

## Town of Ulster Planning Board

The monthly meeting of the Town of Ulster Planning Board was held on Tuesday March 17, 2009 at 7:00 pm. at the Town Hall Lake Katrine New York. The following members were present:

Ozzie Beichert – Chairman  
Frank Almquist  
Renno Budziak–  
Larry Decker  
Scott Ricketson  
Alan Sorensen – Planner

The minutes for the January & February meeting

### **Quick Chek Site Plan 630 Washington Avenue Public Hearing**

Jeffery Martell appeared on behalf of the application for site plan for an existing convenience store. The site consist is 2.75 acres and is two lots. The applicant is proposing to construct a 1,775 sq ft addition to the existing building and expand the off street parking and loading areas. The additional parking will give the site a total of 45 off street parking spaces. DOT has approved the access on Washington Avenue with a right in right out only. The applicant will reduce the width of the driveway at the Powell Lane they will also add curbing; these measures should help some the issues that are on the site currently. The applicant will reconstruct Powell Lane from the entrance to the 2<sup>nd</sup> driveway. Building elevations were shown to the Board; the facade will be brick and a dark gray (this color had previously approved by the Board on another Quick Chek project). The applicant has agreed to place a 5' sidewalk along Washington Avenue; they will also plant street trees. No one appeared for or against the project. A motion to close the Public Hearing was made by Mr. Almquist and seconded by Mr. Budziak. Mr. Budziak questioned the MS4 requirements, Mr. Martell explained the site is under 1 acre and does not require a permit from Dec. The stormwater plans have been reviewed by Brinnier & Larios and they have minor technical comments that need to be addressed. The applicant requested the Board consider a conditional approval of the project. Mr. Sorensen states all of the Boards comments have been addressed, the Board could approve the project with conditions.

**Action:** A motion to grant a Negative Declaration as per SEQRA was made by Mr. Almquist and seconded by Mr. Budziak. A motion to grant approval with the following conditions:

### **RESOLUTION TOWN OF ULSTER TOWN BOARD**

**Site Plan Amendment  
Quick Chek Corporation  
630 Washington Avenue  
S-B-L: 48.018-1-20.1 & 22**

**WHEREAS**, the Planning Board and its consultant planner have reviewed an application by Quick Chek Corporation for Site Plan approval to convert a former 2,826 square-foot 'Convenience Store & Subway Restaurant' into a 4,601.3 square-foot *Quick Check Food Store*; and

**WHEREAS**, proposed site improvements include the construction of a 1,775 square-foot addition to the existing retail structure, expansion of off-street parking area and creation of a designated loading zone along with other site improvements; and

**WHEREAS**, materials submitted in support of the proposed action include:

- *Cover Sheet for Plan Set* prepared by Bohler Engineering dated February 26, 2009;
- *Demolition Plan* prepared by Bohler Engineering dated November 17, 2008, revised 2/26/09;
- *Site Plan* prepared by Bohler Engineering dated November 17, 2008, revised 2/26/09;
- *Grading Plan* prepared by Bohler Engineering dated November 17, 2008, revised 2/26/09;
- *Utilities Plan* prepared by Bohler Engineering dated November 17, 2008, revised 2/26/09;
- *Landscape Plan* prepared by Bohler Engineering dated November 17, 2008, revised 2/26/09;
- *Lighting Plan* prepared by Bohler Engineering dated November 17, 2008, revised 2/26/09;
- *Soil Erosion & Sediment Control Plan* prepared by Bohler Engineering dated November 17, 2008, revised 2/26/09; and
- *Powell Lane Improvement Plan* prepared by Bohler Engineering dated February 26, 2009.

**WHEREAS**, the Planning Board referred the application to the Town Highway Department and to the NYSDOT for review of the proposed access to the site; and

**WHEREAS**, the Planning Board considered of the application materials submitted by the applicant in support of the proposed action, along with the comments of its consultant planner & engineers made via memoranda (which memoranda are incorporated herein by reference) and recommendations from the New York State DOT and the Town Highway Superintendent; and

**WHEREAS**, the Planning Board upon review of the entire record (including SEQRA Full EAF Parts 1 & 2) found that the proposed redevelopment of 630 Washington Avenue will not have an adverse impact on the environment; as Lead Agency made a determination of non-significance and issued a Negative Declaration pursuant to Part 617 of SEQRA.

**NOW THEREFORE BE IT RESOLVED** that the Planning Board has determined that they have complied fully with the procedural requirements of Part 617 of the State Environmental Quality Review Act (SEQRA); and

**FURTHER BE IT RESOLVED**, the application by Quick Chek Corporation for Site Plan approval to convert a former 2,826 square-foot 'Convenience Store & Subway Restaurant' into a 4,601.3 square-foot *Quick Check Food Store* is granted, subject to the conditions, limitations and restrictions set forth below.

1. All technical comments provided by the Town's consulting engineers Brinnier & Larios, described in their February 20, 2009 memorandum, are satisfactorily addressed.
2. All technical comments provided by the Town of Ulster Highway Department are satisfactorily addressed.
3. Full compliance with the NYSDOT Highway Permit for access to Washington Avenue.
4. The color of the EFIS Siding shall be changed in accordance with the recommendations of the Planning Board and as approved by the Town Planning Consultant.
5. The Awning Treatment along the Front Elevation shall be continued along the Right Elevation of the proposed retail store.
6. The applicant shall provide for a 5-foot wide sidewalk along the Washington Avenue and plant street trees along the right-of-way as recommended in the *Ulster County Transportation Plan "Maps & Figures - 2003" streetscape plan for Washington Avenue. The following specific standards shall apply:*
  - a. Sidewalk to be a minimum of five (5) feet in width and placed in accordance with NYSDOT approvals and requirements; and
  - b. Placement of the street trees shall be in accordance with NYSDOT requirements. We recommend that the applicant install deciduous street trees within the grass median that will be created between the edge of highway pavement and the new sidewalk. A minimum of nine (9) street trees shall be planted that are a minimum of 3" caliper at the time of planting. Suggested plant species include but are not limited to Japanese Red Maple, Cherry or Dogwood family of trees. The applicant shall provide tree planting list and specifications to the Town Planning Consultant for review and approval.
7. That access to the sanitary sewer manhole behind the Quick Chek building addition be provided as mutually agreed to by the Town and Quick Chek.

**Motioned by:** Mr. Almquist  
**Seconded by:** Mr. Ricketson

**All in Favor:** Mr. Decker, Mr. Budziak, Mr. Ricketson, Mr. Almquist, Mr. Beichert

**Professional Day Spa-Site Plan 12-14 Van Keuren Highway**

No one appeared for this site.

Mr. Beichert left the meeting. Mr. Almquist took over as acting chair.

**James & Coleen Sass – Lot Line Deletion 94 Stahlman Place**

Mr. James Sass appeared on behalf of the application for a lot line deletion. Mr. Sass states he is combining two lots that he owns. The new lot will be .86 acres. Mr. Sorensen states the application is straight forward; the only comment came from the Highway Superintendent, he would like the elevation of the proposed new driveway to match the elevation of the existing driveway.

**Action:** A motion to grant a Negative Declaration as per SEQRA was made by Mr. Decker and seconded by Mr. Ricketson with all in favor. A motion to approve the lot line deletion was made by Mr. Budziak and seconded by Mr. Almquist with all in favor.

**RESOLUTION  
TOWN OF ULSTER TOWN BOARD**

**James J. Jr. & Colleen E. Sass  
Lot Line Adjustment  
94 Stahlman Place  
Section 48.57, Block 1, Lot 23  
Section 48.57, Block 1, Lot 24.1**

**WHEREAS,** the Planning Board and its consultant planner have reviewed an application by James J. Jr. & Colleen E. Sass for a ‘Lot Line Adjustment’ to *combine* SBL 48.57-1-23 and SBL SBL 48.57-1-24.1 that are located within the R-10 Residential Zoning District; and

**WHEREAS,** materials submitted in support of the proposed action include:

- *Application for Lot Line Adjustment* prepared by James J. Sass, Jr. dated March 3, 2009;
- *SEQRA Short EAF* prepared by James J. Sass, Jr. dated February 27, 2009; and
- *Map of Survey* prepared by Brooks & Brooks Land Surveyors, P.C. dated September 14, 2008 and revised November 1, 2006.

**WHEREAS,** the Planning Board considered of the application materials submitted by the applicant in support of the proposed action, along with the comments of

its consultants made via memoranda (which memoranda are incorporated herein by reference); and

**WHEREAS**, proposed action meets the Town Code definition of a Lot Line Adjustment and as such is not a "subdivision" or "resubdivision" as defined therein; and

**WHEREAS**, a public hearing is not required for a Lot Line Adjustment; and

**WHEREAS**, the Planning Board upon review of the entire record (including SEQRA Short EAF) found that the lot line adjustment will not have an adverse impact on the environment; as Lead Agency made a determination of non-significance and issued a Negative Declaration pursuant to Part 617 of SEQRA.

**NOW THEREFORE BE IT RESOLVED** that the Planning Board has determined that they have complied fully with the procedural requirements of Part 617 of the State Environmental Quality Review Act (SEQRA); and

**FURTHER BE IT RESOLVED**, that upon full consideration of the above, the Planning Board hereby grants approval of the proposed Lot Line Adjustment by James J. Jr. & Colleen E. Sass subject to the condition that the reconfiguration of the driveway that is proposed in conjunction with the addition to the applicant's existing residence comply with the Highway Superintendent's recommendations as stated in his March 3, 2009 memorandum.

**Motioned by:** Mr. Budziak  
**Seconded by:** Mr. Almquist

**All in Favor:** Mr. Budziak, Mr. Almquist, Mr. Decker, Mr. Ricketson

### **Thorn's Service Center Site Plan- Flatbush Avenue**

Mr. Robert Piratsky and Mr. Harris Thorne appeared on behalf of the application for site plan. The site is 0.955 acres in an OM district. There are 3 existing structures on the site, only one is currently being used as a business. The applicant is proposes to establish an auto service business in an empty building. There will be no auto sales. There will be no new lighting and the only signage would be a wall sign. After a brief discussion on drainage the Board requested the plan be referred to Brinnier & Larios. The Board and applicants discussed parking and dumpster issues. Mr. Sorensen states the application could be approved with a number of conditions.

**Action:** A motion to grant a Negative Declaration as per SEQRA was made by Mr. Almquist and seconded by Mr. Ricketson. A motion to approve the site plan with conditions to be stated on the resolution was made by Mr. Decker with a second by Mr. Almquist, all were in favor.

### **RESOLUTION**

**TOWN OF ULSTER TOWN BOARD**

**Robert Piratsky (Property Owner) and  
Harris Thorne dba Thorne's Roundout Service Center  
Site Plan Approval  
S-B-L: 48.012-02-01**

**WHEREAS**, the Planning Board and its consultant planner have reviewed an application by Robert Piratsky (Property Owner) and Harris Thorne (Business Owner) for Site Plan approval to allow a change in use to establish a "repair garage" within an existing 2-bay garage on the subject site;

**WHEREAS**, the proposed use is permitted as-of-right subject to Site Plan review within the OM-Office Manufacturing Zoning District; and

**WHEREAS**, materials submitted in support of the proposed action include:

- *Application for Site Plan Review* prepared by Harris Thorne dated February 18, 2009;
- *SEQRA Short EAF* prepared by Harris Thorne dated February 18, 2009;
- *Owner's Consent* signed by Robert E. Piratsky dated February 20, 2009;
- *Survey Map & Site Plan* prepared by Kenneth M. Keefe, L.L.S. dated June 5, 2003; and
- *Survey Map & Site Plan* prepared by Kenneth M. Keefe, L.L.S. revised March 17, 2009.

**WHEREAS**, the Planning Board considered of the application materials submitted by the applicant in support of the proposed action, along with the comments of its consultants made via memoranda (which memoranda are incorporated herein by reference); and

**WHEREAS**, the Planning Board considered the nature of the proposed use and determined that it would place restrictions on the repair garage operation to ensure it will be harmonious with the orderly development of the area and not be detrimental to adjacent properties; and

**WHEREAS**, the Planning Board upon review of the entire record (including SEQRA Short EAF) found that proposed change in use (an Unlisted Action) will not have an adverse impact on the environment; made a determination of non-significance and issued a Negative Declaration pursuant to Part 617 of SEQRA.

**NOW THEREFORE BE IT RESOLVED** that the Planning Board has determined that they have complied fully with the procedural requirements of Part 617 of the State Environmental Quality Review Act (SEQRA); and

**FURTHER BE IT RESOLVED**, that upon full consideration of the above, Site Plan approval to permit a "change in use" allowing Harris Thorne to establish

a "repair garage" within an existing 2-bay garage is granted, subject to the conditions, limitations and restrictions set forth below.

1. All work to be performed on vehicles shall be conducted inside the building.
2. All waste fluids shall be contained within the building and disposed of in accordance with state, county and federal requirements.
3. No unlicensed, unregistered, inoperable, or damaged vehicles shall be stored outside.
4. A trash and recycling dumpster (or enclosed storage area) must be provided for the storage of trash and recycling materials.
5. All state licenses required to operate the proposed repair garage shall be current and the operation of the repair facility shall be in strict compliance with applicable state requirements.
6. The repair garage business owner shall have full and unrestricted access to the restroom that is located in "Building B" as described on the applicant's Site Plan dated March 17, 2009.
7. The use of "Building B" shall be restricted to a "warehouse use."
8. Prior to signing the Site Plan, the applicant shall provide a revised Site Plan labeling "Building B" as a "warehouse" and revising the parking schedule to show the required off-street parking requirements for Buildings A, B, & C as follows:

Building A (3,671 s.f.) @ 1 per 300 = 12 spaces;  
Building B (3,240 s.f.) @ 1 per 700 = 5 spaces;  
Building C (1,103 s.f.) @ 1 per 300 = 4 spaces.

21 Off-street Parking Spaces Required/ 24 Off-street Parking Spaces Required.

**Motioned by:** Mr. Decker  
**Seconded by:** Mr. Almquist

**All in Favor:** Mr. Budziak, Mr. Decker, Mr. Almquist, Mr. Ricketson

#### **N&D Restaurant/ Olive Garden –Site Plan- 400 Kings Mall Drive**

Robert Young appeared on behalf of the application for revised site plan/change of use. The applicant is proposing an Olive Garden Restaurant in the Kings Mall. The space was formerly occupied by a dollar store. The restaurant will be 7,500 sq ft. Mr. Young states the facade of the building will be upgraded and all signage will meet town standards.

The only real issue is the parking requirements. A long discussion on the parking spaces and the traffic circulation on the parking lot were discussed. Mr. Sorensen states the landscaping will need to be upgraded and Creighton Manning should review the traffic circulation. The Board will meet at the on March 19<sup>th</sup> to look at the site. No action was taken.

A motion to adjourn was made by Mr. Almquist with a second by Mr. Budziak; all were in favor.

Respectfully Submitted,

Mary Secreto  
Planning Secretary