

The monthly meeting of the Town of Ulster Planning Board was held on Thursday, April 21, 2005 at 7:00 p.m. At the Town of Ulster Town Hall, Lake Katrine, N.Y.

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

The secretary called the roll: All the Board members were present except Mr. Deforest. 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. Decker, with all in favor.

Public Hearing - Robert & Laura Brooks - Minor subdivision - 620 Ulster Landing Road -

Mr. Robert Brooks appeared on behalf of application for the purpose of subdividing a 4 ¾ acre residential lot, creating a vacant building lot. The revised map shows not only possible locations of site improvements, but also a limit of disturbance. The proposed “side-by-side” access arrangement onto Ulster Landing Road has been approved by the County Dept. Of Highways and Bridges. With no one else wishing to be heard a motion to close the public hearing was made by Mr. Decker, seconded by Mr. Lucente, with all in favor.

Action - Robert & Laura Brooks - Mr. Shuster reviewed his memo with the Board stating that sanitary design approvals from the County Health Department should be considered as a condition of subdivision plat approval. The Planning Board should render a Determination of Non-Significance (Negative Declaration) pursuant to SEQR and grant conditional final plat approval, subject to approval of the sanitary design for Lot 1 by the County Health Department and submission of (6) paper copies and a reproducible master drawing signed by the landowners. Mr. Kimble made a motion to accept the planners recommendation and grant conditional final plat approval conditioned upon approval of the sanitary design by the Ulster County Health Department as stated above, seconded by Mr. Lucente, with all in favor.

“Volvo Rents” - Site Plan Amendment - 711 East Chester Street - Mr. Tejada appeared on behalf of application for the re-approval of a proposed building addition. The current use as an equipment rental dealership was established in 2000, under the name of “Best Kingston General Rental.” The expansion was included with the site plan approval, but construction was not started on the addition within the period set forth in Section 145-11.A of the Town Code and therefore the prior approval has expired. The applicant stated that the existing trees that border the driveway interfere with site distance. The Board suggested that the existing trees on the plan be trimmed and pruned to increase visibility. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that presently, on site lighting consists of the building mounted spotlights and “wallpack” units, and a single pole mounted, multiple fixture light in the front parking / display area. The proposed wall lights must meet the “full cut-off” standard. The plans do not include a tabulation of required parking. It is noted that the site is extensively black topped, and the plan shows roughly 100 passenger car sized parking spaces. Many of these parking areas were previously reserved for vehicle and equipment display, and other spaces are also being used for this purpose, at variance with the approved plans. As the roof sign, “Sign C” has already been removed, the plans should reflect the same. The provision of additional street trees along the frontage may create interference with the overhead utility

lines. It would be desirable to provide additional deciduous trees elsewhere on the site and its perimeter. The proposed addition of 900 square feet of nonresidential floor area is a Type 2 action which is not subject to review under SEQR. The size of the addition is such that the project requires only the Planning Board's approval, as per §145-10.1 of the site plan local law. The Planning Board should grant approval of the site plan amendment, subject to the following design and drawing changes:

- a. Modifications of the exterior lights, specifically the wall-pack and pole-mounted lights to meet the County's criteria for full cutoff fixtures and provide a maximum site illumination level of 20 foot-candles; and provision of the exterior lighting illumination data referenced on Sheet 2; and
- b. A complete tabulation of required parking to be added onto the plan.
- c. The map be modified to show the roof sign to be removed.
- d. The Planning Board override the County's comment of additional street trees along the frontage with a majority plus one vote.

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

**VOLVO RENTS
RESOLUTION OF SITE PLAN
TOWN OF ULSTER PLANNING BOARD**

WHEREAS, the Town of Ulster Planning Board received an application for site plan approval from Volvo Rents, for the purpose of constructing a 900 square foot addition to an existing rental store located at 711 East Chester Street, Tax Parcel 48.050-2-16.21; 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 April 21, 2005, and approved application; and

WHEREAS, under Section 239.l and m of the General Municipal Law, the County of Ulster Planning Board has recommended certain required modifications as follows:

- a. The low growing shrubberies along the front of the site should be removed. Street trees should be planted every 30 feet on center along the entire frontage of the site in order to help improve the aesthetic character of the site and corridor at this location.
- b. All proposed and preexisting wall mounted or free standing lights should be full cut off, glare shielded luminaries as per the originally approved site plan.

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;

NOW THEREFORE, BE IT RESOLVED, that:

1. The Planning Board finds that due to the nature of the project and the measures taken to minimize affects on the environment, the project will not have nay significant affect to the environment, a Negative Declaration under SEQR is hereby approved and an environmental impact statement will not be prepared.
2. The application for site plan approval is hereby approved in accord with Chapter 145 of the Town Code with the following conditions:
 - a. A complete tabulation of required parking to be added onto the plan.
 - b. The map be modified to show the roof sign to be removed.
 - c. All proposed and pre-existing wall mounted or free-standing lights be full cut off, glare shielded luminaries.
 - d. Due to the Planning Boards recommendation to provide deciduous trees elsewhere on the site and its perimeter, the Ulster County Planning Board's recommendation for additional street trees is hereby over-ridden by a vote of a majority plus one.

Lou-Co Building and Development - Major (4) lot subdivision (Sketch) - 1693 Route 32 -

Ms. Louisa Rabasco appeared on behalf of application for a major subdivision of a rural residential tract situate on the Ulster-Saugerties town line, proposing to create three smaller vacant building lots. The owner received approval of a special use permit from the Ulster Town Board last summer to operate a horse boarding, training and riding facility on the site ("Shades of Grey Stables") Three lots of 1.5 acres or larger will be created with access from a private road. The applicant is proposing to create a private common driveway, which will entail preparation of a Road Maintenance Agreement. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that the plat does not show development features, such as probable house, septic well and driveway locations. Nor any significant environmental features - wetlands, open water bodies, topography or areas of slopes over 15%. Topography contours should be added to the map, along with the proposed grades for the new road, which must not exceed 12%. A preliminary plat should show limits of disturbance for the new road and for the improvements at each house lot, in order to determine coverage under the state's storm water SPDES regulations. Given the topography of the site and the types of soils that are likely to be present, a detailed plat will be needed. The project is an Unlisted Action pursuant to SEQR, and will require a determination of environmental significance. Ms. Rabasco asked the Board to consider granting sketch plan approval and schedule a public hearing for next month upon submission of a plat with all outstanding issues being addressed. A motion to grant sketch plan approval and schedule a public hearing upon submission of a revised plat was made by Mr. Lucente, seconded by Mr. Decker, with all in favor.

Frank Tiano; Carmen Land, LLC - 248-258 & 316 Old Stage Road - Lot line adjustment -

Mr. Colin Houston appeared on behalf of application for a lot line adjustment for the purpose of a conveyance of over 25 acres between two, large abutting and partially developed properties.

The proposed conveyance will increase the lands of Carmen Land, LLC by 27.43 acres and decrease Lands of Tiano by 27.43 acres. The Carmen parcel is developed with a dwelling, barn and many accessory buildings, and is the site of the Catskill Animal Sanctuary. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that the application is classified as a lot line adjustment where the number of lots will remain the same. The Planning Board should make the appropriate findings, as set forth in §161-11 of the subdivision ordinance that the proposed action qualifies as a "Lot line adjustment", as defined in §161-9 of the code, and further that the layout will create conforming lots and setbacks, and will not impede the maintenance of existing access or utility services nor impede development of future access or utilities. Maps must be submitted at a scale of no more than 100 feet to the inch, unless a waiver is requested by the applicant and granted by the Board in accordance with the provisions of §161-4. A motion to waive the required 100 feet to the inch was made by Mr. Decker, seconded by Mr. Lucente, with all in favor. A motion was made by Mr. Decker to:

- a. Render a Determination of Non-Significance (Negative Declaration) pursuant to SEQR;
- b. Make a "courtesy" referral of this project to the Saugerties Town Planning Board; and
- c. Grant final plat approval for the lot line adjustment.

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

Lorraine Thomas - Major (3) lot re-subdivision 5-9 Links Lane @ 1265 Flatbush Road - Mr. Michael Vetere appeared on behalf of application for a 3-lot subdivision. The site is zoned R-10 and has access to private central water (Kingsvale Water) and town sewer. After submittal of the application the applicant has found that the sizes of Lot 1B and 1C are conforming for the R-10 District if "municipal" water and sewer are available as set forth in the "bulk schedule", Section 190-11 of the zoning law. The Kingsvale water system is privately owned, not a "municipal" system. Where there is "Central" water (a category that covers private systems), the R-10 District requires a minimum lot area of 15,000 square feet. As proposed, Lots 1B & 1C do not meet the lot area requirements of the code. With this information Mr. Vetere asked that the Board consider a 2-lot subdivision by combining Lot 1B & 1C into one lot. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that the addition of the sewer line easement to "Lot 2" (lands of Bluestone Realty), after the filing of the Back Estate plat appears to be an illegal alteration of a previously filed plat, as there is no evidence of Planning board approval of such a change. The Town Planning Board, in the past, has strictly interpreted and administered the subdivision regulations to require approvals of amended subdivision plats in instances where easement and right of ways are being added, deleted or relocated. Mr. Vetere requested that the Board grant sketch plan approval and schedule a public hearing for a 2 lot subdivision next month upon submission of a revised plat. Mr. Lucente made a motion to grant sketch plan approval and schedule a public hearing upon submission of a revised plat, seconded by Mr. Kimble, with all in favor.

Cedar - Kingston 4 LLC - Sketch plan - Commercial re-development and proposed minor subdivision; lands of SAS Properties, Albert DiDonna and Lillian Ferlazzo Trust - Mr.

Barry Medenbach appeared on behalf of application proposing to develop two drive-in restaurants, a drive-in pharmacy and a hotel on a 4.4 acre site which will be divided into four parcels. A one sheet conceptual plan has been submitted. The applicant proposes four free-standing structures as follows: CVS Pharmacy - 13,000 sq. ft., Taco Bell Restaurant - 2,924

sq. ft., 4 Story Hotel - 72,369 sq. ft., Dunkin Donuts Restaurant - 2,400 sq. ft. The main site will be subdivided into three parcels for each of the first three uses. The Dunkin Donuts will be sited on the two small residential parcels which will be leased. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that the site does little to create a unified streetscape and, instead, establishes parking as the most dominant element. Buildings should be moved closer to the street and/or more extensive landscaping areas should be provided along the street. There is no connection or relation between the four separate buildings. Although no building elevations were provided, each is a national chain, which, undoubtedly, will have a unique corporate design theme which will not help to tie the site together. Site access appears feasible, but NYSDOT approval for the redesigned traffic signal and intersection at the northern entrance to the Hudson Valley Mall is necessary. Internal circulation depends on access through parking aisles, although there is ample space allowed for the three drive-in window. No pedestrian circulation between uses is provided. The application can be referred to the Ulster County Planning board for initial review. A motion to refer the application to the County Planning Board was made by Mr. Lucente, seconded by Mr. Kimble, with all in favor.

Proposed Amendment to the Town of Ulster Zoning Law - The Town Board has asked the Planning Board to review a amendment to the Zoning Law as follows:

1. **§190-33.A: Dimensional standards for Permitted Permanent Signs: WALL SIGNS** shall be amended to read as follows:

ZONING DISTRICT		
WALL SIGNS	LC, HC, OM AND I	RC
Whichever is less (per facade):		
Building Frontage Formula	1 square ft. / 2 lineal ft.	As provided below:
-OR-		
Maximum Sign Area	50 square feet	

Wall signs in the RC District shall be regulated as follows:

- (1) Maximum sign area shall be 300 sq. ft. or 3 sq. ft. for each 2 lineal feet of building facade, whichever is less, but no less than 100 sq. Ft.
- (2) The maximum sign area set forth in (1) above, shall be reduced by one square foot for each foot on distance less than 300 feet between the wall and the nearest street, measured in the shortest line. However, no sign shall be required to have an area of less than 50 square feet.
- (3) Wall signs which consist of individual letters or figures, which are not internally illuminated, and which are mounted or painted on a wall surface which is the same color and texture as the rest of the building facade may have an area which is 25% larger than the maximum area otherwise allowed.
- (4) Internally illuminated signs shall be designated with minimum intensity and glare.

A motion was made by Mr. Decker to recommend the Town Board consider amending the sign standards as proposed, seconded by Mr. Kimble, with all in favor.

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