

The monthly meeting of the Town of Ulster Planning Board was held on Thursday, October 21, 2004 at 7:30 p.m. at the Town of Ulster Town Hall, Lake Katrine, N.Y.

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| Present: | Chairman: | Alan Deforest<br>Frank Almquist<br>Donald Brott<br>Clark Kimble |
| Absent:  | Planner:  | George Lucente<br>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. Brott, seconded by Mr. Kimble, with all in favor.

**Ulster Land Holding Properties, LLC “Ulster Manor” - lands of Ferraro** - Nick Sadlar & Scott Dutton appeared on behalf of application proposing a mixed unit residential development. Due to redelineaton and reclassification of the on-site wetlands, the applicant has made substantial revisions to the plan. The apartment portion of the proposal has been changed to multi-family townhouses. The total number of residential units has been reduced from 184 to 149. Several residents and neighbors expressed concerns about the Quail Drive emergency access road. Mr. Shuster stated that this is only a preliminary plan for the Board to discuss. After much discussion and no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that the main access road is a cul-de-sac over one-half mile in length, far longer than the 1,200 feet allowed in the subdivision regulations, although a future connection to the northeast is provided. The need for a second access point must be resolved. Although preliminary, the proposed townhouses are arranged in, virtually continuous rows over 500 feet long on either side of a parking lot. The revised plan provides a large central open space which contains only the recreation center and the wetlands. All of the townhouses are confined to an approximately 12 acre area in the northwest quadrant of the site. The Board should take no further action at this time and the applicant should proceed with a detailed design.

**Visionworks - c/o Glen Pomerantz** - Richard Praetorious appeared on behalf of application for site plan approval to construct a new building housing an optician's office. The project is situate on the east side of Ulster Avenue (US Route 9W), just south of the Grant Avenue intersection. The site actually consists of two separate lots, as depicted on the tax map, with the entire frontage of the site included as part of tax parcel 5.2, which has a depth of just over 15 feet. The remaining 1.9 acres to the rear of this strip are part of tax map lot 5.1. The Town's Sewer District easement occupies the west half of parcel 5.2, abutting the state highway takings line. A Central Hudson gas line traverses the site underground within a 30 foot easement. Applicant has submitted correspondence from NYSDOT and a License Agreement with Central Hudson. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that although zoned commercial, the residence Martensen lot is a conforming use in the district, as set forth in §190-9.A(1) of the zoning local law, and all parking areas must be screened from residences (§190-28.G). To achieve the objectives of site plan review, the existing vegetative character of the should be noted by the project designer. A limit of vegetation cutting has been established on the plan. Cutting of vegetation should be avoided in those areas along the Martensen and Speer property lines where there is no regrading proposed and which are also

outside of the gas line easement that may have its own brush-maintenance provisions. The proposed screening plants should then be planted on the inside of these “no cutting” areas to provide a more substantial buffer. It is also recommended that the parking area on the west side of the building be relocated about 20 feet to the south to increase the undisturbed area and reducing the unnecessary expanse of pavement between parking bays. A broader mix of evergreen should be considered (inclusive of eastern white pine, eastern red-cedar and Norway spruce). Between 2 to 4 moderately -sized deciduous trees should be considered for the front lawn area between the new parking area and the Town sewer easement. The two parcels of land that comprise the project if left “as is”, could create problems with regards to site operations and zoning. The site plan indicates that these lots will be combined. The project is a Type 2 Action pursuant to SEQR. The Planning Board should grant site plan approval subject to:

1. Revision of the parking area;
2. The addition of landscaping or existing vegetation be placed between the relocated parking area and the property to the north;
3. The merging of the two parcels that comprise the site.

A motion to approve the planners recommendations and grant site plan approval conditioned upon items 1 - 3 above, seconded by Mr. Almquist, with all in favor.

**Shop-Rite Center - c/o Chazen Companies - Site Plan - 1-801 Miron Lane** - Ms. Kelly Libolt of Chazen Engineers 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 free-standing restaurant. The applicant has submitted plans that reflect the revised layout for the “Outback” building. The proposed parking and internal circulation plan was previously revised based on the Board’s comments. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that the drainage plan is being reviewed by the Town Engineer. Lighting details and building elevations have not been submitted for the proposed buildings. The Ulster County Planning Board has required modifications as follows:

**Traffic Analysis** - The applicant should provide a detailed analysis of the intersection of Miron Lane and the Kohl’s/Shop-Rite Plaza. Included in this analysis should be details regarding light timing for both vehicular and pedestrian traffic and level of service details.

Also of particular concern is the non-lighted intersection between Premier Bank and the access to Red Lobster/new retail establishments. The adequacy of site distances at this location for vehicles exiting the proposal should be verified as the existing topography may tend to block a driver’s view. For vehicles entering the proposal via this intersection there is no dedicated left turning lane into the site and the increase of activity at this location could cause delays, stacking, and potential turning conflicts. The analysis should detail traffic at this intersection and if necessary, right-hand in and right-hand out only curbing should be established at this location.

Furthermore, adequate site distances at the existing right-hand only turn onto Route 9W by Red Lobster need to be verified.

**Transit** - The Board and the applicant should make accommodations at this location to serve public transit by providing bus shelters at key locations that are well-related to the proposed

structures as well as insuring that transit vehicles are able to easily accomplish turning movements within the site's final configuration.

**Pedestrian Access** - Raised pedestrian crosswalks should be installed throughout the project in order to facilitate the movement of pedestrians from the uses to stores. Sidewalks extending from the project to Miron Lane and then along Miron Lane to Route 9W should also be included. Additionally, the proposed sidewalks located around the proposed structures should be reexamined in terms of width as they appear to narrow to properly accommodate pedestrian traffic and to provide public spaces.

**Cross Access** - The existing cross-access located between Shop Rite and Home Depot currently appears to be inadequate to the task of handling traffic and should be reevaluated as a part of this proposal. Our Board strongly urges the Town of Ulster to consider the installation of a cross-access easement connection that makes direct use of the existing roadway and lighted intersection of Shop Rite Plaza, Kohl's and Miron Lane by extending the roadway directly through to the Home Depot site.

An access road at this location would also serve a secondary and just as important purpose as it could give the Town of Ulster the opportunity to restructure the obsolete 400 foot long strip-commercial structure into sections, thereby allowing each section to be reoriented on site in such a way as to relate to each other, the streetscape, and the other existing and proposed structures.

**Building Elevations** - The Board has received building elevations regarding the proposed CVS, but has not received elevations for the Outback or for the other retail facility. They are necessary in order to evaluate signage, access, loading docks and overall project design. These should be submitted for the Board to review and determine whether any alterations or alternatives should be submitted prior to approval.

**Lighting** - Lighting levels have not been indicated on the site plan and a photometric analysis should be conducted. A lighting level that provides a safe atmosphere for pedestrians while not creating a beacon is recommended with an average of 1.5 foot-candles for the parking area. The applicant proposes to use some of the existing pole-mounted lights. We recommend updating the luminaires associated with these poles by urging for their replacement with shorter poles no more than 30 feet in height and making sure they are glare-shielded.

**Stormwater Drainage** - A complete drainage plan should be provided as a part of this proposal. Additionally it appears that the size of this proposal will require compliance with the MS4 stormwater drainage and stormwater quality requirements.

**Signage** - Details regarding signs have not been submitted as a part of this proposal. We would recommend the use of monument style signs with associated landscaping wherever possible. All wall-signs should conform to the specifications laid out in the Town of Ulster Zoning statute.

**Landscaping** - While the applicant has provided landscaping on the parking islands and other areas, the lack of foundation planting or the inclusion of landscaping and public areas integral to store fronts should be re-examined. Moving sidewalks away from the building is one way to accomplish this.

The Ulster County Planning Board recommended a new traffic analysis be performed. A traffic analysis was performed when the original plan was approved. Every traffic study done by developers since has always considered the additional floor space now reflected on this plan in the traffic study. It is the opinion of the Board that a new study would not be required. Accommodations for a county transit stop should be obtained. Relocating the cross access road between Shop-Rite and Home Depot would create faster moving traffic and the Board would recommend against it. Crosswalks for pedestrians at key locations should be included. Elevations of the remaining buildings and signage need to be provided. The applicant should review the county's recommendations for landscaping in front of the buildings. The stormwater drainage is being review by the Town Engineers. A motion by Mr. Brott was made for conditional approval conditioned on the applicant coming back to the Planning Board showing all the items satisfied as stated above, seconded by Mr. Kimble, 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 site plan approval and lot line revision for the development of three free-standing restaurants on the front of a site which is partially developed for several commercial uses including Home Depot. An extensive landscaping plan has been provided to include the areas on both side of the entrance from Ulster Avenue, which will screen the drive-up window on the south side, landscaped islands in the parking lots and around the site perimeter, including along the bank below Home Depot. The first curb cut on the south side of the entrance road has been eliminated to allow an adequate stacking lane at the drive-up window. A sidewalk has been provided along the north side of the entrance road through the landscaped area and a small parking lot on the former IHOP site has been eliminated. Dumpster locations have been provided. A letter from Home Depot for the cross easement is being obtained and will be submitted. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that illumination levels are still high. New data on average and maximum illumination is provided and fixture details are provided, including glare shields. Reduction in the height of the poles from 40 to 30 feet may serve to reduce illumination to a more acceptable level. The drainage and utility plans must receive final approval from the Town Engineer and Sewer/Water Departments. It is recommended that the Planning Board recommend to the Town Board final site plan approval subject to the following:

1. Approval of a negative declaration under SEQR;
2. Approval of final drainage and utility plans by the Town Engineer and Sewer and Water departments.
3. Confirmation of the cross-easement agreement to the north.
4. Reduction in illumination levels on the north side of the entrance road where new poles will be installed.

A motion was made by Mr. Almquist to accept the planners recommendation and refer the application to the Town Board recommending final approval subject to items 1-4 above, seconded by Mr. Brott, with all in favor.

**Carmello DeCicco - "We the People Office" Site Plan - 796 Ulster Avenue** - Mr. DeCicco appeared on behalf of application for site plan approval to change the occupancy of a frame building on a developed commercial site. One of the buildings on the site is operated as a bridal

and prom dress and formal wear shop. The applicant is proposing to change the use of the rear building from a cabinetry shop to an office. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that the application was referred to the Ulster County Planning Board. Their only comment was that the applicant consider the establishment of a cross-easement towards the easterly side of the site at the back of the site that houses "Curves". The Board feels that the uses at the site have limited traffic generation, therefore, a cross-easement would not be necessary. Although an application has been submitted for a freestanding sign the plan does not show the sign location. Mr. Brott made a motion to grant site plan approval subject to:

1. Location of the freestanding sign be shown on the plan.
2. A note be added to the plan indicating that no new lighting is proposed.
3. County's recommendation regarding a cross-easement will not be required due to the low traffic generation of the proposed use.

Motion was seconded by Mr. Almquist, with all in favor.

**CARMELO DECICCO  
WE THE PEOPLE OFFICE**

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

**WHEREAS**, the Town of Ulster Planning Board received an application for site plan approval from Carmelo DeCicco, for the purpose of changing the occupancy of a frame building on a developed commercial lot from a cabinetry shop to offices on a site located at 796 Ulster Avenue, Tax Parcel 48.058-6-8; 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 on October 21, 2004, and approved application with certain condition; and

**WHEREAS**, under Section 239.l and m of the General Municipal Law, the County of Ulster Planning Board recommended approval with certain 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 SEQRA and no further review is required;

**NOW THEREFORE, BE IT RESOLVED, that:**

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

- a. The location of the freestanding sign be shown on the plan.
- b. A note be added to the plan indicating no new lighting.
- c. County's recommendation regarding a cross-easement will not be required due to the low traffic generation of the proposed use.

**Ulster Coffee Shop - Site Plan - John Stowell & John Rinaldo - 1733 Ulster Avenue** - Mr. Roger Gjone appeared on behalf of application for site plan approval proposing the change of occupancy of a small nonresidential building from a former automotive repair shop to a type of retail food service. The existing block building will be rehabilitated for the new use. In response to the application Mr. Gjone submitted information that included a lighting profile and the addition of a landscaped two foot wall around the sign. Mr. Brink expressed concerns with the drainage at the site and asked that the Board consider the impact on the neighboring properties. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that there are several missing details that need to be addressed as follows:

1. A calculation of required parking, in accordance with the standard §190-28.
2. Location of proposed sewer and water connections, with pipe sizes, valves and other improvements as may be required by the Sewer and Water District Superintendents.
3. Provision of a screen along the Cornelske property, in the form of landscaping, possibly coupled with a fence. The 6 stalls along this boundary could be relocated elsewhere on the site.
4. Means of access to the dumpster and provision of a screened enclosure for the dumpster.
5. Provision of a schedule of plants for the proposed landscaping, and depiction of areas of natural vegetation to remain.
6. Provision of a means of handling surface run-off if the parking area is proposed to be paved.
7. Provision of any correspondence from NYSDOT regarding the proposed curbing work.

The Planning Board should refer the application to the Ulster County Planning Board. Mr. Kimble made a motion to grant sketch plan approval and requested submission of a revised set of plans and supporting documentation that addresses the date and design concerns as stated in items 1 - 7, seconded by Mr. Brott.

**Elsie Pardee Collins Lot Line Revision - 411 Lucas Avenue** - Mr. Kyle Collins appeared on behalf of application for approval of a lot line revision. The applicant requested a rezoning from a Residential District (R-30) to a Commercial (LC) District in August for this site. A condition of approval was for the merger of two existing lots and then to subdivide the larger lot into two lots.

The proposed Lot 1, fronting on Lucas Avenue will then be the Commercial Lot. Lot 2, the rear flag lot will remain residential. An abutting vacant lot is in an estate and not involved with this proposal. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that the subdivision is a follow up of a condition of the rezoning application. The Town Board has not acted on the rezoning, pending submission of this subdivision application. As the plat should show the location of existing buildings and other improvements on the affected sites. This would include access drives, water service connections and septic areas. As the sketch plan does not show any buildings, it is impossible to determine if there will be any encroachments upon existing structural setbacks by the new lot line location. The project is an Unlisted Action pursuant to SEQR, but no obvious adverse environmental impacts. It is recommended that the Board grant sketch plan approval subject to the applicant locating the existing septic system on the property. A motion to accept the planners recommendation and grant sketch plan approval was made by Mr. Kimble, seconded by Mr. Almquist, with all in favor.

**The Arthur Forst Family Trust, c/o Arthur Forst - Minor 2-lot re-subdivision - 980; 981 Ulster Landing Road** - Mr. Michael Vetere appeared on behalf of application for approval of a minor re-subdivision of a large rural residential tract that straddles a county road and the boundary between the Towns of Ulster and Saugerties. The site consists of 7+ acres of land on the easterly side of Ulster Landing Road where it bends at the Saugerties-Ulster town line. The 59+ acres on the westerly side of Ulster Landing Road encompasses undeveloped land. The applicant proposes to create two parcels where the road divides the parcel. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that the major issue here is the location of the Town Boundary, which may have a direct effect on where one or two Towns are involved in this approval. The surveyor's map shows the house site and the 7+ acre entirely in the Town of Saugerties. The 2004 assessment records for Ulster suggest that house is within the Town of Ulster (assessed as a rural residence), and the 2004 Saugerties records indicate that the acreage in that Town is vacant. If the town line as shown on the plat is accurate, then the proposed division of the site will take place only in the Town of Saugerties and will need the approval of the Planning Board. It is recommended that the application be forwarded to the Town of Saugerties informing them that we can proceed with the application if there are no objections. A motion to refer the application to the Town of Saugerties, was made by Mr. Brott, seconded by Mr. Kimble, with all in favor.

**DiTolla & Chandler - Lot Line Adjustment - 1085 Morton Boulevard; 1070 Stoll Court** - Mr. Donald Brewer and Concetta Chandler appeared on behalf of application for a lot line adjustment and a petition to the Town Board for a zoning map amendment that would place the entire site into the LC District. The project site consists of two tax map parcels. Tax lot 5, at 8/10 of an acre, is located at 1085 Morton Boulevard. This parcel is developed with a one family frame dwelling, a detached garage, and a grape arbor at the north end of the lot, where the Bear Cat Kill crosses under Morton Blvd. The balance of the site, tax lot 4.1, is a vacant lot at the north end of Stoll Court, developed with a garage and a shed on about ¾ of an acre. The applicants propose to merge both parcels into a 1.631 acre lot. There were concerns expressed by residents that the lot line adjustment would create an overflow of commercial use onto Stoll Court. After much discussion the applicant stated that they would prefer to pursue the rezoning application prior to the lot line revision. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that the practicality of merging the two sites into one is tied with the petition to amend the zoning map and place the entire site into the LC District. If the applicant wants to address the zoning change prior to the lot line adjustment it is recommended that the Planning Board hold a public hearing prior to recommendation to the Town Board. Mr. Deforest stated that he more information and input from the neighborhood is

needed before a recommendation could be given to the Town Board. A motion to schedule a public hearing for November was made by Mr. Kimble, seconded by Mr. Brott, with all in favor.

**Breathe Fitness - c/o Ron Matthias - Site Plan** - Mr. Ron Matthias appeared on behalf of application for lot line revision that would merge two abutting parcels in common ownership, and a site plan to establish a physical fitness facility in the R-30 District. The applicant received a use variance from the Zoning Board of Appeals in July. Improvements to the parking area will be phased, starting with installation of the catch basins for surface drainage, followed by paving of the primary parking area - 50 spaces next spring, and completion of the remaining 28 spaces as needed. Screening for the northeasterly lot line with Zuvic is to consist of a 6 foot high solid vinyl fence, to be installed about 2 feet off the property line. The applicant stated that they will eliminate the 5 parking spaces that border the Zuvic property to create a 19 foot buffer. The applicant is applying to the ZBA for an area variance for the proposed wall sign. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that the site development program is fairly intensive, and calls for a substantial alteration to the character of tax lot 11 in terms of site disturbance and improvements. The amount of parking that is proposed - 78 spaces - is excessive for this type of use, and exceeds the minimum requirement by almost 5 times. Because of the amount of parking proposed, the amount of impervious surfaces on the site will expand correspondingly, driving the need for additional drainage improvements. Specific data on the exterior area lights should be provided-lamp (source) type, wattage, and mounting height. Lighting levels in the parking area should be in the 2 to 3 f-c range and near 5 f-c at the building entrance. Values should be provided for illumination contours. The grid plot analysis should include any building-mounted lights, ambient light spill should be limited to 0.2 f-c or less at the Delavan or Zuvic property lines. The new access onto Old Sawkill Road should be channelized with curbing. The intensity of the development program should be reconsidered, given the amount of parking and pavement proposed, the scope of the drainage improvements needed and the resultant issues with lighting and screening. The project is an Unlisted Action pursuant to SEQR, and will require a determination of environmental significance. The proposal does not pose any adverse environmental impacts, and a Determination of Non-Significance (Negative Declaration) is recommended. The merger of the two lots appears to qualify as a lot line adjustment as defined in §1161-9 of the Town Code, and subject to the expedited review by the Planning Board in accordance with the procedures set forth in §161-11.1. The site abuts a state highway and is within 500 feet of a county road, therefore the application must be referred to the Ulster County Planning Board. No action should be taken on the plan, pending a referral to the County Planning Board and a redesign of the parking area and submission of the additional data as stated. A motion to accept the planners recommendation and refer the application to the Ulster County Planning Board was made by Mr. Almquist, seconded by Mr. Brott, with all in favor.

**Catherine Perry Estate - Minor (2-lot) re-subdivision - 690-700 East Chester Street Ext.; 2-8 Perry Hill Rd.** - Mr. Michael Vetere appeared on behalf of application for approval of a minor-re-subdivision of vacant land in the OM District. The site was designated as Lot 5 on the Michael Perry Jr. Subdivision that was approved by the Town and recorded in 1991. The applicant is proposing to separate a 1.3 acre parcel by creating a 0.484 acre lot (Lot 5A) and the remaining lot (Lot 5B) 0.820 acres. Lot 5A has an existing billboard where the family has supposedly scattered family ashes. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that if the intent of the family is to keep the new parcel Lot 5A forever wild, a non-buildable lot, it should be noted on the plan. Access to Lot 5A should be from Perry Hill and a note should be added stating that "Perry Hill Road shall be used for residential traffic and is restricted from commercial use". The Planning Board should grant sketch plan approval, subject to information submitted of what restrictions will be placed on Lot

5A to insure that it will not have future commercial use, and the approval for a means of access into both lots. A motion to accept the planners recommendations as stated and schedule a public hearing for November was made by Mr. Brott, seconded by Mr. Kimble, with all in favor.

### **Miscellaneous Items**

**1. Zoning Map Amendment (Morton Blvd.)** A request has been submitted to adjust the zoning district boundary which separates two adjacent properties, in the same ownership, so that both properties will be in the LC District. The property has 452 feet of frontage on Morton Blvd. That amendment would increase its depth and make it more suitable for commercial proposes. Site Plan review would ensure that no access is provided from the residential street to the rear. Stoll Court. A lot line revision to combine the two lots has also been submitted. This was reviewed earlier under DiTolla & Chandler, and a public hearing will be scheduled for November 18, 2004.

**2. Amendment to increase area standard for nonconforming lots.** The Town Board has referred an amendment that proposes to establish lot size standards for nonconforming lots based on the availability of sewer and water service. No such standards presently exist.

### **Proposed Amendment to the Zoning Law Town of Ulster**

In order to restrict development on undersized lots which are not able to support essential on-site sewage disposal and water supply systems, the following amendment to the Zoning Law of the Town of Ulster is hereby enacted:

**§190-48. Section A, of Article XII** is hereby rescinded and replaced with the following:

A. Any lot held in single and separate ownership prior to the adoption of this chapter and whose area and/or depth are less than the specific minimum requirements of this chapter for the district in which it is located may be considered as complying with such minimum lot requirements; and no variance shall be required, provided that:

- (1) Such lot does not adjoin any other lot or lots, held by the same owner, which lots may be used to create a conforming lot or a lot more nearly conforming to the requirements of the district in which it is located.
- (2) Such lot has an area of at least:
  - (a) 5,000 square feet in an area served by both central water supply and sewage disposal systems.
  - (b) 15,000 square feet in an area served by either a central water supply or central sewage disposal system.
  - (c) 25,000 square feet in an area not served by either a central water supply or central sewage disposal system.
- (3) The minimum required yard or setback dimensions for an undersized nonconforming lot shall be those required for the zoning district that is the next

least restrictive, in terms of such requirements, than the zoning district in which said lot is located. The less restrictive requirements shall apply only when it is demonstrated that the undersized nonconforming lot cannot meet the requirements of the district in which it is located, for the purpose of site development.

- (4) All other bulk requirements for that district are complied with.
- (5) In any district where residences are permitted, such undersized nonconforming lots may be used for not more than one single-family dwelling.
- (6) A lot of nonconforming size may be subdivided only if each and every lot created from such lot is purchased by the owner or owners of the adjoining properties to increase the size of said owner's or owners' property or properties.

A motion to recommend adoption of the amendment to the Zoning Law to the Town Board was made by Mr. Brott, seconded by Mr. Kimble, with all in favor.

**3. Discussion - Recreation Fees** A memo has been prepared to the Town Board regarding recreation fees, including the legal basis for charging fees, the criteria to be used, the procedures to be followed and the fees charged by other towns. In summary, both state and Town of Ulster law authorize payment of recreation fees, but the Town's law requires some revision to cover all applicable residential development and to establish a simple method to determine fees.

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