

Town of Ulster
Zoning Board of Appeals
December 8, 2021

The monthly meeting of the Town of Ulster Zoning Board of Appeals was held at the Town of Ulster Town Hall at 1 Town Hall Drive in Lake Katrine, NY on December 8, 2021, at 7:00 P.M.

Present:

Andi Turco-Levin
Steve Shultis

Kevin Reginato

Absent:

Lois Smith

Robert Porter – Chairman

Mr. Reginato replaced Chairman Porter as Chairman.

Pledge of Allegiance was recited.

Roll call.

A motion to approve the minutes from the November 2021 meeting was made Mrs. Turco-Levin, with a second from Mr. Shultis; all in favor.

PUBLIC HEARING

Moe's Motor Cars LLC – Z-413

454 Hurley Avenue

Kingston, NY 12401

SBL: 48.17-1-41.100

Zone: OM

Area Variance to allow a 6' chain-link fence in the front setback

Mohammad Waheed, owner, appeared before the Board on behalf of his application for an area variance to allow a six-foot (6') fence within the front setback.

Mrs. Turco-Levin made a motion to open the public hearing, with a second from Mr. Shultis; all in favor.

Mr. Waheed explained that he would like to install a wooden six-foot (6') high fence around the perimeter of the property, with an six-foot (6') chain link fence with slats in the front setback for security purposes.

Keith Mack, President of Hudson Valley Ice & Sports – Explained that he had to go before the Boards for his project and was required to provide graphic representation and is wondering why that is not being required now. The area is now more residential and in

Town of Ulster
Zoning Board of Appeals
December 8, 2021

talking to neighbors, this proposed project is not wanted in the area. There are not enough issues with vandalism or theft in the area to warrant a fence this tall and believes that a chain-link fence with slats in it belongs around a junkyard, not in a residential neighborhood.

Mr. Waheed responded that he is proposing the fence because he will not be present most of the time and he does not want to risk having the property broken into and vandalized while he gone. Mr. Waheed explained that there is a trailer on the property that was vandalized and stuff had been dumped onto the site, as well.

Alfred Tufano, 482 Hurley Avenue – Believes the proposal lacks a lot of information and that the look of the proposal does not fit in with the character of the neighborhood. He stated that there are plenty of dealerships and none have a fence. The lot had been abandoned for years and that is when the vandalism happened. When there is an abandoned space, kids get bored and vandalize. He believes this proposal takes away from the neighborhood and brings down their property resale values and wants more information on what is being proposed. He stated that if someone wants to get into the property to vandalize, they will find a way to get in and believes if there are no security lights, the fence is pointless.

Mr. Waheed explained that he is bringing in a trailer as an office space and will place cars in the front of the property that will be for sale and there will be more cars in the rear of the property for storage until they're ready to sell. Mr. Waheed explained that he has his real estate license and purchases distressed properties and brings them back to life.

Dave Olson, neighbor – Explained that in speaking to neighbors, when the property was a convenient store it was beneficial to the neighborhood, as well as convenient. He questioned how often a used car lot is used by the public and how it is a benefit to their community.

Reverend Henry Alberto – Believes the addition of this business would change the character of the neighborhood and noted that Trailways is hidden from Hurley Avenue by landscaping and if this project gets approval, it should be required to have extensive landscaping to mask the proposed fence.

Reverend Alberto submitted a petition from the church against the business for the Boards review on issues that were not spoken of at tonight's meeting.

Pastor Pete Schultz, Crosspoint Fellowship – Explained that he wants to be a good neighbor to Mr. Waheed, but believes that the project should be denied, or if approved, require extensive landscaping.

Chris Bell, neighbor – Has concerns over the use of the site with a fence being requested, despite intentions of the site and stated that graffiti had very recently appeared there. He does not believe that the business provides a service nor benefit to the neighborhood and

Town of Ulster
Zoning Board of Appeals
December 8, 2021

noted that the Planning Board wanted a dumpster removed and instead a trailer and gravel was brought on to the site.

Mr. Waheed stated that the Planning Board never asked to have anything removed. The mentioned dumpster is a container that he will be keeping, painting and moving toward the rear of the property for storage. Mr. Waheed stated that the trailer that was brought in will look better once it is painted and that he needed power on-site. and the gravel was brought in to start prepping the property.

Mr. Waheed stated that Pastor Schultz was an honest and supportive neighbor and he will take his comments into consideration.

Mr. Waheed stated that the fence will be placed behind the large area of grass off Hurley Avenue and if it was okay with the Boards, he would start landscaping where the pavement starts.

Mrs. Turco-Levin explained that she had some concerns with the application as presented. She believes that the applicant is responsible for some buffering to the neighbors and must keep aesthetics in mind.

The Board agreed and motioned to postpone the public hearing until January's meeting. Mr. Waheed understood and agreed to adjourn until the January meeting. Chairman Reginato stated that there needs to be more information submitted to the Planning Board for further clarification and approval before this Board can make a determination. Mr. Jason Kovacs, Town Attorney, explained that it is not unprecedented for a variance to take three (3) months review time.

Action: A motion to adjourn the public hearing until January was made by Mrs. Turo-Levin, with a second from Mr. Shultis; all in favor.

PRELIMINARY HEARING

N&S Supply – Z-414
120 Wood Road
Kingston, NY 12401
SBL: 48.14-2-33
Zone: OM

Area Variance to allow a sign larger than the 50 sf that is allowed per Code

Paul Beichert, timely Signs, appeared on behalf of an application to allow for a second sign on the building at 120 Woods Road, which would bring the square footage allowed per façade over the allowed amount as per Code.

Mr. Beichert explained that the sign is for N&S Supply and will be used as a “billboard” facing the Thruway. It would be more promotional since it is right before the exit.

Town of Ulster
Zoning Board of Appeals
December 8, 2021

Action: A motion to send the project to a public hearing was made by Mr. Shultis, with a second from Mrs. Turco-Levin; all in favor. A motion to forward the project to the County for review was made by Mr. Shultis, with a second from Mr. Reginato; all in favor.

Kohl's (Sephora) – Z-415
800 Miron Lane
Kingston, NY 12401
SBL: 48.50-2-20.112
Zone: RC

Area Variance to allow a sign larger than the 100 sf that is allowed per Code.

Paul Beichert, Timely Signs, appeared before the Board on behalf of an application to add a sign for Sephora to the front of Kohls' building. The additional sign would bring their aggregate square footage to above the 100 sf allowed.

The building is three-hundred and thirty-eight (338) linear feet and they are proposing a fifty square foot (50 sf) sign for Sephora to be placed over the right entrance.

Mr. Tutt stated that it was a reasonable request for the size of the building.

Action: A motion to forward the project to a public hearing was made by Mrs. Turco-Levin, with a second from Mr. Shultis; all in favor. A motion to forward the project to County for review was made by Mr. Shultis, with a second from Mrs. Turco-Levin; all in favor.

A motion to adjourn was made by Mrs. Turco-Levin, with a second from Mr. Shultis; all in favor.

Respectfully Submitted,
Gabrielle Perea
Zoning Board Secretary