

ULSTER TOWN BOARD MEETING  
May 2, 2005 AT 7:00 PM

**CALLED TO ORDER BY SUPERVISOR WADNOLA, CHAIRMAN**

**SALUTE TO THE FLAG**

**ROLL CALL BY CLERK**

TOWN COUNCILMAN CRAIG ARTIST  
TOWN COUNCILMAN ROBERT VAN KLEECK  
TOWN COUNCILMAN JOEL B. BRINK  
TOWN COUNCIL MEMBER BARBARA WISE  
SUPERVISOR FREDERICK J. WADNOLA

Town Clerk Cosenza read the public notice for the Hearings:  
NOTICE OF PUBLIC HEARINGS

PLEASE TAKE NOTICE that the Ulster Town Board will conduct public hearings on Monday, May 2, 2005 at 7:00 PM at the Town of Ulster Town Hall, 1 Town Hall Drive, Lake Katrine, New York, upon the proposed adoption of a local law that will amend the "Dimensional Standards for Permitted Permanent Wall Signs". The intent of the law is to increase the wall space allowed for such signs in a "RC" zone. After the close of the public hearing for "Wall Signs", a public hearing will be opened for the purpose of including "bed & breakfast establishments" in the Ulster Town Zoning Law.

Copies of the proposed local laws are available for viewing at the Ulster Town Clerk's Office during normal business hours or at the Town of Ulster web site - [www.townofulster.org](http://www.townofulster.org). All interested parties will be heard at said public hearings, or by written statements received prior to the close of the hearings.

By order of the Town Board  
Jason Cosenza, RMC  
Ulster Town Clerk

Mr. Dan Shuster, the Town Planner, explained that the original Zoning Law that was enacted in 1991 had no regulations for wall signs. Later, the law was modified to set a standard. The Zoning Board of Appeals has received a number of requests for variances that they have approved. The Zoning Board requested the law be relaxed to reduce the number applications that are being submitted. This proposed law will only affect regional commercial areas as follows:

Wall signs in the RC District shall be regulated as follows:

- (1) Maximum sign area shall be 300 sq. ft. or 3 sq. ft. for each 2 lineal feet building facade, whichever is less, but no less than 100 sq. ft.

ULSTER TOWN BOARD MEETING

May 2, 2005 AT 7:00 PM

- (2) The maximum sign area set forth in (1) above, shall be reduced by one square foot for each foot of distance less than 300 feet between the wall and the nearest street, measured in the shortest straight line. However, no sign shall be required to have an area of less than 50 square feet.
- (3) Wall signs which consist of individual letters or figures, which are not internally illuminated, and which are mounted or painted on a wall surface which is the same color and texture as the rest of the building facade may have an area which is 25% larger than the maximum area otherwise allowed.
- (4) Internally illuminated signs shall be designed with minimum intensity and glare.

He stated that he was not comfortable setting a unit of measurement for illumination because he was unsure of how the town would be able to measure and enforce it.

Summary of Comments, questions and answers:

Mr. Joe O'Brien – Can you explain the road distance again?

Mr. Shuster – A sign shall be reduced by one square foot for each foot of distance less than 300 feet. Every foot closer to the road, a foot smaller a sign has to be, but a sign can be a minimum of 50 sq. feet.

Mr. Larry Winkler – Suggested that it would be more fair to use a percentage than a set number for sign reduction.

Mr. Shuster – Stated that he would take that under advisement. He wasn't able to do comparative math on the matter at the moment, but would study it later.

Brian Cahill – Recommended postponing approval of the law until the County Planning Board offered feedback. He asked the Town Board to talk to the Zoning Board of Appeals to enforce the law that is proposed if it is passed. He felt it makes no sense to pass a law in which they would grant variances without an explanation of a hardship or a need for a large wall sign.

Karen Markisenis - Stated that many towns do not allow signs as large as the ones proposed. She felt that the building's designs are an identifying feature making large wall signs unnecessary. She suggested that the ZBA deny more variances and maintain the law.

Mr. Renno Budziak – Stated that he was disappointed in the law because of the lack of balance between business and the residents and concern for the view shed. The one part that he felt was positive was the road distance in proportion to the sign size. He wanted a fixed number or measure set for the illumination of a sign so there is a standard to go by.

Mr. David Brink – He felt that when a person or company appears before the ZBA, they should present a hardship or an argument for granting the proposal.

ULSTER TOWN BOARD MEETING

May 2, 2005 AT 7:00 PM

Mr. Joe Meyers – Suggested that when a business applies for a building permit, they should sign a letter stating that they are being made aware of the wall sign law.

Mr. Richard Metzger – Inquired as to whether signs have to be posted for variances.

Mark Keyser – Stated he had appeared before the ZBA, they had visited his site and felt that they took every applicant on a case by case basis.

Councilman Van Kleeck motioned to close the public hearing at 7:36 PM

2<sup>nd</sup> by Council Member Wise

All Ayes

**The Bed & Breakfast Public Hearing was opened at 7:36PM**

Mr. Shuster explained that Bed and Breakfasts are currently not allowed under the town zoning law. The building department has received some inquiries about opening these establishments in the township. The law proposes that a Bed and Breakfast must have a parking spot for each guest and two parking spots for the resident. The resident must reside in the home. In order to open a Bed and Breakfast, an applicant must apply for a special permit and have a conforming lot.

Summary of comments and questions:

Mr. Renno Budziak – Are there any health and safety issues that have to be met by the Department of Health?

Mr. Shuster – They must meet all the building requirements.

Mr. Joe O'Brian – Suggested requiring more parking spaces for the guests. Sometimes people meet at the B&B, adding more cars than parking spots.

Karin Markisenis - Stated that she was in favor of this law.

Mrs. Rosalind Stark – What if they serve food?

Supervisor Wadnola – They would need to apply for a food service permit if they chose to serve food and that is subject to Department of Health approval. It is not regulated by the township.

Councilman Van Kleeck motioned to close the public hearing at 7:45 PM

2<sup>nd</sup> by Council member Wise

All Ayes

**PRESENTATION: GEOMATICA**

A representative from Geomatic gave an overview of their GIS service. The proposal is that the town would send its data to them and they would maintain an updated database starting from the day of the contract forward. The information would be made available through the internet with a security system that would offer different levels of information to the public and the government. The town would have complete ownership of all the data and could determine what type data could be access by any individual. The company does not share or sell the data given to them.

ULSTER TOWN BOARD MEETING

May 2, 2005 AT 7:00 PM

They could convert older data for a fee. This program would create a paperless trail and allow access to all via a website. Data could easily be shared and searched. The cost of the program would have to be negotiated.

COMMITTEE REPORTS –

Councilman Artist reported from the Town Finance Committee that they would hold their monthly abstract meeting on Saturday, May 14, 2005 at 8 AM.

Councilman Van Kleeck reported from the Highway Committee that the town would remove the dumpsters from the flood areas on May 15, 2005.

Councilman Brink motioned, from the personnel committee, to correct the pay rate for Vincent Maggiore to \$14.50 an hour. His motion in the April 18, 2005 minutes was \$13.50 and it should have been \$14.50.

2<sup>nd</sup> by Councilman Van Kleeck

A Roll Call Vote was taken - All Ayes

Councilman Brink motioned to hire Thomas Torelli at the waste water treatment plant at a rate of \$9.25 per hour, pending him passing the required drug, alcohol and respirator tests.

2<sup>nd</sup> by Councilman Van Kleeck

A Roll call Vote was taken - All Ayes

Councilman Brink reported that the town was going to post a water treatment laborer job in the Daily Freeman and requested the town clerk to do so.

There have been no employee applications for the account clerk position in the water department. The personnel committee will be going to the civil service list.

Councilman Artist reported from the Information Service Committee that everything has been moving along fine. The new computers were set up at the Highway Complex.

Supervisor Wadnola read and motioned to approve the following:

**RESOLUTION IN SUPPORT OF “Flood Assessment Relief Act of 2005**

**S.05218 - Bonacic**

**A.7625 - Cahill**

“An act, to enact the “Flood Assessment Relief Act of 2005,” allows a taxpayer in certain counties whose real property was catastrophically impacted as a result of certain weather to seek administrative review of the valuation assigned to such real property; allows an assessor to seek administrative review of valuations on any property he/she believes was catastrophically impacted as a result of such weather.”

WHEREAS, the flood of April 2005 has caused catastrophic property damage to numerous residents throughout Ulster County and thirteen additional counties, and to properties in the town of Ulster, and

ULSTER TOWN BOARD MEETING

May 2, 2005 AT 7:00 PM

WHEREAS, a catastrophic loss will be considered a total loss resulting in a condemnation of the real property by the Building Department, and

WHEREAS, George E. Pataki, the Governor of the State of New York has declared Ulster County a disaster area due to the extensive flooding, and

WHEREAS, March 1<sup>st</sup>, the taxable status date as prescribed by the Real Property Tax Law has passed, and

WHEREAS, the Assessor of the Town of Ulster cannot reduce the assessment of any destroyed property after March 1<sup>st</sup> of any given year as prescribed by law, and

WHEREAS, the Town of Ulster does not have the statutory authority to create a Real Property Tax Exemption to allow for the abatement of Real Property Taxes for those who were affected, and

WHEREAS, the New York State Legislature has in the past created special legislation for the abatement of Real Property taxes for the destruction of real property that occurred from Hurricane Agnes, and

WHEREAS, time is of the essence due to the short amount of time that remains before the filing of tentative assessment rolls on May 1, 2005 and the final assessment roll July 1, 2005, and

WHEREAS, Senator John Bonacic introduced S.05218, the "Flood Assessment Relief Act of 2005", and Assemblymember Kevin Cahill introduced A.7625 (same as) in the New York State Legislature which will provide relief to citizens of the town of Ulster in need,

NOW, THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Ulster is fully supportive of this proposal, and calls upon both houses of the New York State Legislature and the Governor to approve and enact this measure, and that the Supervisor communicate these views to our honorable representatives in the New York State Legislature, and the Governor.

2<sup>nd</sup> by Council Member Wise  
A Roll Call Vote was taken – All Ayes

Councilman Van Kleeck motioned to adjourn the meeting at 9:12 PM

2<sup>nd</sup> by Councilman Brink  
All Ayes

Respectfully Submitted by  
Jason Cosenza, RMC  
Ulster Town Clerk