

Town of Ulster
Zoning Board of Appeals
January 13, 2021

The monthly meeting of the Town of Ulster Zoning Board of Appeals was held remotely via the Zoom application on January 13, 2021, at 7:00 P.M.

Present:

Lois Smith
Kevin Reginato
Robert Porter – Chairman

Andi Turco-Levin
Steve Shultis

Roll call.

A motion to nominate Gabrielle Perea as the Zoning Board Secretary was made by Chairman Porter, with a second from Mr. Reginato; all in favor.

A motion to nominate Kevin Reginato as the Vice Chairman of the Zoning Board was made by Chairman Porter, with a second from Ms. Smith; all in favor.

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

PUBLIC 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 building 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 and relief from required parking requirements (relief of 3 parking spaces.)

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 showed the site plan with screen share. The details for the water department, lighting plan and landscaping are now there. Mr. Interrante also showed exterior views and the floor plans of the buildings.

Mr. Interrante stated there was a discussion about making a change to the front elevation. Mr. Interrante stated that he had added a couple of windows, an overhang and a wall sign with the name of the laundromat. Mr. Interrante stated that the closest part of the building will be twenty-four feet (24') from the front property line, but the rest of that wall will be twenty-nine feet (29') from the front property line.

Mr. Interrante stated that the plan is to utilize the existing freestanding sign so they can keep the line-of-sight down Ulster Avenue and showed the Board the renderings. Ms. Smith asked the Building Inspector, Warren Tutt, if the existing sign is allowed to be used. Mr. Tutt stated that

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this portion of Ulster Avenue is not included in the 9W Corridor Enhancement Plan so the Town can not enforce a monument sign at this location, and it would not work at this location. Mr. Tutt believes for this location, using the existing sign is the best option for egress. Mrs. Smith stated that there is a monument type sign on Ulster Avenue and that it is difficult to see around it so she does not want to see another sign like that installed on Ulster Avenue.

Mrs. Smith asked if people could drive in front of the front building off of Ulster Avenue and Mr. Interrante stated no, that the parking there has been removed in that area.

Mrs. Turco-Levin stated that that strip of the road is so dangerous as there is nowhere for bicycles or pedestrians to cross.

There was no public comment. A motion to close the public hearing was made by Chairman Porter, with a second from Mr. Reginato; all in favor.

Mrs. Turco-Levin stated that she wants to address the County comments. Mrs. Turco-Levin asked if the Board is granting setbacks or housing. The Board is voting on two (2) area variances, one for parking relief and one for setback relief, and a use variance for the apartments. Mrs. Turco-Levin asked if they grant the use, it would fall on the Planning Board to set any restrictions on being affordable housing. Mr. Jason Kovacs, Town Attorney, stated that this Board is only voting on the variances and the Town Board or Planning Board would make the decision if restrictions should be set.

Mr. Tutt stated that the Board should make two (2) motions: one (1) for the use and one (1) for the area variances.

There was a discussion regarding the walkability of the area and traffic issues and how those are within the purview of the Town Board and Planning Board.

Action: A motion to approve the use variance was made by Mrs. Turco-Levin, with a second from Mr. Reginato; all in favor with a roll call vote. A motion to approve the area variances was made by Chairman Porter, with a second from Mrs. Smith; 4-1 roll call vote.

PRELIMINARY HEARING

Vincent Organtini – Z-394

150 Esopus Avenue

Kingston, NY 12401

SBL: 48.49-1-18.110

Zone: R10

Use Variance to allow a mobile home out of a mobile home park in a R10 Zone.

Vincent Organtini Jr. appeared before the Board on behalf of an application in stall a double-wide manufactured home outside of a mobile home park in an R10 Zone.

Mr. Organtini stated that the manufactured home will be on a full foundation. Mr. Organtini explained that it is sheet rocked inside with vinyl siding with a 5/12 pitched roof and that it will not be a typical manufactured home that can be moved around since it will not be mobile.

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Mr. Organtini explained how his son and his son's girlfriend had a baby last night and that him and his family need somewhere to live.

Mr. Organtini stated that his father had bought the properties and subdivided them into four (4) lots and had knocked down existing trailers that were present. The property has now been cleaned up. The properties are offered to the grandkids for their use, but his son right now is the only house they plan on building.

There is now a brand-new sewer and water line. They plan to grade it off and add new landscaping. It will be an improvement to the neighborhood.

Mr. Organtini stated that they had to have a special frame built for this unit so that they can set it on a foundation.

Mr. Tutt explained that the applicant will need a couple of variances; one for the lot size, one for the road frontage and one for the setback. All these variances are required since it is a manufactured home. Mr. Tutt stated that the State is adamant about affordable housing.

There was a brief discussion about affordable housing and procedures moving forward.

Mr. Kovacs stated that as long as all the documentation is correct and in, they can schedule a public hearing for next month.

Action: A motion to forward this project to a public hearing in February was made by Mrs. Turco-Levin, with a second from Ms. Smith; all in favor with a roll call vote.

Keith Hughes – Z-395
2574 Route 9W
Kingston, NY 12401
SBL: 39.8-1-24
Zone: HC

Use Variance to allow a mobile home out of a mobile home park in a HC Zone.

Keith Hughes, property owner, appeared before the Board for his application to install a double-wide manufactured home outside of a mobile home park in a HC Zone.

Mr. Hughes stated that the mushroom plant has been vacant for five (5) years and has been on the market. Mr. Hughes stated that he can not even give it away as there are many structural problems with the building. Mr. Hughes and his wife have decided to take down the mushroom plant and install a residence.

Mr. Hughes stated that taking down that building will beautify the corridor and that property. Mr. Hughes state that they are well beyond the required setback requirements. Mr. Hughes explained that the double-wides are not like a normal double-wide. Mr. Hughes stated that he is going with a 3/12 pitch roof due to a monetary difference. The proposed building will be twenty-six feet by eight foot by sixty foot (26' x 8' x 60'). Mr. Hughes stated that the front of the building will face Route 9W. Mr. Hughes stated that they will landscape the property and blacktop the driveway so it will beautify the property.

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The home will have the axles removed so that the home will not be moved. The home will be set on a slab foundation.

Mrs. Smith asked if they will be selling the house or living in the home. Mr. Hughes stated that him and his wife plan on moving into the house. Mr. Hughes stated that they are waiting on the final paperwork to put their house in Glasco for sale.

Mr. Hughes stated that the house would sit lower than the current building when seen from the road. The home will be setback one-hundred and six feet (106') from the front property line and one-hundred and forty-seven feet (147') from the back-property line. If you are travelling South going North, that is almost one-hundred and sixty feet (160'.)

Mrs. Smith asked who all the equipment belongs to. Mr. Hughes stated that all the equipment present is situated on the adjacent property.

There was a brief discussion regarding whether the area was residential or not.

Mr. Tutt stated that there is a manufactured home to the south one lot over and that this application does not require all the variances that the previous application required.

Action: A motion to forward this project to a public hearing was made by Mr. Reginato, with a second from Mrs. Turco-Levin; all in favor with a roll call vote.

DISCUSSION

Chairman Porter stated that the previous Chairman, Geoffrey Ring, had wanted the Board to approve a memorializing resolution on the Digital Sign Law that had been presented before this Board.

Mr. Kovacs stated that he will tell Mr. Ring that the Town Board will start the process with the digital sign law which will refer the law to the Planning Board and Zoning Board for its review. The law allowed the digital signs to be allowed within commercial districts, with restrictions and specifications. There was no follow through, but Mr. Ring wants the law to be readdressed.

A motion to adjourn was made by Chairman Porter, with a second from Ms. Smith; all in favor.

Respectfully Submitted,
Gabrielle Perea
Zoning Board Secretary