

**ULSTER TOWN BOARD WORKSHOP**

**MARCH 6, 2006 AT 7:00 PM**

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

**SALUTE TO THE FLAG**

**ROLL CALL BY CLERK**

TOWN COUNCILMAN CRAIG ARTIST

TOWN COUNCILMAN DAVID BRINK

TOWN COUNCILMAN JOEL B. BRINK

TOWN COUNCILMAN ROCCO SECRETO

SUPERVISOR NICKY B. WOERNER

**Dan Shuster and City of Kingston Planner Sue Cahill to discuss status of the AVR Project**

Mr. Shuster reported that he had helped the Town review the AVR project and that three years have passed. He and Sue Cahill, the City of Kingston planner, wanted to update the Town Board on the status of the project. What is currently happening is a thorough review by the City Planning Department, review of the Environmental Impact Statement and the comments and questions raised during the public hearings held. During the course of the review, the project may differ depending upon the findings.

The preferred plan, Mr. Dan Shuster explained, is to develop a 500-acre waterfront property on the old Tilcon site. The company proposes 2,000 units that will support commercial and recreational sites on the property.

Mrs. Sue Cahill offered the Town Board a time line of events that have happened (attachment 1). The City, who is the lead agency, has assembled a team of consultants. As lead agency, they will be reviewing information and making decisions that will be binding to other involved agencies.

A total build out is estimated to take 12-15 years. A generic impact statement is being prepared because no one knows the exact impact of the project because of the length of time involved. After each stage of development, a review process will take place to address any issues found. The City is currently reviewing the information and will be composing a report that they will give to the developer. This will take a couple of months.

**Stephanie Kresser to discuss the Birches at Chambers**

Mrs. Kresser read the attached letter into the minutes (attachment 2).

**Discussion: Community Development Block Grant Application for 2006 for lateral assistance for East Kingston, Public Hearing set for Wednesday, March 8, 2006.**

Supervisor Woerner announced that a HUD Hearing for Wednesday, March 8, 2006 was set at the East Kingston Firehouse.

**Discussion: Painting the Ulster Water Tank**

Supervisor Woerner stated that the Town Engineer is still reviewing the bid results (opened on February 28, 2006)

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**Filling the vacancy of Operator Trainee for the Ulster Water Districts.**

Councilman David Brink motioned to hire Ryan Weishaupt as Water Operator Trainee at a rate of \$10.50 an hour effective March 13, 2006 (Grade 6, Step 1) 2<sup>nd</sup> by Councilman Joel Brink

A Roll Call Vote was Taken -

TOWN COUNCILMAN CRAIG ARTIST	Aye
TOWN COUNCILMAN DAVID BRINK	Aye
TOWN COUNCILMAN JOEL B. BRINK	Aye
TOWN COUNCILMAN ROCCO SECRETO	Aye
SUPERVISOR NICKY B. WOERNER	Aye

Councilman Joel B. Brink will handle all the necessary paperwork to the payroll department to handle that adjustment.

**Allowing the Town Clerk to sell surplus equipment and items belonging to the Town.**

The surplus equipment auction was tabled until an updated equipment list was available.

**Town Justice Office – hiring a part-time employee at \$8.50 an hour (January 17, 2006 meeting)**

Councilman David Brink stated that the Town Justices have requested a part-time employee to help answer the phones and handle some other office matters.

Supervisor Woerner tabled the matter pending further review.

**Reading of Local Laws:**

**A LOCAL LAW AMENDING AN EXISTING LOCAL LAW  
LOCAL LAW NO. 1 OF THE YEAR 2006**

A Local Law amending Local Law No. 9 of 1991, as amended, entitled Zoning Local Law of the Town of Ulster, New York, pertaining to setback requirements for lots that are on two streets.

Be it enacted by the Town Board of the Town of Ulster, Ulster County, New York, as follows:

SECTION I. Section 190-4 of the Zoning Law of the Town of Ulster shall be amended so that it includes the following definition in the appropriate alphabetical place:

“THROUGH LOT - A lot which is not a corner lot and which has two street lines.”

SECTION II. Section 190-20 of the Zoning Law of the Town of Ulster shall be amended so that it reads as follows:

“§ 190-20. Corner lot and through lot setbacks.

- A. A front setback is required on a corner lot for each street line. The plat and/or plans shall show which of the remaining setbacks are to be side and rear respectively.
- B. On a through lot, front setbacks are required on both streets. Each front setback shall be measured from the street line as defined in this chapter.”

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**SECTION III. SEVERABILITY**

If any clause, sentence, paragraph, section, article or part of this Local Law shall be adjudicated in any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, article or part thereof directly involved in the controversy in which such judgment shall have been rendered, and such invalidity shall not be deemed to affect the remaining portions thereof.

**SECTION IV. EFFECT OF AMENDMENT**

Except as herein modified, Local Law No. 2 of the year 2000, and any subsequent valid amendments thereto, is hereby ratified and confirmed.

**SECTION V. EFFECTIVE DATE**

This Local Law shall be effective as provided by law, upon filing and acceptance by the New York Secretary of State.

**A LOCAL LAW AMENDING AN EXISTING LOCAL LAW  
LOCAL LAW NO. 2 OF THE YEAR 2006**

A Local Law amending Local Law No. 2 of the Year 2000 pertaining to fees charged in connection with the inspection and approval of building projects.

Be it enacted by the Town Board of the Town of Ulster, Ulster County, New York, as follows:

**SECTION I. AMENDMENT**

Section A194-3 of the Code of the Town of Ulster is hereby amended by the addition of the following provisions immediately after the existing provisions of that section:

§ A194-3. Additional expenses.

The Building Inspector and the Planning Board may impose additional fees to cover the reasonable and necessary costs of engineering, legal and other professional expenses incurred in connection with the inspection and approval of any building permit, subdivision, site plan or special use permit, including the costs associated with compliance with the New York State Environmental Quality Review Act. The applicant must deposit such additional fees with the Town upon the submission of the application. The Building Inspector and the Planning Board may require the deposit of additional sums if necessitated by engineering, legal and other professional expenses in connection with the inspection and approval of the project. Any unused funds from the deposit shall be returned to the applicant upon the issuance of a certificate of occupancy. The additional fees set forth herein shall be audited by the Town Supervisor.

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The floor was opened to discussion. A variety of people spoke in favor and against the proposed Chamber Housing Project Expansion. There were concerns about the traffic on Lawrenceville Street and people cutting through the Chambers Housing parking lot from Lawrenceville Street to Van Keuren Highway. Further concerns were expressed about the litter and junk that is dumped in the woods along the edge of the Chambers Housing property along the old Maple Lane entrance from Ulster Avenue. Mr. Steve Aaron stated that speed bumps will be install during the Summer to prevent speeding through the property, but they need to be removed during the winter because they hinder plowing efforts.

Councilman Joel Brink motioned to adjourn the meeting at 8:39 PM  
2<sup>nd</sup> by Councilman Artist  
A Vote was taken - All Ayes

Respectfully submitted by  
Jason Cosenza, RMC  
Ulster Town Clerk

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Attachment #1

## SEQR Timeline

### THE LANDING AT KINGSTON AND ULSTER

- **January 13, 2003** - City of Kingston Planning Board adopted a Resolution classifying the Action as a Type I Action as defined in 6NYCRR Part 617.4 of the State Environmental Quality Review Act (SEQR) Regulations, and a coordinated review was initiated.
- **March 10, 2003** - City of Kingston Planning Board adopted a Resolution to declare itself Lead Agency in the SEQR environmental review of the Action.
- **March 10, 2003** - City of Kingston Planning Board adopted a Resolution making a Positive Declaration on the Action, setting a public scoping session (held on April 15, 2003) and directing the Applicant to prepare a Draft Scope Document.
- **June 9, 2003** - City of Kingston Planning Board adopted Final Scope Document and the Applicant was directed to prepare a Draft Generic Environmental Impact Statement (DGEIS).
- **June 28, 2004** - City of Kingston Planning Board adopted a Resolution stating that the preliminary DGEIS, dated March 2004, was determined not to be adequate with respect to scope and content, for purposes of commencing public review, and the Applicant was directed to address issues as defined in the document entitled "*Combined Report on Scope and Adequacy of March 2004 Preliminary DGEIS for Kingston Landing Development, LLC Project*" (hereinafter referred to as the "Combined Report on Adequacy") and to resubmit DGEIS for consideration by the City of Kingston Planning Board.
- **July 11, 2005** – The Applicant submitted a revised DGEIS to the City of Kingston Planning Board consisting of the following:
  1. Draft Environmental Impact Statement for The Landing at Kingston and Ulster, Volumes I through V, prepared by Environmental Compliance Services, Inc., dated July 2005.
  2. Storm Water Management Report for The Landing at Kingston and Ulster, prepared by Brinnier and Larios, P.C., revised date November 2004.
  3. Feasibility Study for Water Supply and Distribution and Wastewater Collection and Disposal for The Landing at Kingston and Ulster, prepared by Brinnier and Larios, P.C., revised date July 2005.
  4. Traffic Impact Study for The Landing at Kingston and Ulster, Volumes I through XIV, prepared by John Meyer Consulting, P.C., dated October 6, 2004; and as "revised" but unchanged July 11, 2005.
  5. Site Plan Application
- **July 18, 2005** – City of Kingston Planning Board adopted a Resolution which
  1. Determined that the July 2005 DGEIS, for the Action, was adequate with respect to its scope and content, for purposes of commencing public review, and was accepted as complete.
  2. Directed the Lead Agency to prepare, file and publish a Notice of Completion of DGEIS in accordance with Section 617.9 (a) (3) of the SEQR regulations. (ENB Region 3 Notices August 10, 2005)
  3. Directed the Applicant to file copies of the July 2005 DGEIS pursuant to Section 617.12 of the SEQR regulations, to circulate and distribute the July 2005 DGEIS, the Notice of Completion and Notice of Hearing in accordance with Section 617.12 of the SEQR regulations and to provide certification of said circulation and distribution to Lead Agency.
  4. Declared an initial public comment period, commencing July 20, 2005, and ending close of business on October 17, 2005, for purposes of gathering comment on the July 2005 DGEIS.
  5. Stated that the Lead Agency would conduct a public hearing on September 14, 2005, at 6 PM, in the Common Council Chambers at Kingston City Hall, located at 420 Broadway, Kingston, New York

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12401, for purposes of hearing public comment on the July 2005 DGEIS. (Legal notice of hearing was published in the ENB on August 10, 2005, and in Daily Freeman on September 2 and 9, 2005)

6. Directing the Applicant to make arrangements for a qualified stenographer to be present to record comment received at the September 14, 2005 public hearing.
  7. Acknowledging that the Applicant has set the following dates and times to afford Involved and Interested Parties an opportunity to view the project site:
    1. August 16, 2005 at 11:00 AM
    2. August 31, 2005 at 2:00 PM
    3. September 8, 2005 at 2:00 PM
    4. September 28, 2005 at 11 AM
- **September 14, 2005: Public Hearing on July 2005 DGEIS**
    1. Planning Board Extended the Public Comment Period on the July 2005 DGEIS, 60 days, ending with COB on December 16, 2005.
    2. The Planning Board voted to continue the public hearing on October 12, 2005, at 6PM, at Kingston City Hall.
    3. The Planning Board announced that there would be additional site tours of the project site on: September 22, 2005 at 2:00 PM, October 1, 2005 at 10:00 AM, and October 1, 2005 at 1:00 PM
  - **October 12, 2005: Public Hearing Reconvened on July 2005 DGEIS**
    1. The Planning Board announced additional site tours to be held on November 17, 2005 at 2 PM (Currently Filled – Waiting Only) and December 7, 2005 at 11 AM.  
Notes: These tours are weather permitting. Space is limited and filled on first come, first serve basis. Persons must reserve by calling Kingston Planning Office at (845) 334-3955.
    2. The Planning Board adopted a resolution that extends the public comment period thirty (30) days, ending with close of business on Tuesday, January 17, 2006.
    3. The Planning Board adopted a resolution to continue the public hearing on November 16, 2005 at 6 PM, and also to December 14, 2005 at 6 PM, at Kingston City Hall.
  - **November 16, 2005: Public Hearing Reconvened on July 2005 DGEIS**
    1. Public hearing held, will be reconvened on December 14, 2005 at 6PM, at Kingston City Hall. Written comment will be accepted for the official record until Close of Business on January 17, 2006.
  - **December 14, 2005: Public Hearing Reconvened on July 2005 DGEIS**
    1. Public hearing held at 6 PM, in the Common Council Chambers at Kingston City Hall. Planning Board closed the public hearing for the July 2005 DGEIS on The Landing at Kingston and Ulster.
  - **January 17, 2006: End of Public Comment Period**
    1. The public comment period officially ends with the close of business on January 17, 2005. Written comments/statements received by the City of Kingston Planning Board until this time, are considered as part of the official record.

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Attachment #2

3/6/2006

Town Board and the Residents of the Town of Ulster,

I come before you tonight to speak on the fact that I am confused about the supporting vote for the town to consider a property tax break for Steve Aaron and also on the favoring vote of the board to support the concept of The Birches at Chambers that was made on Thursday February 23<sup>rd</sup>. I will start with the fact that the AGENDA for the Town of Ulster Board Meeting for Wednesday February 22<sup>nd</sup> stated that there would be a presentation for the proposal of The Birches at Chambers. At this meeting Councilman Artist stated that there could be no discussion on the resolutions requested by Mr. Aaron because he was just handed them right then and there. When the Town Board broke on Wednesday, February 22<sup>nd</sup> it was left that you were breaking for executive session to discuss Town employee business, not the resolutions brought forth by developer Steve Aaron. I am unclear on when the taxpayers of The Town of Ulster were notified that such resolutions were going to be discussed and voted on. Based on the fact that the Democratic Party campaigned on promises of open door, open government, work for the people, I fail to see where the people's discussion, thoughts, and input was included in this supporting vote. The resolutions requested by Mr. Aaron were never introduced at a workshop meeting, and they were never brought before the people at a business meeting. Mr. Aaron's time dilemma should not be a source of pressure on the Town and should remain only Mr. Aaron's dilemma. The issue of submitting his application for funding in time should not be more important than staying true to the governmental process in which we all take pride in. We and the elected Town Board were presented with just a presentation which consisted of a video and a few drawings. We the taxpayers were never even told what the proposed resolutions consisted of. The practice of discussion and voting on resolutions not introduced to the residents is, VERY SIMPLY known as BAD government. This pin points one of the very reasons that the Republican Party was not re-elected into office. The Democratic Party challenged the republicans for their involvement in bad government, their involvement in discussing and voting on resolutions that have not been listed on the agenda that have not been brought to the public's attention beforehand. Time restrictions placed on Mr. Aaron should not be a reason the comments and input of the residents of the town should be pushed aside. Mr. Aaron can come and make a presentation anytime but the town should not be pressured to stick to Mr. Aaron's time schedule.

In addition, on Monday February 27<sup>th</sup> I placed a call to Mr. Maloney asking him, in regards to Steve Aaron and The Birches at Chambers was he aware that any of this was taking place. In the answers brought forth

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by Mr. Maloney it was clear that he was not up to speed with the pilot referred to in the Daily Freeman. Mr. Maloney was given just a presentation much like the Town was on February 22<sup>nd</sup>. How does the town board justify discussing and voting on resolutions that have not been brought to the attention of the people? Furthermore Councilman Artist I am confused on your statement quoted in the daily freeman on February 24<sup>th</sup> that reads "you were glad that Mr. Aaron came in early with the concept so that ... and I quote "if there are any recommendations from our planning board or the community they can be made." I am a member of the community and I had no knowledge that the resolutions proposed by Mr. Aaron were going to be discussed much less voted on, **so exactly when would you have liked to hear the community's recommendation.** You praise Mr. Aaron on his promptness to bring this concept to the attention of the Town Board but yet the elected Town Board does not do the same for the residents of The Town of Ulster. The Town Board did not bring this concept before the people for discussion and comments and the board then furthered its practice of bad government when a vote was cast on the concept. The residents, the taxpayers, the community of the Town of Ulster were completely left out of this discussion and vote. **I would hate to think Mr. Aaron's time dilemma was more important to the Town Board than the comments and input of the residents of the Town of Ulster.**

Sincerely,



Stephanie Kresser