

TOWN OF ULSTER TOWN BOARD MEETING (14)
JULY 20, 2023

Public Hearing Scheduled:

7:10 PM – Public Hearing for a Special Use Permit for Michael Schatzel, Residential Unit over Business Establishment, 73 Lake Road, Lake Katrine, SBL 39.16-1-15

7:15 PM – Public Hearing for a Special Use Permit for Fanelli Realty, LLC, Residential Unit over Business Establishment, 1986 Ulster Avenue, Lake Katrine, NY

**MEETING HELD IN PERSON and VIRTUALLY THROUGH ZOOM
BROADCAST VIA FACEBOOK LIVE**

CALLED TO ORDER BY SUPERVISOR QUIGLEY, at 7:00 PM

SALUTE TO OUR FLAG

ROLL CALL by Town Clerk, Suzanne Reavy:

TOWN COUNCILMAN CLAYTON VAN KLEECK

TOWN COUNCILMAN ROCCO SECRETO

TOWN COUNCILMAN ERIC KITCHEN

TOWN COUNCILWOMAN ANNA HAYNER

SUPERVISOR JAMES E. QUIGLEY 3rd

ALSO IN ATTENDANCE:

1. Warren Tutt, Building Inspector
2. Kyle Berardi, Police Chief
3. Frank Petramale, Highway Superintendent
4. Bill Kemble, Daily Freeman
5. 25+ in-Person Attendees

ADDITIONS OR CHANGES TO AGENDA – None

PUBLIC DISCUSSION ON AGENDA ITEMS – None

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APPROVAL OF MINUTES – June 1st and 15th (2023-M-217)

MOTION: Councilman Secreto

SECOND: Councilwoman Hayner

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

COMMUNICATIONS –

1. Letter received from Arvind Mistry asking the town board if there are any plans to build pickle ball courts.
2. Letter received from NYSDOT regional traffic engineer, Mark Morano, regarding the town’s traffic study inquiry on Route 9W from Quick Chek/Grant Avenue, north to the Saugerties town line. NYSDOT determined that the existing regulatory speed limits are appropriate and correct for conditions.

ABSTRACT OF CLAIMS (2023-M-218)

Presented by Councilman Van Kleeck

July, 2023

Prepaid Bills:	\$ 225,054.89
Abstract Bills:	\$ 713,554.26
Escrow Bills:	\$ 4,078.37
Reserve:	\$ 28.25
TOTAL:	\$ 942,715.77

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MOTION: Councilman Van Kleeck
SECOND: Councilman Secreto

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

New Business:

Presentation and Acceptance of the Town Clerk’s Monthly Report for the month of June 2023 (2023-M-219)

MOTION: Councilwoman Hayner
SECOND: Councilman Secreto

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

Presentation of Out of District Sewer Use Agreement by and between the TOU Washington Ave Sewer District and Moonrise 1.0 LLC (Moonburger) for sewer service to 5 Powell Lane

PRESENTATION ONLY. DISCUSSION AT THE NEXT TOWN BOARD MEETING.

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Motion to Award Contract TU-232, Orlando Street Softball Field Lighting to SolarMax LED, Inc. in the amount of \$19,160.00 (2023-M-220)

MOTION: Councilman Secreto
SECOND: Councilman Van Kleeck

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

Motion to authorize the Application for Payment for Project 1159PR162-22, Spring Lake Sewer project, Phase II to NYS DHCR and to approve Payments under Contract TU- 231M for Materials for said project (2023-M-221)

MOTION: Councilman Van Kleeck
SECOND: Councilman Secreto

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

Motion to authorize the Town Clerk to destroy checks for the following accounts: Scada System Upgrade Phase 1 and Phase 2, East Kingston Fire Protection Capital Reserve, Rider Park Pavilion Capital Project and Halcyon Park Water Capital Reserve Fund (2023-M-222)

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MOTION: Councilwoman Hayner

SECOND: Councilman Secreto

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

Motion to authorize the hiring of one Part time Police Dispatcher (2023-M-223)

Jazmine Williamson: \$19.58/hour; start date 7/21/23

MOTION: Councilman Secreto

SECOND: Councilman Van Kleeck

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

Motion to accept the resignation of full time Police Officer Williamson and accept him as a Part Time Employee (last day 8/2/2023) (2023-M-224)

MOTION: Councilman Secreto

SECOND: Councilwoman Hayner

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

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Motion to authorize the hiring of one provisional Clerk for the Building Department (2023-M-225)

Alexandra Sember: \$17.06/hour; union; start date 7/24/23

MOTION: Councilwoman Hayner
SECOND: Councilman Van Kleeck

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

Motion to promote Keith Felton to WWTOP trainee in the Water Department (2023-M-226)

Twelve year town employee; grade 6; step 1; \$22.23/hour; start date 7/21/23

MOTION: Councilman Van Kleeck
SECOND: Councilman Secreto

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

Motion to accept the retirement of Steven Dachenhausen in the Highway Department (with appreciation; last day 7/28/23) (2023-M-227)

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MOTION: Councilman Van Kleeck
SECOND: Councilwoman Hayner

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

Motion to accept the resignation of Thom Torelli in the Sewer Department
(last day 7/28/23) (2023-M-228)

MOTION: Councilman Secreto
SECOND: Councilwoman Hayner

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

Motion to authorize the Highway Superintendent to purchase one 47x Western Star plow chassis from Tracy Road Equipment, Albany, NY per Onondaga Co. Bid#0010914. Price not to exceed \$140,000.00 (2023-M-229)

Supervisor: Since Covid, deliveries have been difficult. Delivery expected 2025.

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MOTION: Councilman Van Kleeck
SECOND: Councilwoman Hayner

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

Resolution declaring Intent to be Lead Agency for SEQRA Review of a proposed cell tower at 434 Flatbush Road (Route 32), Kingston, Lands of Sam and Bonnie DeCicco, P- 916, SBL 39.20-1-29.110 (to initiate environmental review) (2023-R-230)

RESOLUTION
TOWN OF ULSTER TOWN BOARD
Verizon Wireless, Lands of DiCicco, Special Use & Site Plan
434 Flatbush Road
ZONE: OM & R60

WHEREAS, the applicant – Verizon Wireless -- proposes to construct and operate a new personal wireless service facility including construction of a new 100-foot-high monopole with antennae and communications equipment; and,

WHEREAS, the applicant has submitted a complete Special Permit / Site Plan application to the Town of Ulster Planning Board (Planning Board), in coordination with the Ulster Town Board, including a submitted State Environmental Quality Review Act (SEQRA) Full Environmental Assessment Form, Part 1; and,

WHEREAS, the Town of Ulster Planning Board retains authority to approve this site plan application; however, the Ulster Town Board has final approval authority for special use permit approval of the special use – public utility structure; and,

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WHEREAS, the Planning Board at their July 11, 2023 meeting finds that the application is an Unlisted Action under SEQRA and that the Ulster Town Board designate as lead agency under SEQRA; and,

WHEREAS, the Planning Board also recommended that the application should be referred to the Ulster County Planning Board as per NYS General Municipal Law 239, pending Town of Ulster receipt from the applicant of both a completed Visual Environmental Assessment as well as additional documentation related to a viewshed analysis of the proposal; and

WHEREAS, the Planning Board also recommended that the application should be referred to the Ulster County Planning Board as per NYS General Municipal Law 239, pending Town of Ulster receipt from the applicant of both a completed Visual Environmental Assessment as well as additional documentation related to a viewshed analysis of the proposal; and,

NOW THEREFORE BE IT RESOLVED, based on a review of the application the Town of Ulster Planning Board recommends the Town Board take the following actions:

RESOLVED, as recommended by the Town of Ulster Planning Board, the Town Board determines to be Lead Agency and finds that this application is an Unlisted Action under the New York State Environmental Quality Review Act (SEQRA); and,

RESOLVED, the Town of Ulster Town Board formally refers this application to the Ulster County Planning Board for review consistent with the Ulster County Planning Board Land Use Referral Guide and NYS General Municipal Law 239.

RESOLVED, the Town Board, in coordination with the Planning Board, schedules a public hearing for August 17, 2023 at 7:10 p.m. as required for this special use permit application.

MOTION: Councilman Secreto

SECOND: Councilman Van Kleeck

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

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Motion to Schedule a Public Hearing for a Special Use Permit for a Cell Tower at 434 Flatbush Road (Route 32), Kingston, SBL 39.20-1-29.110 for Thursday, August 3, 2023, at 7:10PM (2023-M-231)

MOTION: Councilwoman Hayner
SECOND: Councilman Van Kleeck

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

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Resolution declaring Intent to be Lead Agency for SEQRA Review of a proposed Church for Kingdom Hall at 298 Memorial Drive, Kingston, P-915, SBL 39.16-1-15 (to initiate environmental review) (2023-R-232)

RESOLUTION
TOWN OF ULSTER TOWN BOARD
New Kingdom Hall site plan, P-915
298 Memorial Drive, SBL 48.66-2-3.200,
ZONE: OM

WHEREAS, the applicant proposes to construct a new, approximate 5,000 square foot, one-story building and associated infrastructure and parking for a new Kingdom Hall. Such a “house of worship” is a permitted use with site plan approval in the OM zoning district; and,

WHEREAS, the applicant has submitted a complete Site Plan application to the Town of Ulster including a submitted State Environmental Quality Review Act (SEQRA) Full Environmental Assessment Form, Part 1, and,

WHEREAS, the Town Board of the Town of Ulster has final review and approval authority for the site plan application in coordination with the Town of Ulster Planning Board; and,

WHEREAS, said Planning Board has reviewed the applications as complete and at their July 11, 2023 meeting recommended the following actions; and,

NOW THEREFORE BE IT RESOLVED, the Town Board determines that the site plan application is an Unlisted Action under the New York State Environmental Quality Review Act and that the Ulster Town Board will act as Lead Agency; and,

NOW BE IT FURTHER RESOLVED, the Town Board formally refers the site plan application to the Ulster County Planning Board for review consistent with the Ulster County Planning Board Land Use Referral Guide and NYS General Municipal Law 239.

MOTION: Councilman Secreto

SECOND: Councilwoman Hayner

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

Resolution declaring Intent to be Lead Agency for SEQRA Review of a proposed Site Plan Revision for Wraparound Services of the Hudson Valley, 230 -234 Tuytenbridge Road, Lake Katrine, P-909, SBL 39.20-1-24.221 (to initiate environmental review) (2023-R-233)

RESOLUTION
TOWN OF ULSTER TOWN BOARD
Wrap Around Service of the HV site plan revision, P-909
234 & 230 Tuytenbridge Road, SBL 39.20-1-24.221
ZONE: R60

WHEREAS, the applicant – Wraparound Service of the Hudson Valley proposes to convert an existing one-story residence (group home) into classrooms as part of a certified Dayhab facility and to construct a new 4,600 square foot addition to this building with associated parking, landscaping, utilities, and lighting; and,

WHEREAS, the applicant has submitted a Site Plan application to the Town of Ulster including a submitted State Environmental Quality Review Act (SEQRA) Short Environmental Assessment Form, Part 1; and,

WHEREAS, the Town Board of the Town of Ulster has final review and approval authority for the site plan application in coordination with the Town of Ulster Planning Board (Planning Board); and,

WHEREAS, said Planning Board has reviewed the application materials submitted and has recommended the following actions; and,

NOW THEREFORE BE IT RESOLVED, the Town Board finds that the site plan application can be defined as an Unlisted Action under the New York State Environmental Quality Review Act (SEQRA) and the Town Board initiates the SEQRA process by declaring intent to be Lead Agency; and,

AND BE IT FURTHER RESOLVED, this application is not referable to the Ulster County Planning Board for review consistent with the Ulster County Planning Board Land Use Referral Guide and NYS General Municipal Law 239.

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MOTION: Councilman Van Kleeck
SECOND: Councilman Secreto

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

Public Hearing Scheduled:

7:10 PM – Public Hearing for a Special Use Permit for Michael Schatzel, Residential Unit over Business Establishment, 73 Lake Road, Lake Katrine, SBL 39.16-1-15

Motion to Open Public Hearing at 7:19 pm (2023-M-234)

MOTION: Councilman Secreto
SECOND: Councilwoman Hayner

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

~ No Public Comment ~

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Motion to Close Public Hearing at 7:20 pm (2023-M-235)

MOTION: Councilman Van Kleeck

SECOND: Councilman Kitchen

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

WRITTEN COMMENT ACCEPTED FOR 30 DAYS

Public Hearing Scheduled:

7:15 PM – Public Hearing for a Special Use Permit for Fanelli Realty, LLC, Residential Unit over Business Establishment, 1986 Ulster Avenue, Lake Katrine, NY

Motion to Open Public Hearing at 7:21 pm (2023-M-236)

MOTION: Councilman Secreto

SECOND: Councilwoman Hayner

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

~ No Public Comment ~

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Motion to Close Public Hearing at 7:21 pm (2023-M-237)

MOTION: Councilman Van Kleeck

SECOND: Councilwoman Hayner

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

WRITTEN COMMENT ACCEPTED FOR 30 DAYS

Old Business:

Presentation of Schedule of ARPA Funding Commitments as of July 20, 2023

Supervisor: Town received approximately \$1.3M from the federal government. Town board elected to use it primarily for capital improvements. Schedule is published on the town website. Public comments accepted.

Motion to accept the results of the Auction International bids/purchases (2023-M-238)

MOTION: Councilman Secreto

SECOND: Councilwoman Hayner

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

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Motion to set a Public Hearing for: Local Law Number __ of 2023, A Local Law to Allow Enrolled Volunteer Firefighters and Volunteer Ambulance Workers to be eligible for a Real Property Tax Exemption Under Real Property Tax Law (RPTL466-a) for Thursday, August 3, 2023, at 7:15PM (2023-M-239)

MOTION: Councilman Secreto
SECOND: Councilman Van Kleeck

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

Resolution Authorizing Supervisor to Prepare and Apply for 2023 NYS Water Infrastructure Improvement Act (WIIA) Funding (2023-R-240)

Supervisor: Town seeking funds from NYS Environmental Facilities Corporation (EFC) for the small south tower, built in 1957, now full of holes.

Resolution Authorizing Supervisor to Prepare and Submit an Application for 2023 NYS Water Infrastructure Improvement Act (WIIA) Funding

WHEREAS, the Ulster Water District’s 450,000-gallon Water Storage Tank located at the South end of the District adjacent to the Town Highway Garage at 584 East Chester Street By-pass, Kingston, NY was constructed in 1957; and

WHEREAS, the Ulster Water Department Superintendent has recommended that the 450,000-gallon water storage tank be replaced due to its age and increased maintenance costs; and

WHEREAS, 60% grant funding is available through the NYS Water Infrastructure Improvements Act (WIIA) Program; and

WHEREAS, applications will be accepted through July 28, 2023; now, therefore, be it

RESOLVED, that the Town of Ulster Town Board authorizes preparation and submission of an application for 2023 NYS Water Infrastructure Improvement Act (WIIA) Funding; and

RESOLVED, that the Town of Ulster Supervisor is hereby authorized to sign the application and any related documents for the 2023 NYS Water Infrastructure Improvement Act (WIIA) Funding Program application.

MOTION: Councilwoman Hayner

SECOND: Councilman Kitchen

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

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Resolution to Appropriate the Sum of \$252,000 from Fund Balance towards Replacement of Water Storage Tank (2023-R-241)

Supervisor: Estimated project cost \$1.8M; we received a \$500K grant from Ulster County; grant application to EFC \$1.2M; leaves \$252K to be paid for by the town of Ulster.

Resolution to Appropriate the Sum of \$252,000.00 from Fund Balance Towards Replacement of Water Storage Tank

WHEREAS, the Ulster Water District's 450,000-gallon Water Storage Tank located at the South end of the District adjacent to the Town Highway Garage at 584 East Chester Street By-pass, Kingston, NY was constructed in 1957; and

WHEREAS, the Ulster Water Department Superintendent has recommended that the 450,000-gallon water storage tank be replaced due to its age and increased maintenance costs; and

WHEREAS, the Town of Ulster Town Board has authorized the preparation of a Plan, Map and Report for the replacement of the 450,000-gallon water storage tank by the Town's Engineer, Brinnier & Larios, P.C. at the October 21, 2021, Town Board preparation of making an application to the NYS Environmental Facilities Corporation for a WIIA Grant by July 28, 2023;

WHEREAS, the Town of Ulster Town Board has authorized the preparation of a Grant Application to apply to the NYS Environmental Facilities Corporation for a WIIA Grant by July 28, 2023 under an Agreement with Blauer Associates; and

WHEREAS, a budget in the total amount of \$1,880,000 has been prepared by the Town's Engineers, Brinnier & Larios, P.C. to be submitted with the application for the WIIA Grant and is attached as Exhibit "A" to this Resolution,

WHEREAS, the budget identifies a remaining local match in the amount of \$752,000;

WHEREAS, the Town has obtained an Ulster County Recovery and Resilience Municipal Sewer and Water grant in an amount for replacement of the Ulster Water District's 450,000-gallon Water Storage Tank, now, therefore, be it

RESOLVED, the Town of Ulster Town Board hereby appropriates the sum of \$252,000, in addition to the previously secured \$500,000 Ulster County grant, to be used to fund the local

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match from the Ulster Water District Storage Tank Capital Reserve Account, from account number SW1.0878.000, which has a balance of \$ 916,992.58 as of the date of this Resolution and is invested in the Town of Ulster's Special Investment Account number 5202784105 at the Bank of Greene County which has a balance of \$ 10,601,983.22 as of June 30, 2023; and be it further

RESOLVED, that the Town of Ulster Supervisor is hereby authorized to provide a copy of this Resolution and supporting documents including a copy of the Bank Statement for the abovementioned account for inclusion in the WIIA Grant Application.

MOTION: Councilman Kitchen

SECOND: Councilwoman Hayner

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

Resolution Granting Conditional Site Plan Approval for Woods Road Solar, P-866& 868, 550 Wood Road, DBL48.14-1-1.111 and 48.10-1-38.300 (2023-R-242)

RESOLUTION
TOWN OF ULSTER TOWN BOARD
Woods Road Solar (aka Professional Commercial Group, LLC), P-866
550 Woods Road, SBL 48.14-1-1.112, ZONE: HC, Site Plan

WHEREAS, the applicant – Professional Commercial Group, LLC -- seeks site plan approval to construct an up to 5MW AC commercial solar facility on vacant lands on portions of lots SBL 48.14-1-1.111 and 48.10-1-38.300 which were subject to a lot line adjustment creating subject lot 48.14-1-1.112 as approved by resolution of the Town of Ulster Planning Board. This is a permitted use as a utility company structure in the HC zoning district; and,

WHEREAS, the applicant has submitted a complete Site Plan/Special Permit application to the Town of Ulster Planning Board, in coordination with the Ulster Town Board, including the following:

- Completed Application for Lot Line Adjustment dated 12/28/21
- Completed Application for Site Plan dated 11/30/21
- Signed Owner Consent Form for Filing by Paul Hakim, dated 11/1/21
- Signed Escrow Agreement by Keith P. Libolt, dated 11/30/21
- Completed SEQRA Full EAF, Parts 1 & 2 with EAF Mapper Summary Report, prepared by Michael Morgante, Arden Consulting Engineers, dated 12/27/21
- Preliminary Sketch Map Showing of Lands of Relax 845 LLC to be Conveyed to Woods Road Solar, prepared by Brinnier & Larios, P.C., dated 12/23/21.
- Project Narrative (three pages) prepared by Michael A. Morgante, P.E., dated 11/1/21.
- Woods Rd Community Solar Facility Decommissioning Plan, prepared by Professional Commercial Group, LLC, dated November 2021.

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- 5 MW AC Solar Farm Site Plan, prepared by Arden Consulting Engineers, PLLC, dated 11/23/21 and 12/27/21 with revisions dated 2/15/2022, 3/14/2022, 4/28/2023, and 5/16/2023 including the following nine (9) sheets:

- Title Sheet
- Existing Conditions Map
- Slope Analysis
- Concept Site Plan
- Grading and Utility Plan
- Erosion and Sediment Control Plan
- Driveway Profile
- NYSHPO Plan
- Orthoimagery Sheet

- One-page memo from Michael Nowicki, Biologist, Ecological Solutions, LLC, to Keith Libolt, Professional Commercial Group, LLC, dated 07/14/2022 stating “...it is my professional opinion, that the aforementioned solar project will not require a Nationwide or Individual Permit from the USACE”
- Recommendation memo from Ulster County Planning Board, Referral No. 2022-030, regarding Wood Road Solar, dated 02/02/2022
- Three-page memo from Michael A. Morgante, PE, Arden Consulting Engineers, PLLC, to Town of Ulster Planning Board, dated 03/20/2022 responding to 02/02/2022 comments from the Ulster County Planning Board and attaching Stormwater Pollution Protection Plan (SWPPP) from Arden Consulting Engineers, PLLC, dated 11/22/2021
- Referral Response memo from Ulster County Planning Board, Referral No. 2022061, regarding Professional Consulting Group, LLC, Woods Road Solar Farm, review date 04/06/2022 and stating “No County Impact”
- Letter to Town of Ulster Planning Board, dated 03/10/2022 with Exhibit A, Stormwater Pollution Protection Plan (SWPPP) from Arden Consulting Engineers, PLLC, dated 11/22/2021
- Solar Farm Site Plan, Stormwater Pollution Prevention Plan and Narrative, prepared by Michael A. Morgante, PE, Arden Consulting Engineers, PLLC,

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consisting of six (6) sections and including seven (7) appendices A thru G, dated 11/22/2021 and revised 07/16/2022

- Three-page memo from Bruce D. Utter, PE, Praetorius and Conrad, PC, to Town of Ulster, dated 04/12/2022 regarding review of stormwater management and related matters.
- Three-page memo from Michael A. Morgante, PE to Town of Ulster Planning Board, dated 04/25/2022 in response to above mentioned 04/12/2022 memo from Bruce D. Utter PE
- Three-page memo from Bruce D. Utter, PE, Praetorius and Conrad, PC, to Town of Ulster, dated 06/03/2022 further regarding stormwater management, Proposed Solar Farm
- Three-page memo from Michael A. Morgante, PE to Town of Ulster Planning Board, dated 07/16/2022 further responding to comments from Praetorius and Conrad, PC to the Town of Ulster as noted and dated above
- Two-page memo from Jessica Schreyer, Historic Preservation Program Analyst – Archaeologist, New York State Office of Parks, Recreation and Historic Preservation (OPRHP), to Keith Libolt, Professional Commercial Group, LLC, dated 06/09/2023 outlining review of completed Phase I and II Archaeological Survey Report (22SR00373) and stating “...it is the opinion of OPRHP that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State or National Registers of Historic Places will be Adversely Impacted by this project with condition that the restrictive deed covenant is filed.”; and,

WHEREAS, the Ulster Town Board has final Site Plan review and approval authority for this application.

NOW THEREFORE BE IT RESOLVED, based on a review of the application as well as recommendations from the Town of Ulster Planning Board, the Town Board takes the following actions;

BE IT RESOLVED, that the Town Board of the Town of Ulster as Lead Agency, and in coordination with the Town of Ulster Planning Board, determines that the Site Plan application is an Unlisted Action under the New York State Environmental Quality Review Act (SEQRA) and

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makes a Negative Declaration that this Action will not have any significant, adverse environmental impact; and,

BE IT RESOLVED, that this application was referred for comment to the Ulster County Planning Board, who made preliminary recommendations noted above. Following additional documentation and a review on 04/06/2022 as per Referral No. 2022061, said Ulster County Planning Board returned a review of “No County Impact”; and,

BE IT RESOLVED, that the applicant and applicant representative Michael Nowicki, Biologist, Ecological Solutions, LLC, has stated with explanation in a memo dated 7/14/2022 “...it is my professional opinion, that the aforementioned solar project will not require a Nationwide or Individual Permit from the USACE ...”; and,

NOW BE IT FURTHER RESOLVED, the Town Board formally grants Conditional Site Plan approval subject to all statements and references above as well as the following:

RESOLVED that the Town of Ulster Town Board grants Conditional Site Plan approval for the Proposed Action subject to the conditions, limitations and restrictions set forth below.

1. Filing of a water line easement to the benefit of the Town of Ulster Cherry Hill Water District as acceptable to the Town Engineer and Town Attorney;
2. Filing of a restrictive deed covenant as described in correspondence with the New York State Office of Parks, Recreation and Historic Preservation specific to this application and including that referenced in the memo noted above from Jessica Schreyer, Historic Preservation Program Analyst – Archaeologist, New York State Office of Parks, Recreation and Historic Preservation (OPRHP), to Keith Libolt, Professional Commercial Group, LLC, dated 06/09/2023, and compliant with any comments from the Town Attorney;
3. Compliance with all comments by Praetorius and Conrad, PC, Town of Ulster Town Engineers, including those specific to the Stormwater Pollution Prevention Plan documentation provided with this application;
4. Filing with the Town of Ulster of a fully executed Decommissioning Agreement acceptable to the Ulster Town Attorney;
5. Compliance with an aforementioned resolution by the Town of Ulster Planning Board, including all conditions, limitations and restrictions in approving a lot line adjustment between Lots 48.14-1-1.111 and 48.10-1-38.300;
6. Compliance with applicable zoning and building laws, rules, and regulations;
7. Compliance with all representations made by the applicant;
8. Compliance with documentation, site plan, design plans and all details as cited herein;

TOWN OF ULSTER TOWN BOARD MEETING (14)

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9. The Town's consulting planner and Building Inspector are hereby authorized to approve minor Site Plan changes of a ministerial nature, which may arise due to unforeseen circumstances in the project site development; and

10. All fees, including consultant fees, shall be paid;

11. Execution of a PILOT Agreement between the applicant and the Town of Ulster and the County of Ulster.

MOTION: Councilman Secreto

SECOND: Councilman Kitchen

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

End of Regular Agenda

TOWN OF ULSTER TOWN BOARD MEETING (14)
JULY 20, 2023

PUBLIC COMMENT:

1. Helena Touseull, 4 Jeanette Lane
Would like an update regarding the landscaping businesses, specifically 25 Doris Lane.

Supervisor: Does not have an update from the building inspector. Will report at next meeting.
2. Sanjay Coutinho, N. Brigham Lane
Re: Neighborhood landscaping businesses.
Comes with a petition packet signed by neighbors and reads petition. The deed is residential only. Serious health and safety concerns, noisy, stressful and a nuisance. We support local businesses and entrepreneurship, but urges board to enforce deed restrictions.
3. Linda Price, Doris Lane
Lived here 50 years. Landscaping at 25 Doris Lane disrupted our quiet and happiness. Wants it to be residential.
4. Luke Rougier, Jeanette Lane
Owns and operates Stars and Stripes landscaping business in that neighborhood. Yesterday, met with town supervisor and building inspector. He has a petition signed by 36 residents that support him. Reads letter. Continues to dispute with a neighboring landscaper/part time resident. Strives to have dedicated space to store equipment. There are 60 other landscapers in the town of Ulster that store equipment on their own property. This work is his livelihood.
5. James Boice, Thru-View Farm Rd.
Luke does keep his property nice. He is a good kid trying to make a living.
6. Raymond Scheffel, Jeanette Lane
Lived here 25 years. Knows Luke to be a kid that would always help you. He is not noisy. He lives two houses away. Never an issue with noise and junk.
7. Rolando Bartley, Jeanette Lane
Has known Luke 7-8 years; he is an asset to the community. Appreciates him.

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8. Linda Price

No question that Luke is a great young man. Comes down to the fact that we do not need business in a residential area. Takes offense to the “part time residents” comment.

MOTION to adjourn (7:42 pm) (2023-M-243)

MOTION: Councilman Secreto

SECOND: Councilwoman Hayner

Town Councilwoman Hayner	-Yes
Town Councilman Kitchen	-Yes
Town Councilman Secreto	-Yes
Town Councilman Van Kleeck	-Yes
Supervisor Quigley	-Yes

CARRIED

Respectfully Submitted by Suzanne Reavy
Ulster Town Clerk