

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

Present:

Chairman: Alan Deforest
Frank Almquist
Larry Decker
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. Decker, seconded by Mr. Kimble, with all in favor. Mr. Deforest informed the public that there is a copy of the Draft Final Scope for Ulster Manor available for anyone that would like a copy, however, the Board will not be considering any review or action on the Draft Final Scope until Novembers' meeting because the "interested parties" have not been notified. Also, action on the proposed subdivision for David Gamburg has been withdrawn at this time. Due to public input, Town officials have found nonconforming issues related to the proposal that need to be addressed prior to further review.

River of Life (New Life Tabernacle) Expansion: Site Plan - 15 Swarte Lane @ Route 32 -

Mr. David Cordeau appeared on behalf of application requesting the re-approval of a site plan for an expansion of the church. The original approval was granted in 1995, for the construction of a sanctuary expansion and related improvements. The addition was built, but the building permit was allowed to lapse, and as a consequence, the site plan must be re-approved along with the building permit. The only remaining construction item is the small front entry vestibule. with no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that there are no changes proposed to the originally approved plan. As of this point in time, the applicant is proposing no substantial additions to the amount of impervious surfaces on the site. No changes are proposed to the existing landscaping on the site, which is extensive in area and variety, consisting of an extensive mixture of lawns and shade trees near the church and dwelling, natural growth deciduous woods along the northerly and easterly site boundaries, and an area of second-growth "meadow" vegetation along much of the NY 32 frontage, including a moderately dense stand of eastern red-cedar. Additional trees for the parking area were approved with the expansion site plan in 1995. The current plans omit these plantings. The plans should be amended to state that the parking area expansion will be surfaced with oil and stone chip; and the proposed trees for the expanded area be shown, if they have not been planted yet. This previously approved landscaping was to consist of five blue spruces planted in the parking area median island; and four sugar maples to the west edge of the of the expanded parking area. The scale should be revised. The "required modifications" requested by the County appear to be somewhat unreasonable given the purpose of the application and the fact that the sanctuary addition, comprising the bulk of the floor area being added to the site, is already built, and further that there are no substantial changes being proposed to the general visual character of the site. The Planning Board should approve the application for the site plan amendment and further override the recommendations of the Ulster County Planning Board, subject to:

1. Drawing revisions pertaining to parking area surfacing and landscaping additions.

A motion to accept the planners recommendations as stated and approve site plan application subject to drawing revisions pertaining to parking area surfacing and landscaping additions was made by Mr. Lucente, seconded by Mr. Almquist, with all in favor.

**“RIVER OF LIFE”
NEW LIFE TABERNACLE
RESOLUTION OF SITE PLAN
TOWN OF ULSTER PLANNING BOARD**

WHEREAS, the Town of Ulster Planning Board received an application for site plan approval from New Life Tabernacle, for the purpose of adding an entryway and expansion to the parking area located at 15 Swarte Lane, Saugerties, Tax Parcel 39.012-4-8.211; 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 20, 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:

Lighting - A lighting plan including a photo metric plot for the site should be provided. Any existing or proposed lighting should be upgraded to full-cut off, metal halide luminaries.

Landscaping - A landscaping plan needs to be provided for this site. It should include the locations and a description of the various species and heights of all proposed landscaping.

Signage - If any new signage has been proposed it should be presented to your Board for review.

Drainage - Details regarding how on-site stormwater drainage will be handled should be provided to your Planning Board.

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 affect on the environment, the project will not have any 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. Revision to the map stating the parking area expansion will be surfaced with oil and stone chip.
 - b. The existing and proposed landscaping be shown.
3. Because no new lighting or signage are proposed, the Ulster County Planning Board's recommendation is hereby over-ridden by a vote of a majority plus one.

"Benny's Pizzeria" (lands of Bryant Trust) - Site plan: Change of occupancy - Restaurant - 634-644 & 650-654 Ulster Avenue - Mr. Wayne Bryant appeared on behalf of application for site plan approval for the purpose of a change of use from retail space to a restaurant. The application was reviewed last month and forwarded to the Ulster County Planning Board. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that a letter has been received from NYSDOT stating that the existing access can be closed and already appears to be adequately closed by the installation of the grass strip in between the sidewalk and the parking area. The County has responded with some required modifications as follows:

Pedestrian Access - A sidewalk should be established along the frontage of the site in order to help facilitate pedestrian access.

Landscaping - Trees should be planted along the entire frontage of the site.

Signage Details - No signage details have been submitted and will need to be included as part of this review. Any proposed signs should conform the Town's signage statutes.

Lighting - Lighting Details need to be provided as a part of this application. Any existing or proposed wall-mounted or free-standing fixtures should be fully cut-off in order to reduce off-site glare.

Mr. Shuster stated that sidewalks may not be warranted because there isn't anything to connect to. The Board agreed that the trees proposed along the front are sufficient. No free-standing sign is proposed, only a wall sign. The only lighting proposed is for the wall sign and an area light. A motion to grant site plan approval and over-ride the County's required modifications was made by Mr. Almquist, seconded by Mr. Kimble, with all in favor.

**BENNY'S PIZZERIA
RESOLUTION OF SITE PLAN
TOWN OF ULSTER PLANNING BOARD**

WHEREAS, the Town of Ulster Planning Board received an application for site plan approval from Benny's Pizzeria, for the purpose of changing a retail use to a restaurant located at 634 Ulster Avenue, Kingston, Tax Parcel 48.066-2-15 & 16; 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 20, 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:

Pedestrian Access - A sidewalk should be established along the frontage of the site in order to help facilitate pedestrian access.

Landscaping - Trees should be planted along the entire frontage of the site.

Signage Details - No signage details have been submitted and will need to be included as part of this review. Any proposed signs should conform to the Town's signage statutes.

Lighting - Lighting details need to be provided as a part of this application. Any existing or proposed wall-mounted or free-standing fixtures should be fully cut-off in order to reduce off-site glare.

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 any 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:
3. the Ulster County Planning Board's recommendations are hereby over-ridden by a vote of a majority plus one. Due to the Planning Boards finding that the lighting and landscaping are sufficient and; sidewalks are not warranted.

Sherry Stoutenburg - Lot Line Deletion - 450 Lucas Avenue - Ms. Sherry Stoutenburg appeared on behalf of application for the merger of two abutting vacant parcels. The amended plat now shows a proposed driveway and water service line location, a septic area, and a corrected building "envelope"; along with the right-of-way to tax lot 1. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that the revised plat presents a workable plan for a building site. The maps are missing references to the prior Hastansa subdivision plat which created these parcels. Several abutting ownership's need to be revised. Central Hudson has not identified any significant problems with the proposed house site. The proposed reconstruction of the access drive onto Lucas Avenue has been approved by the County. Sanitary approvals are in place. The project is an Unlisted Action pursuant to SEQR and will have a minimal environmental impact. The Planning Board should indicate its approval by making the findings that the project meets the criteria for approval as a "lot line adjustment" and waiving a public hearing; making a Determination of Non-Significant (Negative Declaration) pursuant to SEQR; and grant conditional final plat approval subject to the maps revisions as

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

Dr. Alan Abolafia: “The Dentist Office”, - Site Plan - 1733 Ulster Avenue - Mr. Donald Swartz appeared on behalf of application proposing to construct a single occupant building just under 5,600 square feet, to be occupied by the multi-practitioner dental office. Because the practitioner has patient appointments that may overlap an excess of required parking spaces have been provided. Mr. Decker informed the public that his family is associated with this property and therefore, for that reason will abstain from any review or action for this proposal. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that the front row of 9 parking spaces will maintain the minimum 10 foot setback from the street line, but will be located 10 feet into the Town’s sewer easement. One aspect of the site development is the encroachment of the front parking area upon the Town Sewer easement. Maintenance and repair work by the Town could at times make these spaces unavailable. To avoid possible conflicts, all of the proposed improvements - the buildings, parking areas and detention pond - could be moved about 10 feet towards the northwest (the rear line). The proposed work within the easement must be approved by the Sewer District Superintendent. Provision of street trees along the site’s frontage may be difficult due to the sewer easements and overhead utility lines. Smaller shrub and bed plantings would be preferable, subject to the approval of the Sewer District Superintendent. A planting bed should be considered for the proposed sign base. Over 4,000 square feet of nonresidential floor area is proposed. The project is an Unlisted Action pursuant to SEQR, and will require a determination of environmental significance. Over 2,500 square feet of new building floor area is proposed. The site plan ultimately requires the approval of the Town Board, following review by the Town Planning Board. The site abuts a state highway. A complete submission must be referred to the Ulster County Planning Board. The Town’s consulting engineer should review the proposed grading, drainage and utility plans, once a revised drainage report has been submitted. An escrow account in the amount of \$2,500 has been established to cover the cost of such a review. The proposed new use appears feasible. We strongly urge modifications of the site plan to avoid encroachment upon the sewer easement. The submission should also be revised to show or provide:

- a. Location of any special equipment that may be required for water and sewer connections (e.g. Mercury amalgam separators, etc.), as per consultation with the Sewer District Superintendent.
- b. All proposed landscaping - specimen trees, shrubs, planting beds, lawn and existing natural vegetation to remain. Additional screening may be needed along the Cornelske property. A schedule of plants is needed.
- c. Identification of the current landowner on the application (along with written authorization from this party).
- d. Provision of any correspondence from NYSDOT regarding the access improvements.

All plans must be stamped and signed by a licensed professional architect or engineer.

The Planning Board should indicate its general approval of the sketch plan and request submission of a revised set of plans and supporting documentation that addresses the data and design of concerns stated above, prior to a recommendation to the Town Board. The plans

should be referred to the Ulster County Planning Board. A motion to accept the planners recommendations as stated and refer the application to the County Planning Board was made by Mr. Kimble, seconded by Mr. Lucente, with all in favor.

Richard & Shirley Jones - Minor Subdivision - 26-30 Carle Terrace - Mr. Richard Jones appeared on behalf of application for the division of a 0.953 acre residential lot into two lots. The site is developed with two existing detached one family houses, a separate lot will be created for each residence. With no one else wishing to be heard Mr. Shuster reviewed his memo with the Board stating that the sketch map proposes a workable layout of lots, but includes confusing notations and graphics. One nonconforming building setback is proposed. It is recommend that the location of the proposed lot line be repositioned to provide a minimum 10 foot side yard for each dwelling. Additional details, appropriate for preliminary plat review, will be required. These will include the locations of existing sewer and water connections, and a zoning "block". The water service line location for each house lot must not cross any other property unless a waiver is granted by the Town Board to §177-17 of the Town Code. Deed references should be provided for the parcels already conveyed to the Town. The current, 'as built' alignment of Carle Terrace should be shown. The project is an Unlisted Action pursuant to SEQR and requires a determination of environmental significance. The Planning Board should grant sketch plan approval subject to submission of a revised layout that provides a conforming side yard setback. Mr. Lucente made a motion to schedule a public hearing contingent upon receipt of submission of a revised plat, seconded by Mr. Kimble, with all in favor.

Discussion - Ulster Manor - Draft Final Scope - Mr. Shuster informed the public that there will not be any action taken on the scope tonight. However, there are some interested parties, the applicant and the consultant from Bagdon Environmental here that may want to comment on it. Mr. Bartons' concerns were about the existing traffic study. Mr. Shuster stated that there will be a new study done. Mr. Guido thanked Mr. Shuster and the Board for the completeness of the draft final scope. Mr. Guido questioned what will be the effect from the runoff from pesticides and stormwater snowcap. Mr. Qennzerr from Bagdon Environmental stated that all those concerns will be addressed in the stormwater and erosion control plan. Another concern was that the applicant include a description of the Homeowners Association. Mr. Guido recommended a traffic study be prepared by Resource Systems Group. The applicant stated that they may have an independent study done. Mr. Shuster informed the applicant that the Town would have their traffic consultant review any study submitted. After much discussion Mr. Deforest stated that there will be opportunity for additional public comment next month.

Re-approval of Minor Subdivision - Robert & Laura Brooks - 620 Ulster Landing Road - On April 21, 2005 the Board granted final conditional approval for a two lot subdivision, subject to approval by the County Health Department, which is about to expire. A motion to grant a six month extension was made by Mr. Almquist, seconded by Mr. Kimble, with all in favor.

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