

The monthly meeting of the Town of Ulster Planning Board was held on Thursday, July 15, 2004 at 7:30 p.m. at the Town of Ulster Town Hall, Lake Katrine, N.Y.

Present: Acting Chairman: Donald Brott  
Clark Kimble  
George Lucente  
Planner: Daniel Shuster

Absent: Alan Deforest  
Frank Almquist

The secretary called the roll: All the Board members were present except Alan Deforest and Frank Almquist. 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. Lucente, seconded by Mr. Kimble, with all in favor.

**Sawkill Road Apartments - Multiple dwellings -Special Use Permit - Revised Plans - Farm to Market Road @ Sawkill Road** - Mr. Chris DiCiaro from Brinnier & Larios and Ed Hill, Jr. applicant, 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. This application was reviewed in May and has been resubmitted with a completed Storm Water Pollution Prevention Plan. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that the resubmission has addressed comments from the water department and the main new addition is the Storm Water Management Plan. Brinnier & Larios Board normally reviews the storm water management plans for the Town, in this case they are the applicant . It is recommended that the Planning Board retain the services of another engineering firm to review the storm water management plan. The applicant should establish an escrow account to cover the cost thereof. The Planning Board initiated coordinated review under SEQR; since the last meeting 30 days have expired, the Board anticipates that the Town Board will be designated as Lead Agency. Prior to referral to the Town Board for approval for Special Permit it's recommended that:

1. The drainage plan be reviewed by the engineering firm of Praetorius and Conrad.
2. An escrow account in the amount of \$3,000.00 be established for the drainage review.
3. The application be referred to the Ulster County Planning Board.

A motion to accept the planners recommendations as stated above was made by Mr. Brott, seconded by Mr. Lucente, with all in favor.

**Hudson Valley Cycle Center - c/o Rompella (lands of Rompella Enterprises) Site Plan - 601 Route 28** - Ms. Judy Rompella appeared on behalf of application that proposes to redevelop a site used for motorcycle and ATV sales and service by removing two existing buildings used for retail, office, service and storage occupancy and replacing them with one 18,200 sq. ft. building. The previously reviewed plans indicated that several feet of embankment to the rear of the site would excavated. The applicant has redesigned the plans

by moving the building forward. There will not be any disturbance to the embankment. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that the applicant has addressed one of the major concerns which was cutting into the embankment to the rear of the site. The proposed building dimensions have been changed and the rear has been moved away from the slope. The application has been referred to the Ulster County Planning Board which has concerns regarding drainage, lighting and landscaping. Mr. Shuster recommends the Planning Board forward the application to the Town Board recommending approval subject to the following:

- a. Correction to the zoning "block" that states 15 parking spaces are required, but has
- b. The sewage disposal system must be approved by the Ulster County Health
- c. The landscaping in the island between the two driveways is sufficient. Similar
- d. The dumpster should be enclosed.
- e. The applicant should submit to the Board and to NYSDOT a drainage analysis to ensure that the existing culverts and swales can accommodate site run-off from the revised layout.

Mr. Lucente made a motion to refer the application to the Town Board and recommend approval subject to items a - d above, seconded by Mr. Kimble, with all in favor.

**Lillian Aaron Trust - Sketch Plan - 135 Forest Hill Drive** - Ms. Randi Aaron Wienick appeared on behalf of application to for a lot line adjustment that would combine five lots into two larger lots. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that this application falls under a category recently amended to the subdivision regulations by the Town Board identified as "lot line adjustment". The category "lot line adjustment" has abbreviated procedures that will not require a public hearing where a lot line adjustment will not create any new lots or any nonconformity with regards to the existing lots. There are several existing building and structural encroachments upon the existing lot lines by the dwelling, a swimming pool and pool house, most of these will be eliminated. Submission needs details on development of Lot 2, which needs access location from Town Highway Superintendent. An approved septic location from Ulster County Health Department for Lot 2; and should show conceptual/possible house and well locations. It is recommended that the Board Render a Determination of non-Significance pursuant to SEQRA, and grant approval for lot line adjustment. Mr. Lucente made a motion to accept the planners recommendation as stated, seconded by Mr. Kimble, with all in favor.

**Visionworks -c/o Glen Pomerantz - Site Plan - 1636 Ulster Avenue** - Mr. Richard Praetorius appeared on behalf of application for site plan approval to construct a new building housing an optician's office. The subject lot is situate on the east side of Ulster Avenue (US Route 9W), just south of the Grant Avenue intersection. A Central Hudson gas line traverses the site underground within a 30 foot easement. There was a previous proposal for this vacant site in late 2000 for a Midas Muffler automotive service and repair facility. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that there are some concerns on the affect to the adjacent residential property. The applicant should delineate the limits of disturbance to the area and add additional landscaping. As less than 2,500 sq. ft. of

floor area is proposed, the project will require only the approval of the Town Planning Board. A referral of a complete application to the Ulster County Planning Board is required. The project is a Type 2 Action pursuant to SEQR. The revised plans should be referred to NYSDOT. The application should be forwarded to the Town engineer for review of the on-site drainage and details for the water line crossing the gas line. The applicant needs to acquire approval from Central Hudson and verify if there are any restrictions upon land uses and improvements over the gas line. The location of the monument sign needs to be indicated on the map. Mr. Kimble made a motion to refer the application to the Ulster County Planning Board, seconded by Mr. Lucente, with all in favor.

**“Lowe’s” c/o U.R.S Corp. Site plan amendment - Garden Center Addition - (lands of S & R Company of Kingston - 901 Frank Sottile Boulevard** - Mr. Lewis appeared on behalf of application for site plan amendment to construct an addition to the Lowe’s building and designate a trailer storage area on the site. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that an “as-built” has been submitted showing the site as it is now. A complete submission must be referred to the County Planning Board. It is recommended that the Board refer the application to the Town Board recommending approval. Mr. Lucente made a motion to refer the application to the County Planning Board and to the Town Board as stated by the planners recommendations, seconded by Mr. Kimble, with all in favor.

**Cellularone - c/o Dobson Cellular - Special Permit: Utility: Cell services: Co-location on private tower: (lands of Coleman High School) - 432 Hurley Avenue** - Mr. Ronald Berube appeared on behalf of application for a special use permit for a “Utility company structure” . The applicant proposes to provide cell phone services, which are a regulated utility. The applicant proposes to use an existing 150 foot tower that predates zoning, specifically the height regulations. The tower is presently used by Coleman High School and is not shared with any other property or land use, and is thus at present a private-use tower. The applicant proposes to lease a fenced-in 10’ x 20’ area from the school, will house an 8’ x 18’ equipment pad at base of tower base. There was much discussion about the maintenance on the tower. The applicant stated that they will be upgrading the tower to regulated standards. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that it should be noted that the applicant submitted a coverage diagram showing the existing coverage and what the coverage will be once the antennas are in place. The applicant should show limits of all disturbance, vegetation clearing. Landscaping/planting for vicinity of tower, anchors and equipment pad should be specified (e.g.) lawn). Provide detail drawing of fence, specify materials, height and finish. Complete submission requires public hearing and action by the Town Board, also requires referral to Ulster County Planning Board. Mr. Kimble made a motion to refer the application to the Ulster County Planning Board for review, and refer the application to the Town Board to schedule a public hearing for special permit. Prior to a public hearing the applicant submit more detail on site disturbance, seconded by Mr. Lucente, with all in favor.

**Denu - (lands of Denu & Peluso) - Minor re-subdivision: Sketch Plan - 360 Valley View** - Mr. Kevin Denu appeared on behalf of application for a minor subdivision of a 14.3 acre vacant tract. The site is in the R-60 District on the slopes of Gallis Hill, has Town Highway frontage but has use of a private ROW that traverses part of the lot. The ROW known as Valley View has access from Gallis Hill Road. Valley View follows the access strip from Gallis Hill Road for a distance of about 1,000 feet before crossing into the abutting parcel owned by Koshy. At

this location a driveway veers off Valley View into the site. Mr. Brott asked the applicant to submit clarification for ownership of the private road, along with a road maintenance agreement. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that submittal of a road maintenance agreement is needed showing that both lots will be covered by the agreement. Approval by the County Health Department for the sewerage disposal system will be required for both lots. It is recommended that the Board grant sketch plan approval and schedule a public hearing upon submission of a "road maintenance agreement". Mr. Kimble made a motion to accept the planners recommendation as stated and grant sketch plan approval, seconded by Mr. Lucente, with all in favor.

**Shop-Rite Center - Site Plan Amendment (lands of Petrillo Family) 801 Miron Lane - Ms.**

Kelly Libolt appeared on behalf of application for site plan approval, to develop the "final phase" of the Shop-Rite Center site. The applicants propose development of two retail-occupancy buildings and a freestanding restaurant. A Negative Declaration was made by the Town Board in 1989. The entire project was deemed by the Town to be a Type 1 Action under SEQR. Part of the original project that has not yet been built was a retail building located on the north end of the site. The proposed retail building has changed from the original plan by narrowing the size and shape of the building. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that he recommends a design that allows for the two-lane internal access that exists, and relocation of some of the proposed parking. Several details need to be worked out such as plans that show landscaping, lighting (with use of glare-shielded fixtures a grid plot analysis), freestanding signs and drainage. The Board is aware that the original site plan has been extended for several years. The Town Board approved a final on year extension in August 2003. The Planning Board should recommend to the Town Board that the applicant be granted an additional three month extension for the purpose of the Site Plan Review process. Since the Town Board granted the original approval they should be requested to grant the additional time. Mr. Lucente made a motion to refer the application to the Town Board and request an additional three month extension, seconded by Mr. Kimble, with all in favor.

**Collins - Zoning Change: R-30 to LC - 411 Lucas Avenue** - Mr. Collins 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 petition was previously reviewed by the Board in March and has been amended to include only the front portion of a site approximately 1.4 acres, located at 411 Lucas Avenue. Approximately 30,000 square feet of frontage would be changed to the LC District, the rear of the parcel would remain in the R-30 District. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that this site is bounded by a trailer park on two sides and a nonresidential use on the third. The rear portion of the site which abuts the existing residences would be insulated from Lucas Avenue and would be appropriate for residential development. The applicant would have to file a subdivision plan to separate out the frontage from the rear. The Planning Board should recommend adoption of this change to the Town Board. The Town Board must schedule a public hearing and refer the petition to the Ulster County Planning Board. Mr. Kimble 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. Lucente, with all in favor.

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

MICROSOFT