

Town of Ulster
Zoning Board of Appeals
July 14, 2021

The monthly meeting of the Town of Ulster Zoning Board of Appeals was held at the Russell Brott Senior Center at 1 town Hall Drive in Lake Katrine, NY on July 14, 2021, at 7:00 P.M.

Present:

Lois Smith
Kevin Reginato
Robert Porter – Chairman

Andi Turco-Levin
Steve Shultis

Roll call.

A motion to approve the minutes from the June 2021 meeting was made by Mrs. Turco-Levin, with a second from Mr. Reginato; all in favor with a roll call vote.

PUBLIC HEARING

Jason Halwick – Z-406

118 John Street

Kingston, NY 12401

SBL: 48.52-5-5

Zone: R10

Area Variance to allow a 6' fence within the front setback (10' from Addis Street.)

Chairman Porter reopened the public hearing, with a second from Mr. Shultis; all in favor.

Jason Halwick, property owner, appeared before the Board on behalf of his application to install a six-foot (6') fence ten feet (10') from Addis Street.

Clifford & Lyneah Cole, neighbors, also appeared before the Board stating they did sell Mr. Halwick the sliver of land he had mentioned at previous meetings and that they did not have any objection to the fence being installed.

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

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

Chairman Porter asked that Mr. Reginato take over his Chairmanship for the remainder of the meeting for educational purposes.

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Richard Longenyke – Z-407

37 Catskill Avenue

Kingston, NY 12401

SBL: 56.22-3-7

Zone: R30

Area Variance to allow a 6' fence within the front setback (24' from Merilina Avenue)

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

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

There was no public comment.

A motion to close the public hearing was made by Mr. Reginato, with a second from Mr. Shultis; all in favor.

Action: A motion to approve the area variance was made by Chairman Porter, with a second from Ms. Smith; all in favor with a roll call vote.

Moonburger – Z-408

5 Powell Lane

Kingston, NY 12401

SBL: 48.14-3-34.100

Zone: HC

Area Variance to allow a 99.75 sf wall sign

Jeremy Robinson-Leon, owner, appeared before the Board on behalf of an application to allow a sign larger than the square footage allowed in that zone.

A motion to open the public hearing was made by Ms. Smith, with a second from Mr. Porter; all in favor.

Mr. Kevin Flood, 5 Arnold Drive, stated that he was in favor of Moonburger.

A motion to close the public hearing was made by Chairman Porter, with a second from Mrs. Turco-Levin; all in favor.

Mr. Robinson-Leon explained that where the building stands on Powell Lane back from Washington Avenue and Sawkill Road, a larger sign than allowed is required so it is not miniscule. Mr. Robinson-Leon stated that he will keep the building tasteful and within character of the area.

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The Board agrees that it would bring character to the corridor there and hopes it will give Moonburger success at that location.

Action: A motion to override the County's modifications and approve the area variance was made by Mrs. Turco-Levin, with a second from Chairman Porter; all in favor will a roll call vote.

Kevin Flood – Z-409
5 Arnold Drive
Kingston, NY 12401
SBL 56.9-2-1
Zone: R30

Area Variance to allow a 6' fence within the front setback (5' from Hillside Terrace)

Kevin Flood, owner, appeared before the Board on behalf of an application to allow a six-foot (6') fence within the front setback, five feet (5') off of Hillside Terrace.

Mr. Flood explained that he would like privacy for his pool, to keep deer from eating the trees, and to have a safe place for his corgi-boxer to play in the yard. Mr. Flood stated that he would place the fence far enough from the trees to not kill them.

A motion to open the public hearing was made by Chairman Porter, with a second from Mrs. Turco-Levin; all in favor.

Wayne Marcotte, 169 Hillside Terrace, came to see what was being proposed as Mr. Floods property is right in front of his house. He had concerns over the color of proposed fence. The trees were a sound barrier from activities done at Mr. Flood's pool to his home, so he wanted to make sure the trees would stay.

Mr. Flood stated that the fence will be a slate or cedar color and it will be aesthetically pleasing.

Mr. Flood stated that the fence should lessen the noise that his teenagers make from the pool and lessen his dog barking, since his dog won't see people to bark at.

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

DISCUSSION

Digital Sign Law – There was a brief discussion regarding the digital sign law and its proposal. The County had a comment on the timing between the changing of the signs, but if the Boards changed anything now, it would be starting the process all over again. The Board agreed to approve the proposed digital sign law as is and they can make any amendments after it's already been passed so applicants don't have to apply for use

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variances to have a digital sign. A motion to refer the digital sign law as proposed to the Town Board for approval was made by Chairman Porter, with a second from Ms. Smith; all in favor with a roll call vote.

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

Respectfully Submitted,
Gabrielle Perea
Zoning Board Secretary