

Town of Ulster
Zoning Board of Appeals
December 9, 2020

The monthly meeting of the Town of Ulster Zoning Board of Appeals was held remotely via the Zoom application on December 9, 2020, at 7:00 P.M.

Present:

Andi Turco-Levin

Geoffrey Ring – Chairman

Kevin Reginato

Absent:

Lois Smith

Robert Porter

Roll call.

A motion to approve the minutes from the November 2020 meeting was made by Mrs. Turco-Levin, with a second by Chairman Ring; all in favor with a roll call vote.

PUBLIC HEARING

Dan Furman – Z-392

273 Riseley Street

Kingston, NY 12401

SBL: 48.50-3-18

Zone: R10

Area Variance to allow a 6' fence within a front setback.

Daniel Furman, property owner, appeared on behalf of his application to allow a six-foot (6') fence within the front setback.

Chairman Ring opened the public hearing.

Mr. Furman described where the fence would be in reference to an aerial photograph shown. Mr. Furman stated that on Dogwood Lane he is closer than thirty feet (30') to the road. Mr. Furman explained that when the fence was originally built it was built to four feet (4') tall. The fence was redone due to damage and it was then made six foot (6') tall.

Mr. Furman's wife had gone over the permits and saw the error and Mr. Furman wanted to remedy the situation by receiving the variance.

Chairman Ring made a motion to close the public hearing, with a second from Mrs. Turco-Levin.

Action: A motion to approve the variance was made by Mrs. Turco-Levin, with a second from Chairman Ring; all in favor with a roll call vote.

Town of Ulster
Zoning Board of Appeals
December 9, 2020

Jeremy & Sarah Dernison – Z-393

1058 Columbia Street

Kingston, NY 12401

SBL: 48.42-4-31

Zone: R10

20'10" area variance request to expand home and allow for a 9' 2" front setback off of Columbia Street.

Michael Bonadonna, Conklin Architecture, appeared before the Board on behalf of an application to expand a residence into the front setback.

Mr. Bonadonna explained that the applicant is proposing an addition to the front of the residence which will include reworking the entryway and a buildout to make the living room larger.

The addition will bring the edge of the house four feet (4') closer to the road. This request would require an area variance on both front setbacks.

Chairman Ring asked if there was a maximum lot coverage for this zone and Mr. Bonadonna stated there is not. Mr. Warren Tutt, Building Inspector, agreed that the maximum lot coverage is not applicable to any residential zone.

Chairman Ring made a motion to open the public hearing with a second from Mr. Reginato.

Zoning Board Secretary, Gabrielle Perea, received a phone call from David Black who was curious as to where the addition was being built as he has a property abutting theirs in the rear that has a pool.

Ms. Perea also received a phone call from the neighbor to the left of the Dernisons who wanted clarification on the variance. When the variance was explained, he had no further issues.

Chairman Ring made a motion to close the public hearing, with a second from Mr. Reginato; all in favor.

Mr. Tutt stated that this proposed home will not be closer to the road than other homes on the street.

Action: A motion to approve the variance was made by Mr. Reginato, with a second from Chairman Ring; all in favor with a roll call vote.

Town of Ulster
Zoning Board of Appeals
December 9, 2020

PRELIMINARY HEARING

Albany 7, LLC / Dino Ritchie – Z-388 & Z-391

721-723 Ulster Avenue

Kingston, NY 12401

SBL: 48.58-5-37 & 48.58-5-21.120

Zone: HC

Use Variance to allow new construction of a new with multiple apartments above a non-residential structure and area variance to allow a new construction structure to be 24' front the front property line.

Chairman Ring stated that he attended last night's Planning Board Zoom meeting and is much more satisfied with the level of preparation and scope of the project and believes he is ready to hear the preliminary hearing.

Nardino Ritchie, property owner, and Ciro Interrante, Architect, appeared before the Board to allow a building within the front yard setback and to allow for a mixed-use building; a laundromat with an accessible apartment on the first floor and eight (8), one-bedroom apartments on the second floor.

Mr. Interrante stated that the first requested variance is a use variance to allow the nine apartments in a mixed-use building, the second requested variance is an area variance to allow the building to be twenty-four feet (24') from Ulster Avenue. Mr. Interrante stated that the main body of that front elevation is actually twenty-nine feet (29') back from Ulster Avenue. The third variance, of which a letter had been submitted, was for the parking spaces that are required by Town Code. Mr. Interrante will be removing three (3) parking spaces at the request of NYSDOT.

Chairman Ring stated that he understands that the parking spaces required is two and a half per dwelling unit, but these are all single bedroom apartments. The total required by Code would be fifty-nine (59) plus three (3) handicap which would be a total of sixty-two (62) spaces, but they must remove the three (3) spaces, bring it to a total of fifty-nine (59) spaces. Warren Tutt stated that they can remove one (1) loading zone which would add a parking space. Mr. Interrante would like to keep a buffer and keep the request for three (3) parking spaces less.

There was a brief discussion regarding parking space requirements among other municipalities.

Mrs. Turco-Levin wanted clarification on who would be responsible for the parking relief request. Mr. Tutt stated that any of the three (3) Boards could make that decision.

Mrs. Turco-Levin stated that the applicant came a long way and did a lot of work.

Mr. Reginato stated that his main concern was the entrance and he believes it has been addressed. Mr. Reginato agrees with Mrs. Turco-Levin that the project has come a long way.

Mr. Interrante requested that the plans would not be sent to County prior to the next updated submittal.

Mr. Ritchie wanted the Board to look at his proposed wall sign to see if it required a variance. The sign is two and a half foot by twelve foot (2.5' x 12'), which is 30 thirty square feet. Mr. Tutt stated that it met the zoning requirements. No variance for the building sign is required.

Town of Ulster
Zoning Board of Appeals
December 9, 2020

Mr. Ritchie stated that he had a monument sign created and he wanted the Boards opinion. Chairman Ring stated that this section is not a part of the Corridor. Mr. Ritchie stated that if he kept the monument sign that the sign company created, the line-of-site is blocked. If the sign that is existing remains and is updated, it has a better line-of-sight. Mr. Tutt checked the Corridor Plan at the meeting last night and this section is not a part of the Corridor Plan.

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

Discussion

Chairman Ring stated that this was his last night as the Zoning Chairman after five years and three months and he appreciates the opportunity to have served.

A motion to adjourn was made by Chairman Ring, with a second from Mr. Reginato; all in favor.

Respectfully Submitted,
Gabrielle Perea
Zoning Board Secretary