

The annual and monthly meeting of the Town of Ulster Planning Board was held on Thursday, January 20, 2005 at 7:30 p.m. At the Town of Ulster Town Hall, Lake Katrine, N.Y.

Present:	Acting Chairman:	Frank Almquist Lawrence Decker George Lucente
Absent:		Alan Deforest Clark Kimble
	Planner:	Daniel Shuster

The secretary called the roll: All the Board members were present except Mr. Deforest and Mr. Kimble. The Pledge to the flag was said. The fire exits were designated. Mr. Almquist called the annual meeting to order. A motion to approve the minutes of last months meeting was made by Mr. Lucente, seconded by Mr. Decker, with all in favor. Mr. Lucente made a motion to accept the By-laws as written, seconded by Mr. Decker, with all in favor. Mr. Almquist opened the nominations for officers to the Board. Mr. Lucente made a motion to nominate Mr. Almquist as acting-chairman, seconded by Mr. Decker, with all in favor. Mr. Decker made a motion to nominate Mr. Lucente as secretary, seconded by Mr. Almquist, with all in favor. Mr. Decker made a motion to nominate Mr. Kimble as the Ulster County Planning Board representative, seconded by Mr. Almquist, with all in favor. Mr. Lucente made a motion to close the annual meeting, seconded by Mr. Decker, with all in favor.

Public Hearing - Mario Marola, Jr. - Minor re-subdivision - 87 Potter Hill Road - Mr. Michael Vetere appeared on behalf of application for approval of a re-subdivision for the purpose of dividing an 8+ acre residential site in the R-60 District into three lots. The existing site will be redefined into three building lots, two of which will be vacant. Lot 1 will consist of the two existing dwellings. The applicant is proposing to build dwellings on lots 2 and 3. The applicant has a septic design by licensed engineer. Mr. Vetere requested the Board waive the septic permit requirements. The reason being that the Ulster County Health Department will take several weeks. With no one else wishing to be heard Mr. Lucente made a motion to close the public hearing, seconded by Mr. Decker, with all in favor.

Action - Mario Marola, Jr. - Mr. Shuster reviewed his memo with the Board stating that the lots are bisected by a stream. The project is an Unlisted Action pursuant to SEQR, and requires a Determination of Environmental Significance. The maps should be amended to show a limits of the existing disturbance and a disturbance area calculated for the entire subdivision. If this area exceeds 1 acre, an erosion control plan must be developed and submitted to the Town. It is recommended that the Board grant preliminary plat approval and not grant final plat until the sewerage disposal systems are approved. A motion to accept the planners recommendations and grant preliminary approval was made by Mr. Lucente, seconded by Mr. Decker, with all in favor.

Fink - (lands of Bock, Fink, Pardini & Sapolin) - Major (12) lot subdivision - 211-239 Potter Hill Road - Mr. Richard Roth appeared on behalf of application for approval of a major subdivision of a 99+ acre wooded tract in the R-60 District. Sketch plan was granted in June for an 11 lot layout. However, a revised plat has been submitted showing division of the site into 12 building lots. Sketch plan was approved conceptually. This application is based on an actual survey. The length of the proposed road as shown on the sketch plan from June exceeded the 1,200 foot limit for dead-ends as set forth in Section (§) 161-19.E of the subdivision ordinance.

The length of the proposed road on the revised plans is about 2,300 feet, the applicant stated that the grading plan and road profile will be updated. The plat shows a 50 foot wide right of way for the new road, the road will remain a private road. Mr. Roth asked the Board to grant a waiver to the 1,200 foot limit for dead-ends. After much discussion the Mr. Shuster reviewed his memo with the Board stating that the Planning Board is, empowered to grant waivers to this design standard, as permitted in §161-4 of the subdivision regulations. There does not seem to be another place in the Town of Ulster for a connection of another road. Also, the road will service only 12 dwellings. The Board feels that a waiver would be warranted. However, granting the waiver requires a majority plus one vote of the Board, With three members present there are not enough votes to grant the waiver. A storm water management plat must be prepared and will be subject to review by the Town Engineer. The project is an Unlisted Action and requires an environmental determination. Coordinated Review with the County Health Department is strongly recommended. The key issue to be addressed is the proposed length of the new road and possible grant of a waiver to the 1,200 foot maximum. The application should be forwarded to the fire department for review. The revised project design will necessitate additional revisions to the grading plans, road profiles and the FEAF. In addition, the following documentation issues should be addressed by the applicant and reflected on the preliminary plat:

- a. The approach of the new roadway to Potter Hill Road must be revised to show the alignment requested by the Town Highway Superintendent, and the culvert location shown.
- b. Station numbering for the new roadway should be added to the plat.
- c. The estimated limits of disturbance for the new road and for the improvements at each house lot, and a disturbance area calculation for each lot and the entire site (as a whole) should be provided.
- d. The plat should show the approximate wetland boundary on the west side of wetland S-4 and on the east side of wetland S-6, along with the state wetland buffer.
- e. A "zoning block (a tabular summary of the R-60 bulk standards, as set forth in §190-11 of the zoning local law should be added.

The applicant should revise the plat and submit the information as stated, the Board can take no further action at this time.

Florida Samas Venture, Inc. - lot line revision - 1112-1136 Ulster Avenue - Mr. James Kelly appeared on behalf of application for approval of a plat amendment to merge three commercially-zoned parcels into one lot, and to establish three lease parcels. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that this proposal is consistent with the recently approved site plan. There were previously three lots on the site, there will now be three leased parcels on the site. The Planning Board should grant final plat approval of the lot line revision subject to addition of a note granting reciprocal cross-easement to all site occupants for parking, access and utilities. Mr. Decker made a motion to grant lot line revision subject to a note being added to the plat as stated by Mr. Shuster, seconded by Mr. Lucente, with all in favor.

"Hertz Rent-A-Car", c/o Zenon Christoforou - 790 Ulster Avenue - John Stinemire appeared on behalf of application for site plan amendment to establish a car rental and leasing agency in an existing commercial-occupancy building. The applicant has revised the parking schedule. The site plan drawing has been corrected to show "as-built" conditions and remaining site modifications associated with the proposed new tenancy. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that new lights should meet the definition of a full cut off luminare. The plan drawings should be amended to show current abutting landowners (CSW ("NYCentral Lines LLC") and Wings Realty LLC); and to include a scale (20 feet to the inch). A note should be added to the plan stating "No Car Washing on site". The project is a Type 2 Action pursuant to SEQR, and does not require a determination of environmental significance. Although the project was referred to the County Planning Board for their January meeting, this meeting was subsequently canceled. A memo received from the Ulster County Planning Board states:

Notice of County Planning Board Action

The Ulster County Planning Board's January 5, 2005 meeting was canceled due to inclement weather. The next scheduled meeting of the Board is February 2, 2005. No action was taken on referrals submitted by your board.

Section 239-m of the General Municipal Law provides for a 30-day time period for a County Planning Board to respond to referrals. After this time period, a board is free to take final action absent the report from the County Planning Board. Note: A County Planning Board's recommendation received after 30-days, but 2 or more days prior to a final action, is considered in effect.

Mr. Shuster stated that the 30 days have not yet expired. There two applications referred to the county last month were Hertz Rent-A-Car and Gander Mountain. However, in the interest of not delaying the applicants and following the legal procedures, the Board could schedule a Special meeting. Mr. Lucente made a motion to schedule a Special meeting for Hertz-Rent-A-Car and Gander Mountain at 7p.m. January 24, 2005 the Town of Ulster Town Hall, seconded by Mr. Decker, with all in favor.

Gander Mountain at Hudson Valley Plaza - lands of S & R Company of Kingston - Site Plan Amendment - 501 - 799 Frank Sottile Blvd. - Mr. Richard Fess agent appeared on behalf of application for site plan amendment to add a sporting good retail store within existing "vacant" building space at the Hudson Valley Plaza. Mr. Mark Nadolny and Wendy Cimino from Creighton Manning Engineering presented access patterns and internal circulation recommendations and modifications for the site. Some of the improvements for the site included additional directional signs, stop signs, and closing some of the aisle entrances to better circulate traffic. After much discussion the Board stated that there would be no action at this time. The application will be scheduled for a Special meeting at 7 p.m. January 24, 2005, at the Town of Ulster Town Hall.

Kenco - c/o Maria DeFranco - Site Plan Amendment; Expansion - 1000 Hurley Mountain Road - Ms. Maria DeFranco appeared on behalf of application for site plan amendment proposing a 6024 square foot addition to an existing sporting goods retail store. The proposal is for additions to the existing building on two sides. The plan includes a covered patio under an extension of the gable toward Route 28. The roof extends 7.77 feet into the setback from Route 28. The applicant has stated that they will apply for a variance. The parking spaces along the service drive to the dumpster will be used for employee parking. The new spaces

along the steep slope nearer Hurley Mountain Road are shown covering an existing ditch. Ms. DeFranco states that this is actually a culvert and that the plan will be corrected. Ms. DeFranco submitted lighting details to the Board. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that some landscaping is shown on the site plan, but the number, size and genus of the plantings are not presented in a landscape schedule. A number of building-mounted lights and flood lights are proposed. A lighting grid is presented, but no details of the fixtures are provided or clearly shown on the plan. The lighting grid only illustrates illumination on two sides of the building. The plan should be revised to address the issues or provide the missing data as stated. Since the proposed floor area exceeds 2,500 square feet, this application will require approval by the Town Board. A motion to refer the application to the Ulster County Planning Board and take no further action at this time was made by Mr. Lucente, seconded by Mr. Decker, with all in favor.

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