

The monthly meeting of the Town of Ulster Planning Board was held on Thursday, June 16, 2005 at 7:00 p.m. At the Town of Ulster Town Hall, Lake Katrine, N.Y.

Present: Chairman: Alan Deforest
Larry Decker
George Lucente
Clark Kimble

Absent: Frank Almquist

Planning Consultant: Miles Putman

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. Kimble, seconded by Mr. Lucente, with all in favor.

IPE Properties: "Dunneman Estates" - Minor (2 lot) subdivision: 332 Lucas Avenue; 62-66 Dunneman Avenue - Mr. John Stinemire appeared on behalf of application for subdivision for the purpose of splitting a 4.74 acre residential site into two lots. The site straddles the Kingston-Ulster boundary near Spring Lake. The site has frontage on Dunneman Avenue in the city, and has access to Lucas Avenue via a right-of-way over the lands of Guo (or Ying). An area variance was granted by the city for the width of proposed Lot 2, which measures less than 100 feet, for a distance of the first 100 feet in from Dunneman Avenue. With no one else wishing to be heard Mr. Putman reviewed his memo with the Board stating that the property has frontage via the city of Kingston. The subdivision will leave Lot 1 without deeded access onto a mapped street. The applicant has stated that they have made a request to the Ulster Zoning Board of Appeals for an area variance to the frontage requirements. The Board should grant sketch plan approval and schedule a public hearing conditioned on receipt of the frontage issue for Lot 1 being appropriately addressed and submitted plats that are prepared, stamped and signed by a licensed surveyor. A motion to grant sketch plan approval, and schedule a public hearing pending approval for an area variance by the Zoning Board of Appeals was made by Mr. Lucente, seconded by Mr. Kimble, with all in favor.

Eugene Dachenhausen - Minor re-subdivision - 235 & 185 Main Street - Ruby - Mr. Eugene Dachenhausen appeared on behalf of application for the re-subdivision of a 3.3 acre residential lot into two parcels. The proposal will create a parcel for the existing dwelling having no deeded street frontage, and a vacant flag lot with street frontage. The site as originally approved had both deeded frontage and a separate access ROW. In order to establish Lot 3A as a separate parcel with no frontage and with access only by the ROW, the applicant has petitioned the Zoning Board of Appeals for an area variance to the requirements of §190-17.B. With no one else wishing to be heard Mr. Putman reviewed his memo with the Board stating that as per the definition of a "flag lot" as set forth in §190-4 of the zoning, the front yard is to be measured from "the terminus of the entrance corridor". The entrance corridor for proposed Lot 3B changes direction. This does not affect the classification of the lot as a "flag lot". The 40 foot front yard building setback is to be measured from this point, and parallel to the northerly boundary of the Loeffler property. The definition for "Lot width" does not state that lot width must be parallel to the street line. Although the configuration of the proposed Lot 3B provides a very "tight" building envelope, the engineering plans suggest that there is a suitable location for a future septic area on the site. The Planning board should take no action on the sketch plan until the road frontage issue has been satisfied with the grant of an area variance from the ZBA. No action was taken.

Cedar-Kingston 4LLC - SAS Properties, Inc., Albert DiDonna Trust and Lillian Ferlazzo Trust - Special Permit- Site Plan & Subdivision & "Hampton Inn - Special Use Permit -

Mr. Barry Medenbach appeared on behalf of application proposing the development of two drive-in restaurants, a drive-in pharmacy and a hotel on a 4.4 acre site which will be divided into four parcels. Because the proposed hotel will require approval of a Special Permit the applicant submitted the hotel application separately. After some discussion, the Board decided that the site must work as one, therefore, the Board will consider how the entire site will function as one. The applicant proposes four free-standing structures as follows:

CVS Pharmacy, Taco Bell Restaurant, a 4 story hotel and a Dunkin Donuts Restaurant. 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. Access is proposed via a redesigned intersection opposite the northerly entrance to the Hudson Valley Mall and a right turn entrance near the center of the site. A free-standing pylon sign is proposed for the three front buildings and a smaller monument sign is proposed for the hotel at the northerly right turn entrance. Chief Molinaro of Ulster Hose #5 Fire Dept. expressed concerns the fire department has on the height of a proposed 4 story hotel. There is concern about the site being too tight for emergency vehicle access. There was much discussion between the applicant, Chief Molinaro and the Board about several concerns the fire department has. Mr. Deforest stated that the Planning Board will address all the concerns with the applicant and the Fire Department while working through the process. Mr. Medenbach asked that the Board grant sketch plan approval for the proposed subdivision and schedule a public hearing for next month. With no one else wishing to be heard Mr. Putman reviewed his memo with the Board stating that landscaping, lighting and utility plans have been submitted, although no grading plan is provided. Drainage and utility plans must be reviewed by the Town Engineer. The applicant stated that the drainage plans will be submitted within the following week. Mr. Lucente made a motion to forward the application to the County Planning Board for their review and schedule a public hearing contingent upon receipt of revised maps, seconded by Mr. Kimble, with all in favor.

Smokehouse of the Catskills, LLC Free-Standing Sign - Mr. Richard Rothe appeared on behalf of application for a new free-standing sign. The existing single pole-mounted sign will be replaced at the same location by a new sign mounted on two posts. With no one else wishing to be heard Mr. Putman reviewed his memo with the Board stating that the sign and landscaped base will maintain the function of the existing sign to somewhat direct traffic flow and provide an attractive identification for the site. The side view of the roof structure shows that the proposed spotlights will protrude below the soffits of the shingle roof. Passing motorists may be subject to momentary "bare bulb glare" when passing by the sign, and use of a reflective finish on the sign surface may increase the probability of glare. The cut sheet illustrates a lamp that appears to be intended for wall mounting rather than sign illumination and the means of glare shielding is not illustrated. The plan suggests a simple in place sign replacement. Further detail regarding the proposed lights should be provided to ensure that glare is avoided on the adjacent roadway. The project is a Type 2 Action pursuant to SEQRA, and does not require a determination of environmental significance. A motion to refer the application to the Ulster County Planning Board prior to further action was made by Mr. Decker, seconded by Mr. Lucente, with all in favor.

Nelson Helu; Steven & Dorothy Harding - Lot line adjustment - 201 & 203 City View

Terrace - Mr. Helu appeared on behalf of application for a lot line adjustment between two older subdivision lots on City View Terrace, both lots are owned by Steven & Dorothy Harding. Tax

Parcel 33.1 / subdivision Lot 2 is developed with a one family dwelling at 201 City View Terrace. Tax Parcel 33.2 / subdivision Lot 3 is being considered for purchase by the applicant. This lot was developed with a swimming pool and bathhouse that were functionally attached to the Harding residence. The pool is presently filled in. Being the only structure on parcel 33.2, the pool house is presently the primary building. The house on Lot 2 has a legal nonconforming side yard setback of around 3 feet. The pool house on Lot 3 encroaches upon the 25 foot rear yard setback, coming as close as 7 feet to the property line. The proposal is to relocate the common lot line by a distance of 10 feet north onto tax lot 33.2, a 10 foot by 195 foot strip will be added to tax lot 33.1. With no one else wishing to be heard Mr. Putman reviewed his memo with the Board stating that the reduction in the area of an undersized lot is permitted with a grant of an area variance from the Zoning Board of Appeals, which was done on June 1. The two lots in question are legal with respect to the provisions of §190-48.B, and can be sold and occupied as separate residential lots. The map shows access into the site through Lot 2. It is in the best interest of everyone to actually obtain an approved curb cut onto City View Terrace, and have the maps revised to show the location. The septic design may necessitate a location that precludes the siting of a new driveway. The applicant needs to show the approximate locations of the septic and well on the map. The Planning Board should grant sketch plan approval, but take no further action due to questions over the means of access into tax lot 33.2 and provision of sanitary facilities. The proposal is an Unlisted Action and requires a determination on environmental significance. Mr. Kimble made a motion to not take any action until submittal of a revised plat showing the location of the septic system and an approved curb cut onto City View Terrace, seconded by Mr. Decker, with all in favor.

Jennifer Organtini-Judware; Vincent Jr. & Lorraine Organtini - Lot line adjustment - 887 -

895 Orlando Street - Mr. Michael Vetere appeared on behalf of application for lot line adjustment by consolidating several abutting, pre-existing building lots into two parcels. The parcels are situated between the west side of Orlando Street and the east bank of the Esopus Creek. The property lines extend to the creek edge. The applicants propose the deletion of tax lot 12, and enlargement of tax lots 11 and 13. The applicants are also planning to rebuild their dwellings on these lots, in accordance with a recent determination made by FEMA in response to the April floods. With no one else wishing to be heard Mr. Putman reviewed his memo with the Board stating that the proposal is feasible, and will remove a vacant, undersized building lot that is situated in an undesirable location within a flood plain. The project appears to qualify as a "lot line adjustment" as provided for in Section (§)161.11.1 of the Town Code. Mr. Kimble made a motion to Render a Determination of Non-Significance (Negative Declaration) pursuant to SEQR; and grant final plat approval subject to submission of four paper prints and a reproducible master drawing signed by all of the landowners, seconded by Mr. Decker, with all in favor.

New Life Tabernacle - Expansion: Site Plan Amendment - 15 Swarte Lane @ Route 32 -

Bishop David Cordeou appeared on behalf of application for re-approval for the expansion of a church sanctuary on a 12.4 acre property in the R-60 District. The applicant received site plan approval in 1995 for a similar project, however, the applicant was unable to secure a building permit in a timely manner following site plan approval, and the approval from 1995 has since expired. The applicant states that the addition will be 3,300 square feet. With no one else wishing to be heard Mr. Putman reviewed his memo with the Board stating that although not explicitly labeled on the plans, it is assumed that the front entryway is also to be constructed. The septic design/location plan shows a loading (capacity) of 200 people for the new location. The County Health Department must review and approve the septic system for the proposed higher "loading". The parking area in front of the church will be expanded by about 12 parking

spaces, for a total of 48 spaces. Proposed landscaping will consist of four blue spruces planted in the parking area median island; and four sugar maples to the west edge of the expanded parking area. This is consistent with the plans that were reviewed in October 1995. The plans do not show any existing outdoor lighting, nor are any outdoor fixtures proposed. No changes are proposed to the signs. A few details need to be clarified, such as:

- a. Confirmation that the front addition is also proposed at this time, and that there will be no new signs nor any new outdoor lights;
- b. The maximum anticipated seating capacity of the new sanctuary; occupancy capacities for the "meeting space" in the north of the building;
- c. A complete tabulation of all required parking by use and occupancy; and
- d. A tabulation of existing and proposed floor areas.

Mr. Lucente made a motion to refer the application to the Ulster County Planning Board; and the Ulster Town Board, seconded by Mr. Decker, with all in favor.

Prestige Automobiles - Outdoor storage yard - 756-768 East Chester Street - No representation

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