

Town of Ulster  
Zoning Board of Appeals  
August 28, 2019

The monthly meeting of the Town of Ulster Zoning Board of Appeals was held at the Town of Ulster Town Hall on August 28, 2019, at 7:00 P.M.

**Present:**

Brian Ilgner  
Lois Smith – Vice Chairman

Robert Porter  
Geoffrey Ring – Chairman

**Absent:**

Renato DiBella

Roll call.

A motion to approve the minutes from July 10, 2019 was made by Mr. Ilgner with a second from Mr. Porter; all in favor.

**PUBLIC HEARING**

**Ulster Hospitality**  
**1581 Ulster Avenue**  
**SBL: 39.82-2-7.117**  
**Zone: OM**  
**Z-371**

Larry Boudreau and Alec Barnes, of Chazen Companies, appeared on behalf of an application for an area variance to place a porte cochere within the front interior setback; requesting a relief of twenty-two and a half feet (22.5’).

Mr. Ring opened the Public Hearing.

Mr. Boudreau stated that Dave Young was present for the initial presentation. Mr. Boudreau stated that he had been with this project since the beginning of Ulster Commons and this last site their proposing the hotel on is lot 2. Mr. Boudreau stated the proposed hotel is a four-story, one-hundred room hotel which matches the original master plan layout that was approved in 2012. Mr. Boudreau stated that the configuration of the hotel is efficient.

Mr. Boudreau went through the five (5) tests for an area variance. The first test is whether this project would produce an undesirable change in the neighborhood, which it will not since it was a part of an overall subdivision of which there are no public roads. It is in an Overlay Development Area (ODA), but is still required to meet setbacks and will be at least three-hundred feet from Ulster Avenue.

The second test is if the result can be achieved by any other means that granting a variance. Mr. Boudreau stated that it cannot and most hotels now have this configuration; if they put the porte cochere in the rear it will take away from the outdoor seating area

Town of Ulster  
Zoning Board of Appeals  
August 28, 2019

and will be closer to the railroad than they would like. Mr. Boudreau explained that there is also planters and berming as well as utilities in the back of the building for stormwater.

The third test asked if the variance is substantial. Mr. Boudreau stated that it is not substantial as the porte cochere is a small portion of the building frontage and is used from dropping off and picking up.

The fourth test asked if the request will have any adverse environmental impacts. Mr. Boudreau stated that it will not as the lot is vacant, with no trees and has parking all around it.

The fifth test asks if the difficulty is self-created. Mr. Boudreau stated that the subdivision had been approved in 2013 and the hotel is part of a master plan. The hotel footprint is generic and it's more relevant to have a porte cochere as it's more efficient for today's hotel uses.

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

The project has to be reviewed by the Ulster County Planning Board (UCPB) before this Board can make a motion to grant or deny this variance as it is within six-hundred feet (600') of a State Road.

**Action:** A motion to forward this project to the UCPB for review was made by Mr. Ilgner, with a second from Mr. Porter; all in favor.

**PRELIMINARY HEARING**

**Alexandra Peppis – Area Variance**  
**639-641 Ulster Landing Road**  
**SBL: 40.13-1-33**  
**Zone: R-60**  
**Z-372**

Alexandra Peppis, owner of the property located at 639-641 Ulster Landing Road, appeared before the Board for an area variance to allow her to subdivide her parcel into two parcels, leaving one a non-conforming parcel as it would be under the required sixty-thousand (60,000) square feet.

Ms. Peppis stated that her lot is a little less than two acres and would like to divide her property into two (2) lots so that she may sell off the lot that has a deteriorating barn on it that she does not have the resources to address. Ms. Peppis stated that she had reached out to Scenic Hudson in hopes they would be interested, but they were not. There was a brief discussion on where this property was located on Ulster Landing Road.

Town of Ulster  
Zoning Board of Appeals  
August 28, 2019

Ms. Peppis would like to subdivide the parcel into two (2) lots, one of which will be the required sixty-thousand (60,000) square feet and the other will be about twenty-four thousand (24,000) square feet; a relief of thirty-six thousand (36,000) square feet.

Ms. Peppis bought the property approximately five (5) years ago and had plans to live in the residence and renovate the property but is out of finances to address the barn on the upper level of the property.

Mr. Ring stated that the Planning Board has the authority to approve a subdivision. The plans had a different proposal than what was initially stated, so the Chairman asked Ms. Peppis to come back the following month with a solid plan that she had decided upon, whether that be one conforming and one non-conforming lot, or two non-conforming lots.

**Action:** A motion to adjourn until next month was made by Mr. Ring, with a second from Mr. Ilgner; all in favor. A motion to close the Preliminary Hearing was made by Mr. Ring, with a second from Mr. Ilgner; all in favor.

**Catskill Mountain Railroad – Area Variance**  
**Route 28**  
**SBL: 48.13-2-7.100**  
**Zone: R-60**  
**Z-374**

Matt Gillis, Catskill Mountain Railroad, appeared on behalf of an application to place a section house in a County right-of-way approximately five feet (5') from a neighboring property line. Mr. Gillis stated that the section house is currently on the side of Hurley Mountain Road where the baseball field is, but they would like to move it across the road off of the tracks.

Mr. Gillis stated that initially the County had signed off on the current location and there had been no issues with the Town, County or Electric Company until they had been stopped. Mr. Gillis stated that they are proposing to place the section on the other side of the tracks, out of site, by mile post 6, approximately five feet (5') from the property line. The owner of the property that the section house will be close to has no issues, but the County requires an area variance. The backside of the section house will face this property. Mr. Gillis showed a rendering of the proposal.

Mr. Gillis stated that the section house is currently taken out of the right-of-way and is sitting on that neighbor, Mr. Kennedy's, property. Mr. Gillis stated that he just wants to get everything taken care of and place the section house in a permanent location.

Mr. Gillis stated that there are trail cameras out by that portion of the tracks and that the area is not inviting to walk on, so there is not a lot of foot traffic. The section house will be used for storage.

Town of Ulster  
Zoning Board of Appeals  
August 28, 2019

**Action:** A motion to send this project to a Public Hearing in September was made by Mr. Ilgner, with a second from Mr. Porter; all in favor. A motion to refer this matter to the UCPB for review was made by Mr. Ring, with a second from Mr. Ilgner; all in favor.

A motion to adjourn was made by Mr. Ring, will a second from Mr. Ilgner; all in favor.

Respectfully Submitted,  
Gabrielle Perea  
Zoning Board Secretary