

The monthly meeting of the Town of Ulster Planning Board was held on Thursday, March 18, 2004 at 7:30 p.m. at the Town of Ulster Town Hall, Lake Katrine, N.Y.

Present:	Chairman:	Alan Deforest Donald Brott George Lucente Frank Almquist
	Absent:	Clark Kimble
	Planner:	Daniel Shuster

The secretary called the roll: All the Board members were present except Mr. Kimble. The Pledge to the Flag was said. The fire exits were designated. A motion to approve the minutes of last months meeting was made by Mr. Brott, seconded by Mr. Lucente, with all in favor.

Donald & Sandra Dykeman Feller - 16-20, & 24 Hoyer Road (Stony Hollow) - Application is for the re-approval of final plat submitted by Donald & Sandra Dykeman-Feller that was approved on November 20, 2003, that has expired. Mr. Lucente made a motion to re-approve the signing of submitted final plat, seconded by Mr. Brott, with all in favor.

Johnson Kia - Site Plan - lands of Johnson Route 28, LLC, c/o Wayne Johnson - Mr. Chris Dechairo of Brinnier & Larios appeared on behalf of application for site plan approval for an auto dealership in a new building. The plan has been revised to reduce thirteen new freestanding light poles previously proposed to four. The two existing poles in front of the new building will remain and four new poles will be installed behind the existing Nissan building. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that the proposed lighting has been reduced to acceptable illumination levels. The architectural plans now indicate the type of materials and colors of exterior building elevations. The two remaining outstanding issues are approval of the overall signage plan and the storm water management plan for the entire Johnson site. The application must be referred to the Ulster County Planning board. No further action can be taken until pending submission of the overall signage plan and storm water management plan. Mr. Lucente made a motion to refer the application to the Ulster County Planning Board and take no further action at this time, seconded by Mr. Almquist, with all in favor.

Camper Barn - Site Plan amendment - 124 Route 28 - Mr. Chris Dechairo appeared on behalf of application for site plan approval proposing an expansion of their RV dealership. The applicant is proposing two one-story additions totaling just over 10,000 square feet, and expansion within the interior of the existing building to create a partial second floor. The two additions will be constructed on paved areas that are presently used for vehicle storage. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that this application is subject to the same concerns for the "Johnson AutoGroup" regarding the overall signage and storm water drainage management plans. The illumination of a five acre area at an average illumination level of five foot candles will have a substantial visual effect on the Thruway ramp. At the gore, the site is completely visible with no screening, and the existing wall-mounted signage is easily read. The freestanding sign to the south of the building becomes increasingly visible as the motorist travels along the off ramp, drawing closer to the project site, the planting strip along the common property provides no meaningful screening. The site plan does not indicate any pattern of vehicle storage. In particular, designation of major internal circulation aisles should be provided to ensure that access for fire and

emergency equipment is identified. The existing dealership is situated on a site with apparent ample room for a facility expansion. The applicant's locations for the building and vehicle storage area expansions will add more visual mass to an intensively developed site that is within the Catskill Park and visible from a major Interstate highway. The light fixtures depict a glare shield, although the plan does not indicate which fixtures would receive such a shield. A motion was made by Mr. Brott requesting a copy of the application be referred to the New York State Thruway for their review with no further action at this time, seconded by Mr. Almquist, with all in favor.

Children's Annex - Site Plan amendment - Temporary use of trailer - 70 Kukuk Lane - Ms. Susan Buckler, Administrative Director appeared on behalf of application for the change in use and duration of occupancy of an office trailer on the site. The first approval for temporary use was granted by the Building Department last August for use of an office trailer, with no bathroom facilities, subject to several conditions, including an 18 month limit on use and approval of a site plan for a permanent addition within six months of the temporary use approval. The revised proposal calls for use of the trailer for programs for 2 and 3 year old children, for 2 to 3 days per week. The bathroom would be connected to a septic holding tank that would be pumped out on a regular basis. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that if the Board is favorable to the proposed use of the trailer, a schedule should be established that limits the occupancy. Possible time limits would include:

- a. Use of the trailer for a period of no more than twenty four (24) consecutive months, from date of approval, with no extensions allowed;
- b. Submission, within six months of an application for site plan approval for a new permanent building addition to house the programs being conducted in the trailer;
- c. Removal of the trailer within six months after a Certificate of Occupancy is issued for the permanent building addition.

The Town Planning Board should make a Determination of Non-Significance (Negative Declaration) pursuant to SEQRA. The Town Planning Board should grant site plan approval, subject to the following conditions:

- a. The schedule for actions leading to the approval of a permanent facility (outlined in a.-c. above) must be followed;
- b. Necessary approvals, if any, from the County Health Department and/or the Town Sewer Department must be received prior to signing the plan.
- c. Certification that adequate fire access shall be provided by the Fire Inspector.

A motion to accept the Planners recommendations as stated and grant site plan approval subject to items a - c above was made by Mr. Brott, seconded by Mr. Lucente, with all in favor.

**CHILDREN'S ANNEX
"TEMPORARY TRAILER USE"**

**RESOLUTION OF SITE PLAN AMENDMENT APPROVAL
TOWN OF ULSTER PLANNING BOARD**

WHEREAS, the Town of Ulster Planning Board received an application for temporary site plan approval form The Children's Annex, for the purpose of using the trailer for programs for 2 and 3 year old children for 2 to 3 days per week on a site located at 70 Kukuk Lane, Kingston, Tax Parcel 39.16-4-20.110; and

WHEREAS, a Short Environmental Assessment form has also been submitted; and

WHEREAS, in accord with Chapter 145 of the Town Code, the Planning Board reviewed said application March 18, 2004, and approved application with certain conditions; and

WHEREAS, under Section 239.l and m of the General Municipal Law, the County of Ulster Planning Board has declared there are required modifications; and

WHEREAS, the Planning Board has reviewed the application and relevant materials submitted and has also taken into account its knowledge of the site and the surrounding neighborhood; and

WHEREAS, it has been determined that said site plan is a Type II action under the provisions of SEQR, and no further review is required;

NOW THEREFORE, BE IT RESOLVED, that:

The application for site plan approval is hereby approved in accord with Chapter 145 of the Town Code with the following conditions:

1. Use of the trailer for no more than twenty four (24) consecutive months, with no extensions allowed;
2. Submission, within six months of an application for site plan approval for a new permanent building addition to house the programs being conducted in the trailer;
3. Removal of the trailer within six months after a Certificate of Occupancy is issued for the permanent building addition.
4. Necessary approvals, from the County Health Department and/or the Town Sewer Department must be received prior to signing the plan.
5. Certification that adequate fire access shall be provided by the Fire Inspector.

Chinese Gourmet - Site Plan Amendment - 907 Ulster Avenue - Mr. Ray Chung appeared on behalf of application for approval to amend a previously approved site plan for a take-out restaurant by adding 1,510 square feet of retail space and a 300 square foot cooler. The addition will be of the same architectural character as the previous construction. Mr. Chung stated that the existing lights in the parking lot belong to Central Hudson, they have been contacted and will supply lenses with glare deduction. A directional sign for right hand turn only onto Ulster Avenue will be installed. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that the Planning Board should grant final approval to the revised site plan subject to the following conditions recommended by the Ulster County Planning Board:

- a. All existing pole mounted and wall mounted lights on the site shall be equipped with glare shields.
- b. Traffic exiting to Ulster Avenue shall be limited to right turns only and directional signage and pavement markings shall be provided to so indicate.

Mr. Lucente made a motion to accept the planners recommendations as stated and grant final plat approval subject to items a and b above, seconded by Mr. Almquist, with all in favor.

CHINESE GOURMET TAKE-OUT

RESOLUTION OF SITE PLAN AMENDMENT TOWN OF ULSTER PLANNING BOARD

WHEREAS, the Town of Ulster Planning Board received an application for site plan amendment from The Chinese Gourmet Take-Out for the purpose of adding 1,510 square feet of retail space and a 300 square foot cooler on a site located at 907 Ulster Avenue, Kingston, Tax Parcel 48.050-5-32; and

WHEREAS, a Short Environmental Assessment form has also been submitted; and

WHEREAS, in accord with Chapter 145 of the Town Code, the Planning Board reviewed said applications March 18, 2004 and approved application with certain conditions; and

WHEREAS, under Section 239.l and m of the General Municipal Law, the County of Ulster Planning board has recommended certain required modifications which has been accepted by the Planning Board; and

WHEREAS, the Planning Board has reviewed the application and relevant materials submitted and has also taken into account its knowledge of the site and the surrounding neighborhood; and

WHEREAS, it has been determined that said site plan is a Type II action under the provisions of SEQR and no further reviewed is required;

NOW THEREFORE, BE IT RESOLVED, that:

The application for site plan approval is hereby approved in accord with Chapter 145 of the Town Code with the following conditions:

1. All existing pole mounted and wall mounted lights on the site shall be equipped with glare shields.
2. Traffic exiting to and entering from Ulster Avenue shall be limited to right turns only and directional signage and pavement markings shall be provided to so indicate.

Kenco - Free - standing sign - Rt. 28 & Hurley Mountain Road - Mr. Ozzie Beichert appeared on behalf of application for approval to erect a free-standing monument sign in front of a retail store for which a site plan was previously approved. The applicant proposes to erect a V-shaped, two sided sign in a two foot high planter box along the Route 28 frontage. Each sign

face will be 5 feet x 10 feet, will not be lighted and will be used to display changeable letters. The sign will be set back 10 feet from the property line and over 80 feet from Route 28 due to the extent of the highway right-of-way at this location. With no one else wishing to be heard Mr. Shuster reviewed his memo the Board stating that the low sign complies with the standards for monument signs in the HC District and will be unobtrusive in the large front lawn area of this store. A motion to approve a negative declaration under SEQR and grant final approval for the proposed sign was made by Mr. Almquist, seconded by Mr. Lucente, with all in favor.

KENCO

RESOLUTION OF SITE PLAN AMENDMENT TOWN OF ULSTER PLANNING BOARD

WHEREAS, the Town of Ulster Planning Board received an application for site plan approval from Kenco, for the purpose of a freestanding monument sign in front of a retail store at the same location on a site located on 1000 Hurley Mountain Road, Kingston, Tax Parcel 48.13-2-2; and

WHEREAS, a Short Environmental Assessment form has also been submitted; and

WHEREAS, in accord with Chapter 190 of the Town Code, the Planning Board reviewed said application on March 18, 2004 and approved said application; and

WHEREAS, under Section 239.l and m of the General Municipal Law, the County of Ulster Planning Board has declared that there is no County impact; and

WHEREAS, the Planning Board has reviewed the application and relevant materials submitted and has also taken into account its knowledge of the site and the surrounding neighborhood; and

WHEREAS, it has been determined that said site plan is an unlisted action under the provisions of SEQR; and

NOW THEREFORE, BE IT RESOLVED, that:

The application for site plan approval is hereby approved in accord with Chapter 190 of the Town Code.

Kingston-Ulster Airport - Site plan revision - 1161 Flatbush Road - Mr. Shawn Bray appeared on behalf of application for site plan approval of a revised site plan to add a parallel taxi-way and associated lighting at the northern end of the airport runway, to complement the southern taxi-way approved in 2000, and to relocate the existing fuel tank. The project will also include extension of the existing edge lighting along the taxi-way. The lighting is pilot controlled with typically 30 watt bulbs. A small federal wetland (1.2 acres) will be filled in subject to a permit and off-site mitigation plan approved by the US Army Corps of Engineers. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that the proposed development plan will improve operations at the airport with little off-site impact. The improvements will not affect airplane usage or traffic patterns. Since this action will involve an area of more than one acre, it must be approved by the Town Board. The Planning Board should forward the application to the Town Board with the recommendation that it be approved subject to the following:

- a. Approval of a negative declaration pursuant to SEQR.
- b. Any landscaping installed under the original site plan approval which has died or been damaged shall be replaced.
- c. The application shall be referred to the Ulster County Planning Board.

Mr. Brott made a motion to refer the application to the Town Board for approval subject to any the planners recommendations as stated, seconded by Mr. Lucente, with all in favor.

Sawkill Road Apartments- (lands of Charles Roach) (Special Use Permit) - Farm to Market Rd. @ 220 Sawkill Rd.

Mr. Chris Dechairo from Brinnier & Larios and Ed Hill, agent appeared on behalf of application for a special use permit for a 46 unit apartment complex on a 9+ acre site in the OM District. The location abuts Jeto's ballpark and Alapaha Golf Links, and is partially in the 100 year flood hazard zone. This proposal is a series of two story apartments with four units per building. The apartments will consist of two bedrooms and 1½ baths with their own laundry facilities. After much discussion the planner reviewed his memo with the Board stating the project is an Unlisted Action pursuant to SEQR. The proposal appears feasible, and the density of 46 2-BR apartments on 9.5 acres, serviced by Town water but an on-site septic/package plant, is allowable if on-site wastewater system is deemed to be a "central sewer system" (otherwise, the proposal would appear to exceed the permitted density) The project is fairly intensive, and is likely to generate about 94 additional new residents; and generate about 35 to 40 additional vehicle trips onto the adjoining street system during the weekday evening peak hour. Additional data on site disturbance, traffic, water use, solid waste generation and demographics is needed. A Full EAF, Part 1; should be prepared and submitted, along with a storm water management plan and an analysis of post-development flooding conditions resulting from the proposed plan. The layout should be more reflective of on site topography. The location of the storm water management areas may result in encroachments onto abutting lands. A drainage and grading plan should be developed before the layout of buildings, roads, parking and utilities is finalized. The project should include extensive tree plantings as part of the landscaping plan, given the open character of the property at present. Architectural designs and elevations must be submitted. The project requires approval of a special use permit from the Town Board, subject to advisory reviews from the Town and County Planning Boards. Access will be subject to approval from the Town Highway Superintendent. A public hearing is required. No further action should be taken pending submission of the additional required data cited above.

Carlson - (lands of G. & V. Carlson, R. Malin & M. Mulligan) Major 4 lot resubdivision- Upper end of Gallis Hill

Mr. George Carlson appeared on behalf of application for proposed subdivision of 44 acres of vacant land on the slopes of Gallis Hill. The applicant, one of the co-owners of the site, is proposing a four lot layout aligned along a privately-owned woods road. Lots will range in size for 8.7 to 13.2 acres each. No improvements are suggested for the woods road, which will remain privately maintained. The applicant stated that he has obtained Board of Health approval for lots 1 and 2 of which he intends to build on. Mr. Malin will keep ownership of the two remaining lots, with no plans at this time. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that the application proposes creation of lots without highway frontage, as otherwise required in §190-17.B of the zoning law. Use of the existing right-of-way for access into the proposed lots can be approved provided that

the site is designated as an "Open Development Area" by the Town Board upon petition of the applicant, as provided for in §190-17.B of the zoning law. The applicant should provide a cross section on the plan for the road. The map should be revised to identify all current abutting land owners. Mr. Lucente made a motion to accept the planners recommendation to forward the road Maintenance Agreement to the town attorney, grant sketch plan approval and schedule a public hearing for April, seconded by Mr. Brott, with all in favor.

Teicher Organization - (lands of Bluestone Realty) 1271 - 1299 Flatbush Rd., Greenbrook Lane - Whittier

- Ms. Laurie Montross from Chazen Engineering appeared on behalf of application for Special use permit and major subdivision for proposed 130 unit town homes. The subject site consists of two parcels totaling 31.43 acres, located in the R-10 District. The primary access will be from Rt. 32 and a second access from Meadowbrook Drive. The main access road will consist of a divided highway with a median for the first 100 feet into the site. These roads will then connect to two separate "loops" upon which most of the multiple dwelling buildings will be located. Parking will be provided via driveways, two car garages for each end unit, and open "head in" parking spaces which will be directly accessed off the internal drives. Several temporary parking spaces are indicated (24), along with a "temporary" sales center, both which will be removed after all units are sold. The applicant stated that maintenance will be provided for through a homeowners association. After much discussion and no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that the nature of the site plan is such that the primary view from all internal streets will be of garages which extend in front of the residences. Although, functional, this does not create an attractive "front door". The applicant should consider means to mitigate this effect with either alternate building designs, landscaping, or a combination of both. A detailed submission must include a storm water management plan, a traffic impact study, an analyses of water and sewer system capacities. The maps should be revised to show all abutting landowners (including those across the street from the site), and to add missing street names. No further action can be taken at this time.

Hudson Valley Cycle Center (lands of Rompella Enterprise) Motorcycle/ATV Sales and Service- Site Plan - 601 Route 28; Stony Hollow

- Barry Rompella appeared on behalf of application for approval to redevelop a site used for motorcycle and ATV sales and service by removing two existing buildings and replacing them with one 18,200 square foot building. The applicant is proposing to remove the two older buildings, excavate into the existing rock at the rear of the site and build a new building. The site is located on the south side of Route 28, just east of its intersection with Route 28A. The site extends back to the embankment of the former Catskill Mountain Railroad, now owned by Ulster County. Mr. Brott expressed concerns about the applicant cutting into the shale bank at the rear of the property. The applicant will need an engineer to determine if the wall will be self supporting or require a retaining wall. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that:

1. The zoning block states that 15 parking spaces are required and 23 provided. Assuming that half the building is sales and display area and half storage area, a total of 28 spaces is actually required.
2. No grading details or wall is shown where the rear embankment will be excavated to a point some 5-7 feet from the County property line. Excavation of this embankment several properties to the west has caused concern in the past. Although spot elevations on the plan suggest this embankment is 7-8 feet high, the photos submitted indicate that it is much higher.

3. The sewage disposal system must be approved by the Ulster County Health department, including a designated reserve area.
4. The landscaping in the island between the two driveways is sufficient. Similar landscaping should be provided on the other side of each driveway.
5. The dumpster should be enclosed.
6. A drainage analysis should be prepared to ensure that the existing culverts and swales can accommodate site run-off.

No further action can be taken pending submission of additional data as regarding the issues as stated above.

Werbalowsky - lands of Collins Zoning Change - From R-30 to L.C. - 411 Lucas Avenue -

Ms. Werbalowsky appeared on behalf of petition to the Town Board requesting an amendment to the Official Zoning Map that would change a residential lot from R-30 to LC. The petitioners are the intended purchasers of the lot, which abuts an existing LC District and an existing office use on a neighboring lot. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that the petitioners wish to convert the dwelling at 411 Lucas into a chiropractic office. Offices are not allowed in the R-30 zone, but individual offices are permitted in the LC District upon site plan approval. The proposed use of the site for a chiropractic office appears to be in accord with the use of the neighboring property. The addition of retail space on this site may create more of an intrusion upon the neighboring residences than the chiropractic office, although the feasibility of such development on the site and the means to mitigate effects of traffic, lighting, drainage and wastewater treatment can be addressed through site plan review. The Planning Board should recommend adoption of this change to the Town Board. The proposed rezoning is an Unlisted Action pursuant to SEQR. The Town Board must schedule a public hearing and refer the petition to the Ulster County Planning Board. Mr. Lucente made a motion to refer the application to the Town Board with the recommendation that the Official Zoning Map be amended as requested, seconded by Mr. Almquist, with all in favor.

Meeting Adjourned - With all agenda business being completed Mr. Lucente made a motion to adjourn the meeting, seconded by Mr. Almquist, with all in favor.

