

Town of Ulster  
Zoning Board of Appeals  
September 1, 2010

The regular meeting of the Town of Ulster Zoning Board of Appeals was held at the Town of Ulster Town Hall on September 1, 2010 at 7:30 P.M.

Present:

John Crispell

Donald Genter

Robert Porter

Karen Markisenis - Chairperson

A motion to approve the minutes from the August 4<sup>th</sup> meeting and the August 23<sup>rd</sup> meeting was made by Mr. Crispell with a second from Mr. Porter with all in favor.

**Kirk Strand 1054 Columbia Street**

Mr. Strand and William Brinnier appeared on behalf of an application requesting an area variance for a garage that will be within the side setback. Mrs. Markisenis stated the applicants appeared at the August meeting and presented information at that time. No one appeared to oppose the variance; the adjoining neighbor voiced his concern that a culvert pipe that he installed would be disturbed when the site was being excavated. Mr. Strand and Mr. Brinnier stated it should not be a problem; Mr. Crispell suggested the culvert pipe be flagged so the construction workers could see it.

**Action:** A motion to grant a variance for a garage that will be 2ft into the side was made by Mr. Porter with a second from Mr. Crispell, all were in favor.

WHEREAS, Kirk Strand 1054 Columbia Street Kingston, New York 12401, Zone R-10, has requested an Area variance for Tax Map Parcel # 48.42-4-30 and

WHEREAS, The applicant seeks a variance to place a garage 2 feet into the side setback and,

WHEREAS, The Town of Ulster Zoning Board of Appeals has duly advertised for a Public Hearing in the Kingston Freeman and has held a

Public Hearing at the Town of Ulster Town Hall at 7:00 P.M. on September 1, 2010.

WHEREAS, No one appeared against the project and,

WHEREAS, under Section 239.m of the General Municipal Law, the County of Ulster Planning Board has no jurisdiction; and,

WHEREAS, The members of the Zoning Board of Appeals has determined that the requested variance is minor and, therefore,

BE IT RESOLVED That variance for a garage that will be 2ft into the side setback be granted.

### **Ulster Federal Credit Union - 807 Ulster Avenue**

William Querbes appeared on behalf of an application for an area variance for columns for a front and rear portico that will be in the front setback. Mr. Querbes states that part of the column will be in the setback. Mrs. Markisenis stated the applicant presented their request at a special meeting that was held August 23<sup>rd</sup>. Paula Kitchen appeared to oppose the variance stating the area has limited sight distance and the facade would make pulling out onto Ulster Avenue dangerous. Ms Kitchen went on to say they have had 6 months of construction with jack hammers and construction crews at the site. Ms. Kitchen also stated concerns with cars parking on the side street. Mr. Querbes stated one problem with the limited sight distance is the landscaping; they are removing all the landscaping in the front and the freestanding sign. Low growing plants will replace the ones on site now. The facade itself is changing but it is coming out any further into the setback; just part of the columns is in the setback.

**Action:** A motion to approve the variance was made by Mr. Porter with a second from Mr. Genther. All were in favor with Mr. Porter stating the facade is wide open will not hinder vision; he stated Ms. Kitchen should speak to the Town Board about the cars parking on the side street as they may be able to place no parking signs on the Town street.

WHEREAS, Ulster Federal Credit Union 807 Ulster Avenue Kingston, New York 12401, Zone HC, has requested an Area variance for Tax Map Parcel # 48.58-4-13 and

WHEREAS, The applicant seeks a variance to place a columns for a portico in the front and rear setback and,

WHEREAS, The Town of Ulster Zoning Board of Appeals has duly advertised for a Public Hearing in the Kingston Freeman and has held a Public Hearing at the Town of Ulster Town Hall at 7:00 P.M. on September 1, 2010.

WHEREAS, Adjoining property owners opposed to the variance were heard and,

WHEREAS, under Section 239.m of the General Municipal Law, the County of Ulster Planning Board had No County Impact; and,

WHEREAS, The members of the Zoning Board of Appeals has determined that the requested variance is minor and, therefore,

BE IT RESOLVED That an area variance for a columns in the front and rear setback be granted.

### **Birches at Chambers – Maple Lane**

A motion to open the Public Hearing was made by Mr. Porter with a second from Mr. Crispell. Nadine Shadlock appeared on behalf of the application for a variance to reduce the number of parking spaces by one and to place a bus turn-a-round within the 25 foot buffer of the property line. Ms. Shadlock stated the 66 parking spaces exist on the site, the code requires 67. The bus turn-a-round was place on the site so the UCAT bus can come onto the site and turn around; there is a code that states the bus cannot back up so the turn a round is mandatory. Ms. Shadlock submits a petition signed by residents and neighbors in favor of the variances. Mary Neilson, President of the Chamber's Senior Group spoke. Ms. Neilson stated she hoped the Board would approve the variances because if the many seniors would not be able to walk to the end of the property where the bus stop exist now. In bad weather it would be unsafe for anyone living at the complex to walk to the bus stop. The approval of the bus turn-a round would make everyone's life more convenient. Elizabeth Rinaldo spoke in favor of the bus turn-a-round; Mrs. Rinaldo stated that she is the adjoining neighbor and has no problem with the project or turn-a-round; Mrs. Rinaldo made it clear to the Board that she can speak for herself and if the turn-a-round was an issue she

would have told someone. Mrs. Markisenis thanked the members of the audience for coming to the meeting and being a part of the process.

**Action:** A motion to grant the variance for a reduction in parking and the bus turn-a-round in the buffer zone was made by Mr. Crispell with a second from Mr. Porter. All were in favor.

WHEREAS, Birches at Chambers 1000 – 5000 170 Maple Lane Kingston, New York 12401, Zone R-10, has requested an Area variance for Tax Map Parcel # 48.49-1-20.110 and

WHEREAS, The applicant seeks a variance to place a bus turn-a round within the 25 ft buffer and reduce the parking by 1 space

WHEREAS, The Town of Ulster Zoning Board of Appeals has duly advertised for a Public Hearing in the Kingston Freeman and has held a Public Hearing at the Town of Ulster Town Hall at 7:00 P.M. on September 1, 2010.

WHEREAS, No one appeared at the Public Hearing to oppose the request and,

WHEREAS, under Section 239.m of the General Municipal Law, the County of Ulster Planning Board has no jurisdiction; and,

WHEREAS, The members of the Zoning Board of Appeals has determined that the requested variance is minor and, therefore,

BE IT RESOLVED That an area variance for a bus turn-a-round within the buffer zone and reduction of 1 parking space be granted.

A motion to adjourn was made by Mr. Crispell with a second from Mr. Genter with all in favor.

Respectfully Submitted,

Mary Secreto  
Zoning Secretary