the month of July 2018

MOTION: Councilman Kitchen
SECOND: Councilman Brink

Town Councilman Brink -Aye
Town Councilman Kitchen -Aye
Town Councilman Morrow -Aye
Town Councilman Secreto -Aye
Supervisor Quigley -Aye

CARRIED

Presentation and Acceptance of the Supervisor's Monthly Report for the month of July 2018

MOTION: Councilman Brink
SECOND: Councilman Secreto

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Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Town Councilman Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

Motion authorizing the Supervisor to sign the Renewal for Town's CDPHP Health Insurance program for the period December 1, 2018 to November 30, 2019

Supervisor: Noted that initial quotation from CDPHP was a 20% rate increase for renewal ; after negotiations with CDPHP and our broker, agreement adjustment is a 13% increase.

MOTION: Councilman Kitchen
SECOND: Councilman Brink

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Town Councilman Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

Motion to approve the Updated Payment Policy for the Ulster Water / Sewer Districts per the Memo dated August 8, 2018

[to avoid late penalties and unfair delays in receipt of payments due to postal delivery]

MOTION: Councilman Kitchen
SECOND: Councilman Brink

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Town Councilman Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

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Motion authorizing the Assessor to attend a one day seminar in Middletown, NY on September 12th

MOTION: Councilman Secreto
SECOND: Councilman Kitchen

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Town Councilman Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

AUGUST 16, 2018

Resolution authorizing the Supervisor to sign Facility Encroachment Agreement with CSX Transportation, Inc. for a sub-terrain grade crossing for the Katrine Lane Sewer Extension

RESOLUTION OF THE TOWN BOARD
TOWN OF ULSTER

Resolution Authorizing Supervisor to Sign Facility Encroachment Agreement with CSX Transportation, Inc.

WHEREAS, for the benefit of the to-be established Katrine Lane Sewer District, it is necessary to construct one (1) three inch (3") sub-grade pipeline crossing, at or near the railroad crossing at Katrine Lane; and

WHEREAS, in order to construct said pipeline crossing, permission of CSX Transportation, Inc., the owner/operator of the railroad line, is required; and

WEHREAS, CSX Transportation, Inc. has provided the Town of Ulster a proposed Facility Encroachment Agreement which, if signed and executed, will allow the Town to perform the above described work; now, therefore, be it

RESOLVED by the Town Board of the Town of Ulster as follows:

- Section 1: Each Whereas paragraph above is incorporated by reference into This Section 1 and made a part hereof as material and operative provisions of this Resolution.
- Section 2: The Town Board of the Town of Ulster hereby directs that the Town Supervisor execute the Facility Encroachment Agreement, annexed hereto and made a part hereof, along with any other related documents.

MOTION: Councilman Brink
SECOND: Councilman Secreto

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Town Councilman Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

AUGUST 16, 2018

Resolution authorizing the Town Supervisor to sign the Health Arrangement Plan Document and HRA/FSA Administration Agreement for the CDPHP Health Insurance Program for December 1, 2018 to November 30, 2019 Plan Year

RESOLUTION OF THE TOWN BOARD
TOWN OF ULSTER

Resolution Approving the Health Reimbursement Arrangement Plan Agreement with CDPHP for December 1, 2018 through November 30, 2019

WHEREAS, the Town wishes to enter into an Agreement with CDPHP for the administration of the Health Reimbursement Arrangement associated with the Town's High Deductible HMO Health plan commencing December 1, 2018, now, therefore be it

RESOLVED, that the attached Health Reimbursement Arrangement Plan Document is hereby approved by the Board in the form presented, and be it further

RESOLVED, that the Supervisor is authorized to execute the attached Health Reimbursement Arrangement Plan Document and related Administrative Agreements with CDPHP for the continuation of the Health Reimbursement Arrangement Plan, and be it further

RESOLVED, that the Employer Town of Ulster shall be the Sponsor of the HRA and shall be the Administrator of the HRA for purposes of ERISA, and be it further

RESOLVED, that the Employer Town of Ulster hereby appoints the Administrative Agent to assist it with the administration of the HRA and to perform all such non-discriminatory duties related thereto, and be it further

RESOLVED, that the Administrative Agent shall be instructed to take such actions that are deemed necessary and proper in order to implement the HRA, and to set up adequate accounting and administrative procedures to provide benefits under the HRA, and be it further

RESOLVED that the duly authorized agents of the Employer shall act as soon as possible to notify the Employees of the Employer of the adoption of the HRA by delivering to each Employee a copy of the summary description of the HRA in the form of the Summary Plan Description presented to this meeting, which form is approved.

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MOTION: Councilman Secreto
SECOND: Councilman Kitchen

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Town Councilman Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

Resolution Scheduling Public Hearing Re Correction of Structure Owned by Ernst Schraad, 153 Main Street, Lake Katrine, N.Y. 12449, SB: 39.11-1-17.200

Resolution Scheduling Public Hearing Re Correction of Structure Owned by Ernst Schraad

WHEREAS, that the code enforcement officer of the Town of Ulster, Ulster County, has filed a written report with the Town Board of the Town of Ulster pursuant to the provisions of the Unsafe Buildings Law [Chapter 64 of the Town Code of the Town of Ulster] regarding a structure situate on premises reputedly owned by Ernst Schraad at 153 Main Street, Lake Katrine, in the Town of Ulster, designated by Tax Map No. 39.11-1-17.200, deeming the same to be unsafe to the public in that there is a potential for injury, damage, or possible arson, and that it is open at the doorways and windows and there are debris, garbage and combustible materials in the structure and the doors and windows should be secured against unauthorized entry.

NOW THEREFORE, the Town Board of the Town of Ulster, in regular session, duly convened resolves as follows:

1. After considering said report, and pursuant to the provisions of said Local Law, does hereby schedule a public hearing on September 6, 2018 at 7:10 p.m. at Town Hall, 1 Town Hall Drive, Lake Katrine, NY 12449, to determine whether said structure is unsafe and dangerous and if so to order that such structure be secured against unauthorized entry and/or demolished.

2. This resolution shall take effect immediately.

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Kathy Moniz: On 8/5/17, there was a severe fire at 153 Main St. Same day, Moniz posted building as dangerous. Learned that owner is deceased; cannot get hold of anyone associated with property. Asking the Town Board for assistance by way of Resolution.

Supervisor: Resolution defines problem. To correct structure, hold a public hearing. Authorize expenses be added to future tax bill after town cleans up property.

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Town Councilman Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

AUGUST 16, 2018

Resolution declaring the intent of the Town of Ulster Town Board to be Lead Agency with respect to an action proposed by Five Star Realty Holding, LLC - Begnal Motors, Site Plan Review for SBL 48.14-1-23, Route 28 adjacent to the existing Begnal Motors facility and authorizing a referral to the Ulster County Planning Board

RESOLUTION
TOWN OF ULSTER TOWN BOARD

Initiation of SEQR Unlisted Action-Coordinated Review
Begnal Motors
S-B-L: 48.14-1-23

WHEREAS, the applicant – Five Star Realty Holdings, LLC – is seeking *Site Plan* approval to construct a 1.6-acre gravel vehicle holding area on a vacant 3.5-acre parcel adjacent to the existing Begnal Motors Car dealership, which is located at 129 NYS Route 28, opposite the Johnson Ford dealership; and

WHEREAS, the subject site is situated within the HC-Highway Commercial Zoning District where an automotive sales and service business is permitted by right subject to Site Plan approval; and

WHEREAS, the Town Board has the authority to approve the Site Plan since the Proposed Action would utilize a ground area of more than one (1) acre, even though no structure is proposed [see §145-2 A (3) of the Town Code]; and

WHEREAS, the materials submitted in support of the Proposed Action includes:

- *Site Plan Narrative* by Brinnier & Larios, Engineering & Land Surveying, P.C. dated July 2018;
- *Site Plan Application* by Brinnier & Larios, Engineering & Land Surveying, P.C. dated July 24, 2018;
- *Site Plan Consent Form* signed by agent of Five Star Realty Holdings, LLC dated July 24, 2018;
- *SEQR Full EAF Part 1* by Brian Begnal, Member Five Star Realty Holdings, LLC. dated July 24, 2018;
- *Cover Sheet* by Brinnier & Larios, Engineering & Land Surveying, P.C. dated July 2018;
- *Existing Conditions* by Brinnier & Larios, Engineering & Land Surveying, P.C. dated July 2018; and
- *Site Plan* by Brinnier & Larios, Engineering & Land Surveying, P.C. dated July 2018;
- *Erosion Control Plan* by Brinnier & Larios, Engineering & Land Surveying, P.C. dated July 2018;
- *Grading Plan* prepared by Brinnier & Larios, Engineering & Land Surveying, P.C. dated July 2018.

WHEREAS, the Town of Ulster Town Board, upon review of the application materials determined the Proposed Action was an *Unlisted Action* pursuant to 6NYCRR Part 617 of State Environmental Quality Review (SEQR) Law; and

WHEREAS, Involved Agencies would include: Town of Ulster Town Board (Site Plan). Town of Ulster Building Inspector (Flood Plain Development Permit) and NYSDEC (General Permit for Construction Activities and SWPPP); and

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WHEREAS, Interested Agencies would include the Town of Ulster Planning Board (advisory Recommendation on Site Plan) and the Ulster County Planning Board (NYS GML 239 l, m review); and

WHEREAS, the Town of Ulster Planning Board referred this matter to the Town Board for the sole purpose of initiating a SEQR *Unlisted Action-Coordinated Review* with the Town Board so named as Lead Agency.

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Town Board, based upon the above and its own review of the application materials, hereby declares its intent to be Lead Agency for an Unlisted Action-Coordinated Review and directs the Town Clerk to circulate a Notice of Intent to all Involved Agencies; and

FURTHER BE IT RESOLVED, the Town of Ulster Town Board hereby directs the Town Clerk to refer this matter to the Ulster County Planning Board pursuant to NYS GML 239 l and m review.

MOTION: Councilman Secreto
SECOND: Councilman Kitchen

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Town Councilman Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

AUGUST 16, 2018

Resolution on a proposed action by Frank C. Tiano, SBL 39.8-1-10.1, 248 Old Stage Road, Saugerties, N.Y., issuing a SEQRA Negative Declaration and granting Conditional Site Plan Amendment Approval to construct a 5000 square foot wooden frame barn

RESOLUTION
TOWN OF ULSTER TOWN BOARD

Site Plan Amendment Approval
SEQRA Negative Declaration

Frank C. Tiano

Section-Block-Lot: 39.8-1-10.1

WHEREAS, the Town of Ulster Town Board and its consultant planner have reviewed an application by *Frank Tiano* seeking *Site Plan approval* by the Town Board to erect a 50' x 100' (5,000 square foot (sf)) frame barn on the subject site to be used in conjunction with an existing wedding venue, which is situated within the R-60 Residential Zoning District; and

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

- *Written Narrative* prepared by Vetere Land Surveying dated August 2, 2018;
- *Consent Form* signed by Frank C. Tiano dated August 2, 2018;
- *Site Plan Application* prepared by Frank C. Tiano dated August 2, 2018;
- *SEQR Short EAF Part 1* prepared by Michael Vetere, LS, dated August 2, 2018; and
- *Site Plan for Frank C. Tiano* prepared by Michael F. Vetere, LS, dated August 2, 2018, revised 8/4/18.

WHEREAS, the Zoning Board of Appeals (ZBA granted a "Use Variance" to allow a wedding venue on the subject site subject; and

WHEREAS, the Town Board has the authority to review and approve the Site Plan for the Proposed Action in accordance with Chapter 161 of the Town of Ulster Code since the proposed building is more than 2,500 square feet; and

WHEREAS, the applicant submitted a complete Site Plan application for the Proposed Action; and

WHEREAS, the Town Board considered of the application materials submitted by the applicant in support of the Proposed Action, along with the comments of its consultants made via memoranda (which memoranda are incorporated herein by reference); and

WHEREAS, the Town of Ulster Planning Board referred this matter to the Town Board with a recommendation to the Town Board to issue a SEQRA Negative Declaration and grant conditional Site Plan approval; and

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WHEREAS, the Town Board upon review of the entire record (including State Environmental Quality Review Act (SEQRA) Short Environmental Assessment Form Part 1 and Part 2 found the Proposed Action was an *Unlisted Action* pursuant to NYCRR Part 617 of SEQRA; and

WHEREAS, the Town Board upon review of the entire record (including SEQR Short EAF Part 1 & 2) found the Proposed Action did not pose any potentially significant adverse environmental impact; and

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Town Board, as the only Involved Agency, determines it is the Lead Agency for the Proposed Action;

FURTHER BE IT RESOLVED, the Town of Ulster Town Board, as Lead Agency, hereby makes a SEQRA Determination of non-significance and issues a SEQRA Negative Declaration for the Proposed Action;

FURTHER BE IT RESOLVED, the Town of Ulster Town Board hereby grants conditional Site Plan approval to *Frank C. Tiano* to amend the Site Plan as described above on the above referenced site subject to the conditions, limitations and restrictions set forth below.

1. Compliance with applicable zoning and building laws, rules and regulations;
2. Compliance with all representations made by the applicant;
3. Compliance with site plan, design plans, building elevations and all details as cited herein;
4. The applicant submits a Building Elevations so that the Town Board can verify the proposed barn complies with the height limitations of the Town Code;
5. 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;
6. All fees, including consultant fees, shall be paid.

Present: Frank Tiano, Owner; Michael Vetere, Surveyor

Vetere: Site of wedding venue off of Old Stage Road. Site plan to add a 5,000 square foot barn and asking for permission from Town Board to construct.

Councilman Kitchen: Would you add kitchen facility? Driveway paved?

Supervisor: Does the plan shown represent color scheme?

Tiano: No kitchen; color will be natural wood, gray stain, not raggedy-looking barn; no paving.

Vetere: Reviews boards. As entering site, see glass front; valet parking; cul de sac specs to meet fire department requirements.

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Councilman Kitchen: Wishes them luck.

MOTION: Councilman Kitchen

SECOND: Councilman Secreto

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Town Councilman Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

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Resolution on a proposed action by Bart Penessa dba Uncle B's, LLC, SBL 48.7-1-12.110,400 – 416 Old Neighborhood Road, Lake Katrine, N.Y., issuing a SEQRA Negative Declaration and granting Conditional Site Plan Approval to construct a 8895 square foot car wash and lube

RESOLUTION
TOWN OF ULSTER TOWN BOARD

SEQRA Negative Declaration
Conditional Site Plan Approval
Bart Penessa dba Uncle B's, LLC
400-416 Old Neighborhood Road

S-B-L: 48.7-1-12.110

WHEREAS, the applicant – *Bart Penessa dba Uncle B's, LLC* with the consent of JBCR, LLC (Owner) – is seeking Site Plan approval to develop a car wash, laundromat (Phase 1) and office building (Phase 2) on the subject site, which is situated within the RC-Regional Commercial Zoning District; and

WHEREAS, the proposed uses are allowed-by-right within the RC- Zoning District subject to Site Plan approval; and

WHEREAS, the Town of Ulster Town Board has the authority to approve the Proposed Action since more than 2,500 SF of new gross floor area is proposed with this Site Plan application, upon a favorable recommendation from the Town of Ulster Planning Board; and

WHEREAS, the materials submitted in support of the Proposed Action includes:

- *Cover Letter* prepared by Richard K. Tompkins, Architect, AIA dated February 26, 2018;
- *Consent Form* signed by a member of JBCR, LLC H. Jonathan Baurer, dated 2/21/18;
- *Application for Site Plan Review* prepared by JBCR, LLC dated February 21, 2018;
- *Short EAF Part 1* prepared by the applicant Bart Panessa dated March 3, 2018;
- *Proposed Site Plan* prepared by Richard K. Tompkins, Architect, AIA dated February 26, 2018;
- *Cover Letter* prepared by Richard K. Tompkins, Architect, AIA dated May 29, 2018;
- *Consent Form* signed by a member of JBCR, LLC H., Hugh J. Baurer dated 5/24/18;
- *Application for Site Plan Review* prepared by JBCR, LLC dated May 24, 2018;
- *Short EAF Part 1* prepared by the applicant Bart Panessa, Ucle B's, LLC dated May 24, 2018;
- *Proposed Site Plan* prepared by Richard K. Tompkins, Architect, AIA dated May 29, 2018;
- *Existing Conditions Plan* prepared by Richard K. Tompkins, Architect, AIA dated May 29, 2018;
- *Proposed Site Plan Phase 1* prepared by Richard K. Tompkins, Architect, AIA dated May 29, 2018;
- *Proposed Landscape Plan* prepared by Richard K. Tompkins, Architect, AIA dated May 29, 2018;
- *Proposed Elevations-Car Wash* prepared by Richard K. Tompkins, Architect, AIA dated May 29, 2018;
- *Proposed Elevations-Laundromat & Signs* by Richard K. Tompkins, Architect, AIA dated May 29, 2018;
- *Proposed Utility Plan* by Richard K. Tompkins, Architect, AIA dated May 29, 2018;
- *Proposed Grading Plan* by Richard K. Tompkins, Architect, AIA dated May 29, 2018;
- *Proposed Erosion & Sediment Control Plan* by Richard K. Tompkins, Architect, AIA dated 5/29/2018;
- *Proposed Lighting Plan* prepared by Richard K. Tompkins, Architect, AIA dated May 29, 2018;
- *Site Details 1* prepared by Richard K. Tompkins, Architect, AIA dated May 29, 2018;
- *Site Details 2* prepared by Richard K. Tompkins, Architect, AIA dated May 29, 2018;
- *Infiltration and Tank Details* prepared by Richard K. Tompkins, Architect, AIA dated May 29, 2018;

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- *Light Details* prepared by Richard K. Tompkins, Architect, AIA dated May 29, 2018;
- *Cover Letters* prepared by Morris Associates, Eng. & Surveying Consultants, PLLC dated July 16, 2018;
- *Proposed Site Plan* prepared by Richard K. Tompkins, Architect, AIA revised July 18, 2018;
- *Existing Conditions Plan* prepared by Richard K. Tompkins, Architect, AIA revised July 18, 2018;
- *Proposed Site Plan Phase 1* prepared by Richard K. Tompkins, Architect, AIA revised July 18, 2018;
- *Proposed Landscape Plan* prepared by Richard K. Tompkins, Architect, AIA revised July 18, 2018;
- *Proposed Elevations-Car Wash* prepared by Richard K. Tompkins, Architect, AIA revised July 18, 2018;
- *Proposed Elevation-Laundromat & Signs* by Richard K. Tompkins, Architect, AIA revised July 18, 2018;
- *Proposed Utility Plan* by Richard K. Tompkins, Architect, AIA revised July 18, 2018;
- *Proposed Grading Plan* by Richard K. Tompkins, Architect, AIA revised July 18, 2018;
- *Erosion & Sediment Control Plan Phase 1* by Richard K. Tompkins, Architect, AIA revised 7/18/2018;
- *Erosion & Sediment Control Plan Phase 2* by Richard K. Tompkins, Architect, AIA revised 7/18/2018;
- *Proposed Lighting Plan* prepared by Richard K. Tompkins, Architect, AIA revised 7/18/2018;
- *Site Details* by Morris Associates, Eng. & Surveying Consultants, PLLC dated July 16, 2018;
- *Water Detail and Flag Pole Detail* by Morris Associates, PLLC., revised 7/16/2018;
- *Sanitary Sewer and Stormwater Details* by Morris Associates, PLLC., revised 7/16/2018;
- *Infiltration and Tank Details* by Morris Associates, PLLC., revised 7/16/2018; and
- *Light Details* prepared by Morris Associates, PLLC., revised 7/16/2018.

WHEREAS, the Proposed Action was referred to the Ulster County Planning Board (UCPB) and the UCPB provided a written response wherein it recommended several required modifications; and

WHEREAS, the upon review of the UCPB required modifications, the Town Board found that the UCPB “Required Modifications” to require a cut-thru between the car wash and laundromat and the requirement to provided trees rather than grasses to screen parked cars should be overridden; and

WHEREAS, the Town Board found the other “Required Modifications” were resolved through Site Plan changes and proposed conditions of approval; and

WHEREAS, the Town of Ulster Planning Board referred this matter to the Town Board with a recommendation that it issue a SEQRA Negative Declaration and grant Conditional Site Plan approval to Bart Penessa dba Uncle B’s, LLC for the above referenced project; and

WHEREAS, the Town Board considered of the application materials submitted by the applicant in support of the Proposed Action, along with the comments of its consultants made via memoranda (which memoranda are incorporated herein by reference); and

WHEREAS, the Town Board, as Lead Agency, upon review of the entire record (including SEQR Short EAF Part 1 & 2) found the Proposed Action did not pose any potentially significant adverse environmental impact; and

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Town Board has determined it has complied fully with the procedural requirements of Part 617 of the State Environmental Quality Review (SEQR) Law and hereby issues *SEQR Negative Declaration* for the Proposed Action; and

FURTHER BE IT RESOLVED, the Town of Ulster Town Board hereby grants Conditional Site Plan approval to *Bart Penessa dba Uncle B’s, LLC* as described above on the above referenced site subject to the conditions, limitations and restrictions set forth below.

1. Compliance with applicable zoning and building laws, rules and regulations;
2. Compliance with all representations made by the applicant;
3. Compliance with final site plan, design plans and all details as cited herein;

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4. Applicant addresses all technical comments by the Town Designated Engineers (TDE) Brinnier & Larios, PC and acceptance of the SWPPP by the TDE;
5. The Town's consulting planner, engineer 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
6. The proposed flag pole on the subject site shall be limited to 30 feet in height.
7. The applicant must reapply to the Planning Board for Site Plan review of roof-mounted Solar Panels.
8. All fees, including consultant fees, shall be paid.

Present: Rich Tompkins, Mauri Architects; Bart Panessa

Tompkins: Reviews site plan – car wash and laundromat. Phase II will be two or three story office building. No plans for this right now. Site amenities: drive thru and employee parking.
Councilman Secreto: Concerned about back up out on the road like at Dunkin Donuts.

Tompkins: Takes less time for cars to align in the car wash (unlike Hoffman Car Wash); cars keep moving; less stopping and therefore less backup.

Supervisor: What is distance between exit ramp off of Rt 9W before entrance? And between point of entrance and car wash entrance?

Tompkins: 375 feet and 25 stacked cars, respectively. Frank Petramale asked for a sign on Old Neighborhood Rd for “no stopping”.

Councilman Brink: Concerned about cars getting hit inside of the car wash.

Councilman Secreto: Concerned about cars entering plaza – messy. Possibly have signs at exit directing cars to John Clark Rd.

Councilman Kitchen: How many gallons per day?

Supervisor: What is distance from car wash exit to plaza exit?

Tompkins: Distance is 140 feet.

Panessa: Six gallons per car wash. Wash water is reclaimed and filtered water. Will have four employees.

Supervisor: This is deeper than current car wash at Hoffman. Less chance of cars getting hit. Less drainage occurring in the roadway.

TOWN OF ULSTER TOWN BOARD MEETING (16)

AUGUST 16, 2018

MOTION: Councilman Brink
SECOND: Councilman Secreto

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Town Councilman Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

Resolution on a proposed action by Kingston SK Cornerstone, LLC dba Smoothie King, SBL 39.82-2-7.119, 1615 Ulster Ave (US Route 9W), Lake Katrine, N.Y., issuing a SEQRA Negative Declaration and granting Conditional Site Plan Amendment Approval to construct a 4590 square foot retail building

RESOLUTION
TOWN OF ULSTER TOWN BOARD

SEQRA Negative Declaration
Conditional Site Plan Amendment Approval
Kingston SK Cornerstone, LLC (owner) dba Smoothie King
1615 Ulster Avenue (U.S. Route 9W)

S-B-L: 39.82-2-7.119

WHEREAS, the applicant – *Todd Reyling of Reyling Design & Consulting, LLC with the Consent of Kingston SK Cornerstone, LLC (owner)* – is seeking *Site Plan* approval for the proposed development of a 1,590 square-foot (sf) “Smoothie King” along with a 3,000 sf retail tenant space; and

WHEREAS, the proposed development would be situated on the pad site identified on the *Overall Master Development Plan (OMDP)* for the MHMG Kingston project, which was approved by the Town Board in March 2012;

WHEREAS, the proposed restaurant and retail use are allowed-by-right within the OM-Office Manufacturing Zoning District subject to Site Plan approval; and

WHEREAS, the Town of Ulster Town Board has the authority to approve the Proposed Action since more than 2,500 SF of new gross floor area is proposed with this Site Plan application, upon a favorable recommendation from the Town of Ulster Planning Board; and

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WHEREAS, the materials submitted in support of the Proposed Action includes:

- *Consent Form* signed by Robert Viani, Kingston SK Cornerstone, LLC dated June 6, 2018;
- *Site Plan Application* by Todd Reyling, P.E., agent for Kingston SK Cornerstone, LLC dated 6/6/18;
- *Short EAF Part 1* prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18;
- *Cover Sheet* prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18;
- *Civil Construction Notes* prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18;
- *Existing Topography & Control* by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18;
- *Demolition Plan* prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18;
- *Civil Site Plan* prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18;
- *Civil Site Plan & Horizontal Control* by Todd Reyling, P.E., Reyling Design & Consult. dated 6/6/18;
- *Grading Plan* prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18;
- *Stormwater Drainage Plan* by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18;
- *Site Utility Plan* prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18;
- *Civil Site Plan* prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18;
- *Sediment & Erosion Control Plan* by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18;
- *Civil Site Plan* prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18;
- *Civil Construction Details* by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18;
- *Civil Construction Details (701-706)* by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18;
- *Landscape Plan* by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18;
- *Site Lighting Calculations* prepared by MSW Consulting, LLC., dated May 2018; and
- *Proposed Elevations for Smoothie King and Sign Details* by MT Planning, Design, Architecture Sustainability.
- *Cover Letter* prepared by Todd Reyling, P.E., Reyling Design & Consulting dated July 9, 2018;
- *Consent Form* signed by Robert Viani, Kingston SK Cornerstone, LLC dated June 6, 2018;
- *Site Plan Application* by Todd Reyling, P.E., agent for Kingston SK Cornerstone, LLC dated 6/6/18;
- *Short EAF Part 1* prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18;
- *Cover Sheet* prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised July 6, 2018;
- *Civil Construction Notes* by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised July 6, 2018;
- *Existing Topography & Control* by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised 7/6/18;
- *Demolition Plan* prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised 7/6/18;
- *Civil Site Plan* prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised 7/6/18;
- *Civil Site Plan & Horizontal Control* by Todd Reyling, P.E., Reyling Design & Consult. dated 6/6/18; revised 7/6/18;
- *Grading Plan* prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised 7/6/18;
- *Stormwater Drainage Plan* by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised 7/6/18;
- *Stormwater Drainage Profiles* by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised 7/6/18;
- *Site Utility Plan* prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised 7/6/18;
- *Sediment & Erosion Control Plan* by Reyling Design & Consulting dated 6/6/18; revised 7/6/18;
- *Stormwater Drainage Plan* by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised 7/6/18;
- *Civil Construction Details* by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised 7/6/18;
- *Civil Construction Details (701-706)* by Reyling Design & Consulting dated 6/6/18; revised 7/6/18;
- *Electrical Site Plan* prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/29/18;
- *Landscape Plan* by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised 7/6/18;
- *Site Lighting Calculations* prepared by MSW Consulting, LLC., dated May 25, 2018; and
- *Proposed Elevations for Smoothie King and Sign Details* by MT Planning, Design, Architecture Sustainability.
- *Cover Letter* prepared by Todd Reyling, P.E., Reyling Design & Consulting dated July 9, 2018;
- *Consent Form* signed by Robert Viani, Kingston SK Cornerstone, LLC dated June 6, 2018;
- *Site Plan Application* by Todd Reyling, P.E., agent for Kingston SK Cornerstone, LLC dated 6/6/18;
- *Short EAF Part 1* prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18;
- *Cover Sheet* prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised August 2, 2018;
- *Civil Construction Notes* by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised August 2, 2018;
- *Existing Topography & Control* by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised 8/2/18;
- *Demolition Plan* prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised 7/6/18;
- *Civil Site Plan* prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised 8/2/18;

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- *Civil Site Plan & Horizontal Control* by Todd Reyling, P.E., Reyling Design & Consult. dated 6/6/18; revised 8/2/18;
- *Grading Plan* prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised 8/2/18;
- *Stormwater Drainage Plan* by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised 8/2/18;
- *Stormwater Drainage Profiles* by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised 8/2/18;
- *Site Utility Plan* prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised 8/2/18;
- *Sediment & Erosion Control Plan* by Reyling Design & Consulting dated 6/6/18; revised 8/2/18;
- *Stormwater Drainage Plan* by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised 8/2/18;
- *Civil Construction Details* by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised 8/2/18;
- *Civil Construction Details* (701-706) by Reyling Design & Consulting dated 6/6/18; revised 8/2/18;
- *Electrical Site Plan* prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/29/18;
- *Landscape Plan* by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised 7/6/18;
- *Site Lighting Calculations* prepared by MSW Consulting, LLC., dated May 25, 2018; and
- *Proposed Elevations for Smoothie King and Sign Details* by MT Planning, Design, Architecture Sustainability; and
- *Sign Details for Smoothie King* prepared by Atlantic Sign Company dated July 25, 2018.

WHEREAS, the Town of Ulster Town Board issued a *SEQRA Negative Declaration on the Overall Master Development Plan* on March 1, 2012 pursuant to 6NYCRR Part 617 of State Environmental Quality Review (SEQR) Law; and

WHEREAS, the Current Proposed Action does not exceed any of the overall thresholds established under the SEQR Negative Declaration thus no further SEQR review is required; and

WHEREAS, the Proposed Action was referred to the Ulster County Planning Board (UCPB) and the UCPB provided a written response wherein it recommended several required modifications; and

WHEREAS, the upon review of the UCPB required modifications, the Town Board found the required modifications with respect to architecture, lighting and signs were addressed in the final plan set submitted by the applicant; and

WHEREAS, the Town Board reviewed the “Required Modifications” with respect to access and on-site circulation and determined it would require the applicant to follow the UCPB required modifications to submit a Truck Turning-Fire Apparatus Plan and to provide a raised crosswalk to the restaurant entrance to calm traffic; and

WHEREAS, the Town Board determined it would Override the remaining UCPB required modifications with respect to access and on-site circulation; and

Smoothie King

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WHEREAS, the Town Board considered of the application materials submitted by the applicant in support of the Proposed Action, along with the comments of its consultants made via memoranda (which memoranda are incorporated herein by reference); and

WHEREAS, the Town Board, as an Interested Agency, upon review of the entire record (including SEQR Short EAF Part 1 & 2) found the Current Proposed Action did not pose any

TOWN OF ULSTER TOWN BOARD MEETING (16)

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potentially significant adverse environmental impact; and

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Town Board has determined it has complied fully with the procedural requirements of Part 617 of the State Environmental Quality Review (SEQR) Law and hereby recommends the Town Board as Lead Agency reaffirm its *SEQR Negative Declaration* for the Proposed Action; and

FURTHER BE IT RESOLVED, the Town of Ulster Town Board hereby grants Conditional Site Plan approval to *Kingston SK Cornerstone, LLC dba Smoothie King* as described above on the above referenced site subject to the conditions, limitations and restrictions set forth below.

9. Compliance with applicable zoning and building laws, rules and regulations;
10. Compliance with all representations made by the applicant;
11. Compliance with final site plan, design plans and all details as cited herein;
12. Applicant addresses all technical comments by the Town Designated Engineers (TDE) Brinnier & Larios, PC;
13. The applicant submits a Truck Turning-Fire Apparatus Plan;
14. The applicant provides a revised final Site Plan that provides for a raised crosswalk to the restaurant entrance;
15. The Town's consulting planner, engineer 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
16. All fees, including consultant fees, shall be paid.

Present: Bob Viani, Principal

Viani: Developed over 55 Planet Fitness businesses nationally. Plan is to develop a 1500 square foot Smoothie King (Phase I) and future tenant space (Phase II). *Shows proposed building and color scheme.*

Councilman Kitchen: Previously a resident (Lucarini) asked that with so many vacant buildings, why build a new one?

Viani: Would love to purchase the Hardees building, but not economical and cheaper to "buy dirt and build their own".

Vicki Lucarini: If you go out of business, why do we want another vacancy? Not against the business, just against a new building.

Supervisor: (to Lucarini) What are you asking the Town Board to do?

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Lucarini: To ask him to consider using a vacant building. What do people think when they see vacant buildings?

Viani: Opportunity.

Lucarini: Failed businesses.

MOTION: Councilman Kitchen

SECOND: Councilman Brink

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Town Councilman Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

Old business:

Update on cleanup of 59 Brigham Street, East Kingston

Councilman Secreto: Visited the site. Within two days, the structure is down to ground level. There are sprayers and fans blowing to 150'; neighbors are happy. The crew expects to be out within 3-4 days.

Supervisor: We are required to engage in air monitoring to monitor asbestos. Spray system is there for that purpose. Thanks residents for patience. Highway department is bringing soil and re-seeding grass. Cost of cleanup will be added to the tax bill.

Motion to allow Wallkill Valley Rail Trail Association to place a Wayfinder Sign at the Rockwell Lane Parking Area

MOTION: Councilman Secreto

SECOND: Councilman Brink

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Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Town Councilman Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

Motion to send a Letter of Support to NYS DOT Transportation Alternatives Program for the NYSBA Rhinecliff Bridge for funding for improvements to facilitate the Empire State Rail Trail Program Improvements

[to allow the rail trail to cross the Hudson River from East Kingston to Rhinecliff]

MOTION: Councilman Secreto
SECOND: Councilman Brink

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Town Councilman Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

TOWN OF ULSTER TOWN BOARD MEETING (16)

AUGUST 16, 2018

PUBLIC COMMENT -

1. Laura Hartmann, 45 Birch St. [RE: GlidePath] -- Comments Attached – **Attachment #1**

Submits petition with 177 signers in support of the letter submitted by coalition partners of townofulstercitizens.org (letter referred to in Announcements).

Townofulstercitizens.org is asking for adoption of moratorium and amending of zoning code addressing regulation of power plants. Asked this to be placed on tonight's agenda. When will we know about this decision and when will citizens be allowed in discussion?

Supervisor: The Town Board acknowledges hearing your comments.

Hartmann: Moved to this area 11 years ago and air here was refreshing. We may lose this if this project happens. Town of Ulster will be opening the gate to this process.

Supervisor: Thank you for comments.

2. Regis Obijiski, 170 Ledge Road [RE: GlidePath] – Comments Attached – **Attachment #2**

Reads Attachment #2

Asks Town Board to take requests seriously.

Supervisor: Thank you for comments.

3. Douglas H. Zamelis, 7629 A State Highway 80, Cooperstown, NY [RE: Kingstown Quarry] – Comments Attached – **Attachment #3**

Attorney representing Charmello/Brad's Barns; Wiedy/Wiedy's Furniture; and Ortlieb/Route 28 Carwash. Here tonight to bring attention an application to reopen former Kingstown Quarry

4. Dan Furman, 273 Riseley St. [RE: GlidePath]

Why won't you address the townofulstercitizens.org letter?

Supervisor: This is comment public comment period.

Jason Kovacs, Town's legal position: There are some members of the community stating that Lincoln Park Grid has not been properly classified by this Town, which is incorrect. The Planning and Town Boards and Town Planner have identified this project as a utility company structure from very beginning of this application. We are deep into environmental review. A null moment. We need to let the process play out with the environmental review and for us to change position now would put town in danger of being sued by developer. Let the process play out as articulated by SEQR regulation and environmental conservation law .

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Furman: This is a Town Board issue. We didn't do enough homework. Board should comment on this.

Supervisor: Town attorney provided our stance.

Furman: Town Board's job is to respond.

Kovacs: We should reserve our rights going forward.

5. Dawn Carpino, 20 Serenity Drive, Ruby: [RE: GlidePath]
Against project. Concerned for health. Will cause air pollution and decrease property value.
6. Robert Barton, 270 Riseley St. [RE: GlidePath]
Not enough documentation regarding air and pollution. Who will do the testing?
Asks Town Board how many Town Board members have visited the site? (Supervisor states he visited site.) Area affected by heavy rain. Against diesel fuel.
7. Karen Spanier, 95 Lakeview Ave. [RE: GlidePath]
Is a utility a utility? Is it zoning? *To Kovacs* – there should be a suit. Facts should verify that this is not a utility because someone did not pick up on it.
8. Jeffrey Anzevino, Director Land Use Advocacy, Scenic Hudson [RE: GlidePath]
GlidePath has asserted in its application that it is a permitted power plant in O&M district because it is a utility company structure. We disagree. Reads from letter submitted by coalition. – **Attachment #4**
9. Cynthia Bell, 1228 Main St [RE: GlidePath]
No one likes GlidePath. Asks Board why they want to do this project?
10. Wayne Spanier, 95 Lakeview Ave [RE: GlidePath]
Take larger perspective. All of us have a responsibility to the community and the world to bring more fossil burning fuels or find better alternatives. Should not be dismissed.
11. Geoffrey Ring, Forest Hill Drive [RE: Empire State Rail Trail/ Rhinecliff Bridge improvements]
Would like the Town to remind the bridge authority of their salt shed adjacent to the runway which obstructs visibility of airplanes taking off, as we give them support for the rail trail. A safety issue for the Town.
12. Nancy Abel, 884 Dewitt Lake Road
Best interest of the Town to find a way to encourage new businesses to use empty building.
Question about zoning – is there a way to amend zoning once a project begins?

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Supervisor: There is case law that supports an applicant's lawsuit against the Town if Town changes the rules in the middle of the game

Abel: Was hoping to see Board members at the forum last Friday about GlidePath.

Supervisor: Duly noted.

Abel: Town Board meetings should have an exchange.

13. Fred Wadnola, Lohmaier Lane: [RE: GlidePath]

Heard about request for moratorium. GlidePath process in motion already. Final approval is not the Town Board it is DEC Region 3, which is a tough agency. Does not think that moratorium is the answer. DEC is strict. Follow through with the process.

14. Regis Obijiski:

Disagrees with Wadnola. Lead Agency has ultimate power. *To Kovacs* – We submitted in our scoping document -- page four recommendations. Should consider that and give the Town better advice. Made it sound like a done deal the way you said it. DEIS not been issued; when new information emerges we must consider it. Honors your position but the process is lumpy.

15. Jeffrey Anzevino:

DEC does not have the land use authority over the Town as lead agency. DEC only with air permits. Would a moratorium infringe on vested rights; his standpoint is "no". Rights are not vested until permits are issue. Appreciates the meeting and public comment.

16. Laura Hartmann:

Supervisor asked previously , "Do you want to stop new businesses from being developed?" Our answer is no. Far from our mission. Difference between not allowing new development unless they are using an existing building and finding viable projects; good neighbors for this area to thrive. We do not see GlidePath as a good neighbor.

17. Ayanla Wolf, 59 Penstock [RE: GlidePath]

Railroad that goes through our Town. Could be a powder keg. GlidePath would not be good for our Town.

18. Wayne Spanier:

Lived in Woodstock during Rotron battle. Don't count on DEC to protect people's health.

~ End of Public Comment ~

TOWN OF ULSTER TOWN BOARD MEETING (16)

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MOTION to adjourn (8:21 pm):

MOTION: Councilman Secreto

SECOND: Councilman Brink

Town Councilman Brink	-Aye
Town Councilman Kitchen	-Aye
Town Councilman Morrow	-Aye
Town Councilman Secreto	-Aye
Supervisor Quigley	-Aye

CARRIED

Respectfully Submitted by Suzanne Reavy
Ulster Town Clerk