

The monthly meeting of the Town of Ulster Planning Board was held on Thursday, August 19, 2004 at 7:30 p.m. at the Town of Ulster Town Hall, Lake Katrine, N.Y.

Present:

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

The secretary called the roll: All the Board members were present . 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.

Twin Creeks - Major Subdivision - C. DeCicco, J. LoBianco, A. LoBianco & P. LoBianco - 270-300 Old Kings Highway - Mr. Shuster reviewed his memo with the Board stating that the applicant proposes the division of 82 acres of vacant land into 24 lots. The project is to be developed into two phases. A revised plat for this application was submitted and reviewed in April. The Planning Board requested provision of detailed engineering plans, inclusive of a storm water and erosion control plan and submission of a proposed agreement for the open space conservation easement. The Planning Board is in receipt of a storm water and erosion control plan and a "Declaration of Protective Covenants and Restrictions" which have been referred to the Town Engineer and Attorney, respectively. The Board should take no further action at this time and schedule a public hearing for September. A motion to schedule a public hearing for September was made by Mr. Lucente, seconded by Mr. Kimble, with all in favor.

Living Faith Center - Site Plan Amendment - No representation

Donald Moore - Lot Line Adjustment- Sketch Plan 545 - 551 Linderman Avenue Extension
Mr. Donald Moore appeared on behalf of application for approval of a transfer of land area between two abutting residential lots in common ownership. One of the parcels is presently undersized. The applicant proposes revising the common boundary, to create two lots of equal area. This would create the size of a conforming lot to less than the required 40,000 square feet. An area variance was requested and granted last month. Mr. Moore proposes removal of an existing mobile home and replacement with a frame dwelling. There are separate septic and utility services for each lot and Lot 13 will have a separate well. Mr. Moore stated that he would like to have both lots utilize the existing driveway with a right-of-way. Mr. Shuster recommended that the applicant obtain approval of a location for a future driveway into the lot. The proposal will create a nonconforming side yard encroachment by two existing sheds. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that this application complies with the standards for lot line revision, which was recently amended to the subdivision regulations. The plat drawings should be revised to show the future status of the sheds; the means of access to the revised tax lot 13; and revising the text labels for the "lot line to be deleted" and "new lot line". The Board should take no action until submission of revised maps. Mr. Kimble made a motion to accept the planners recommendations as stated, seconded by Mr. Brott, with all in favor.

“Ray’s Auto & Accessories” c/o R. Nealis - Site Plan -721 Ulster Avenue - Mr. Robert Nealis appeared on behalf of application for approval to change the occupancy of a +/- 3,500 square foot commercial building at the rear of 721 Ulster Avenue. Mr. Nealis’ application is for the use of auto sales and accessories. The site shares parking and circulation space with “Paulina’s Restaurant” at 723 Ulster Avenue. Both lots are under the same ownership by Miaaris, Inc. The applicant stated that the existing lighting will be used with no additional lighting. The Board expressed concerns on outside storage. The applicant is proposing to use the existing common dumpster with no additional dumpster. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that the submission is sufficient for sketch plan review. The project is a Type 2 Action pursuant to SEQR. The Planning Board should grant sketch plan approval and request submission of revised plans that provide:

- a. Additional landscaping in the form of planting beds in front of the fence and retention, where possible, of existing vegetation along the northerly and westerly bounds of the site;
- b. A note added to the plan stating that there will be no new lighting or signage;
- c. A tabulation of required parking, based on the proposed use and occupancy of the building;
- d. A “zoning block” (tabular summary of bulk requirements set forth in §190-11), including calculation of green space for tax lot 37.

Mr. Lucente made a motion to accept the planners recommendations to grant sketch plan approval, request a revised plan to include items a - d above and refer the application to the County Planning Board, seconded by Mr. Brott, with all in favor.

Peckham Materials, - c/o Michael Haggerty - Lot Line Adjustment 445 - 491 Route 28 - Mr. George Williams appeared on behalf of application for approval of a conveyance of an acre of vacant land between two abutting lots under common ownership. With no one wishing to be heard Mr. Shuster reviewed his memo with the Board stating that two parcels are involved - a commercial site, developed with the applicant’s liquid asphalt product terminal and an abutting single family dwelling. The applicant is proposing to transfer approximately one acre from the lot with the single family dwelling to the commercial lot. The application qualifies as a lot line adjustment under subdivision regulations. The Board should Render a Determination of Non-Significance pursuant to SEQR and grant final approval for lot line revision. A motion to grant final approval for lot line revision was made by Mr. Almquist, seconded by Mr. Brott, with all in favor.

Florida Samas Venture, Inc. - Site Plan Amendment / Lot Line Revision - 1112-1136 Ulster Avenue - Mr. James Kelly appeared on behalf of application for approval of a lot line revision and site plan amendment. The purpose of the lot line revision is to consolidate three lots and create one parcel. The project includes the Home Depot, the former IHOP and a vacant lot. Site Plan application is for approval for three new freestanding restaurants. Restaurant A is a donut/ice cream shop with a drive-up window, located behind the existing IHOP building. Restaurant B (Restaurant 99) will be located at the rear of the site, north of the access drive, and restaurant C is a fast food facility located in the south blacktop area. The applicant proposes to match additional lighting to existing lighting on the site. Mr. Kelly addressed

comments from the Boards review about creating a cross-easement with King's Mall. The applicants concern is that there is approximately a 12 foot elevation difference between the parcels. Building A would have to be relocated if the cross-easement were established at the northwest corner of the site to match Kings' Mall. Moving the building back would eliminate required parking spaces. The applicant suggested access from the Home Depot lot which is at the same grade. After much discussion about the location of the cross-easement Mr. Shuster reviewed his memo with the Board stating that the applicant should try to reorient arrangement of the restaurant on the south side of the access road (building C) so that the drive up window is not such a prominent element. A number of issues must be addressed as follows:

- a. A cross-easement be established at the northwest corner of the site to match that required of King's Mall.
- b. More detailed landscaping plans should be submitted.
- c. Provide data on average or maximum illumination and fixture details.
- d. Signage be addressed
- e. The drainage and utility plans must be reviewed by the Town Engineer and Sewer/Water Departments.

The Board should take no further action until the applicant addresses the issues identified above. A motion to refer the application to the County Planning Board and take no further action was made by Mr. Kimble, seconded by Mr. Almquist, with all in favor.

Anaconda Sports - (lands of J & G Drywall) - Site Plan - 101 Katrine Lane - Mr. Dwight Hetherington, agent, Dennis Larios, engineer, and Mr. Stokes, owner appeared on behalf of application for site plan approval to construct a 9,500 square foot warehouse and office building on an existing manufacturing/warehousing site in the OM District. The storm water management plans show collection of runoff on the new building site and conveyance via a new underground pipe, into an existing swale that leads to an existing detention pond. The proposed area of disturbance will be scaled back from 42,955 square feet as given to approximately 38,000 square feet. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that:

- a. The plan drawings need a clearly delineated (and labeled) limit of site disturbance and a limit of vegetation cutting.
- b. Additional landscaping along Katrine Lane frontage, west of the new septic system, would be desirable. Additional screening may be necessary along the Belfiore parcel.
- c. Details are needed for the proposed lighting plan, and a grid-plot analysis should be provided.
- e. An analysis should be submitted that the proposed drainage plan is in compliance with the current state regulations and that the existing detention area has sufficient capacity for all storm events.

Mr. Shuster recommends the Board refer the application to the Town Board recommending approval subject to receiving the final storm water plans and items a - e as stated above. Mr.

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

Hurley Avenue Business complex (lands of Silver Hollow Group, LLC) - Site Plan

Amendment - Mr. Frank Falatyn, owner and Dwight Hetherington, architect, appeared on behalf of application for an addition to a commercial building. The project site is presently occupied by the Robert Tonner Doll Company. A new warehouse addition will be built at the rear loading dock. The L-shaped addition is designed to accommodate two side-by-side truck loading bays, oriented roughly east-west. New vestibules will be added to the front and south side doorways. To help eliminate some of the ice buildup on the west side of the building the applicant is proposing to remove an area of trees. The loading bay on the north wing will be removed. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that the Planning Bard should indicate its agreement with the plan, and make referrals to the County Planning Board and to the Town Board, subject to submission of revised drawings that depicts:

- a. Location of the existing septic system;
- b. Existing lawn and landscaping areas to be retained and areas to be re-vegetated;
- c. Location of all outdoor lighting fixtures (if any are proposed), with use of glare-shielded fixtures;
- d. A clear delineation of trees to be removed and retained;
- e. Correction of minor spelling errors on the plans.

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

Meeting adjourned - With all agenda business being completed, Mr. Kimble made a motion to adjourn the meeting, seconded by Mr. Brott, with all in favor.