

Town of Ulster Planning Board

The monthly meeting of the Town of Ulster Planning Board was held on Tuesday May 18, 2010 at 7:00 p.m. at the Town Hall Lake Katrine New York. The following members were present:

Renno Budziak -Chairman
Larry Decker
Gary Mulligan
Ozzie Beichert
Scott Ricketson
Alan Sorensen – Planner
Dan Shuster – Consulting Planner

Ulster Manor/ Public Hearing

Mr. Budziak read a letter from the applicant's attorney requesting the item be taken off the agenda.

Action: A motion to adjourn the Public Hearing until the June meeting was made by Mr. Decker with a second from Mr. Ricketson; all were in favor.

Prestige Kia / Site Plan

Nadine Carney appeared on behalf of the application for an auto dealership. The applicant is proposing a 16,950 sq ft addition to an existing 2,960 sq ft KIA dealership. A lot line deletion is also being applied for. The existing buildings and pavement on the adjoining lot will be removed. The project will have 41 parking spaces including 2 handicap spaces. 8 of these spaces are directly in front of the sales building. The applicant is not changing the lighting in the existing part of the site and is proposing 30' light poles in the new areas. A stormwater pollution prevention plan has been submitted and will be reviewed by Praetorius & Conrad. Ms. Carney reviewed Mr. Sorensen's memo with the Board stating the applicant would like to keep the 8 parking spaces in the front of the showroom; Mr. Sorensen suggested removing them, Rob DuPont the applicant's architect stated the owners want the parking spaces for 2 reasons; 1 the sales people can see customers when they arrive on the lot and 2, safety. The applicant would like to keep the customers close to the building to avoid slips and falls in bad weather the spaces will also help keep customers out of the traffic area. After a long discussion on the issue the Board was polled; Mr. Beichert, Mr. Ricketson, and Mr. Mulligan agreed the with the applicant but would like to see some modifications on the area behind the parking spaces. Mr. Budziak and Mr. Decker agreed with Mr. Sorensen's proposal. The applicant will be modifying the plans with the spaces remaining but additional traffic control measures in the area behind the spaces. Ms Carney goes on to say the signage on the site is existing; new plan will be submitted revising the landscaping, way finder signage and lighting including specs.

Action: A motion to declare intent to be lead agency was made by Mr. Mulligan with a second from Mr. Decker all were in favor.

Panara Bread / Site Plan

No one appeared for the application for Panara Bread. A short discussion followed on the concerns the Board has on the project. No action was taken.

Christina's Restaurant

Peter Kyriacou appeared on behalf of the application for a gazebo addition to their restaurant. Mr. Sorensen reviewed his memo with the Board; the application is for a small gazebo in the rear of the restaurant, there will be 25 additional seats therefore the parking requirements will change. The applicant has revise the plans showing the proper parking Analysis Table. The County Planning Board gave advisory comments stating a sidewalk on the Southern side of the building would improve the safety on the site. Mr. Sorensen states he does not feel the sidewalk is warranted Mr. Sorensen recommends the Board issue a Negative Declaration and grant site plan approval for the plans as shown.

Action: A motion to grant a negative declaration as per SEQRA was made by Mr. Mulligan with a second from Mr. Ricketson. All were in favor. A motion to grant site plan approval was made by Mr. Decker with a second from Mr. Mulligan; all were in favor.

WHEREAS, the applicant - Liz Kyriacou - submitted an application for Site Plan Amendment approval to construct a 575 square-foot addition to her existing restaurant located at 812 Ulster Avenue; and

WHEREAS, materials submitted in support of the proposed action include:

- *Application for Site Plan Review* prepared by Liz Kyriacou dated April 7, 2010;
- *SEQRA Short EAF* prepared by Liz Kyriacou dated April 7, 2010;
- *Existing Conditions Plan* prepared by Edward C. Pine, P.E. dated April 5, 2010;
- *Proposed Work Plan* prepared by Edward C. Pine, P.E. dated April 5, 2010;
- *Proposed Seating Layout* prepared by Edward C. Pine, P.E. dated April 5, 2010;
- *Proposed Lighting Layout* prepared by Edward C. Pine, P.E. dated April 5, 2010;
- *Proposed Side Elevation* prepared by Edward C. Pine, P.E. dated April 5, 2010.
- *Existing Site Plan* prepared by John Stinemire, P.E., and Consulting Engineer dated 5/12/10;
- *Proposed Site Plan* by John Stinemire, P.E., Consulting Engineer dated 5/12/10; and
- *Proposed Site Details* prepared by John Stinemire, P.E., Consulting Engineer dated 5/12/10.

WHEREAS, the complete application was referred to the Ulster County Planning Board pursuant to New York State General Municipal Law Section 239 l and m; and

WHEREAS, the Ulster County Planning Board provided an *advisory recommendation* suggesting a sidewalk along the southern side of the building; and

WHEREAS, the Planning Board considered of the application materials submitted by the applicant in support of the proposed action, along with the comments of its consultant planner & and Ulster County Planning Board made via memoranda (which memoranda are incorporated herein by reference); and

WHEREAS, the Planning Board upon review of the entire record (including SEQRA Short EAF) found that the proposed Site Plan Amendment to construct a 575 square-foot addition will not have an adverse impact on the environment; as Lead Agency made a determination of non-significance and issued a Negative Declaration pursuant to Part 617 of SEQRA.

NOW THEREFORE BE IT RESOLVED that the Planning Board has determined that they have complied fully with the procedural requirements of Part 617 of the State Environmental Quality Review Act (SEQRA); and

FURTHER BE IT RESOLVED, the application by - Liz Kyriacou dba Christina's Restaurant - for Site Plan Amendment approval to construct a 575 square-foot addition is granted, subject to the conditions, limitations and restrictions set forth below.

1. Compliance with zoning and building laws, rules and regulations.
2. Escrow account paid in full.

Design Manual for Hudson Landing

Dan Shuster Consulting Planner for the Town reviewed the motion before the Board stating this is the first required action prior to the approval of the site plan. The Board will be approving the Design Regulation Manual and Development Plan and will give the applicant approval to begin rough grading for major internal roadways after the SWWP is approved by the City of Kingston Engineer. There were no comments or questions from the Board.

Action: A motion to approve the Design Manual and Development Plan as per the submitted resolution was made by Mr. Beichert and seconded by Mr. Decker with all in favor.

WHEREAS, Kingston Landing Development, LLC has submitted an application to the Town of Ulster Planning Board for a proposed Traditional Neighborhood Development (TND) Plan, in accordance with Local Law No. 5 of 2009, which amended Chapter 190 of the Code of the Town of Ulster to establish a Traditional Neighborhood Development Overlay District (TNDOD); and

WHEREAS, said application included a full Environmental Assessment Form, a conceptual TND Plan (including grading plans for major roads), and a proposed

Regulating Design Manual, along with supplemental information (including a Stormwater Pollution Prevention Plan, SWPPP, for the road grading); and

WHEREAS, the TND Plan is consistent with the Statement of Findings, approved by the lead agency, the City of Kingston Planning Board, under the State Environmental Quality Review (SEQR) Act, for Hudson Landing Development on April 13, 2009; and

WHEREAS, the proposed development plan calls for a total of 1,682 dwelling units which include a mix of single family detached houses, townhouses, stacked townhouses, condominiums, apartments and live/work townhouses in addition to 78,500 square feet of commercial space; along with approximately 350 acres of open space, consisting of a public waterfront promenade and upland space for active and passive recreation; and supporting infrastructure; in both the City of Kingston and the Town of Ulster; and

WHEREAS, pursuant to Section 190-12.H.(2)(d) of the Zoning Law, the Planning Board conducted a public hearing on the proposed TND Plan and Regulating Design Manual on December 15, 2009 at which time public comment was considered; and

WHEREAS, the TND Plan and related materials were referred to the Ulster County Planning Board (UCPB), as required under GML §239.m; and

WHEREAS, the UCPB submitted comments, including some “required modifications”, dated December 2, 2009; and

WHEREAS, the Planning Board carefully considered the comments by the Ulster County Planning Board and approved a response thereto at its April 6, 2010, meeting; and rejected, by a majority plus one vote, certain of the required modifications; and

WHEREAS, the Town of Ulster Planning Board fully supports the TND Plan and recognizes the high quality of the Regulating Design Manual and the guidance it will provide throughout the development of the Hudson Landing Project, and

WHEREAS, The Planning Board has reviewed certain proposed revisions to Section V of the Regulating Design Manual which clarify and expand provisions for administration and implementation of the design process; and

WHEREAS, the Planning Board understands that preliminary road grading is necessary, prior to formal site plan review, to begin the design process for required infrastructure improvements including internal roadways and utility corridors; and

WHEREAS, in order to provide the most efficient coordination of the review process it has been agreed that it is appropriate for certain engineering matters to be reviewed for both the Town and City of Kingston by the City Engineer;

NOW THEREFORE Be It Resolved by the Town of Ulster Planning Board, as follows:

Section 1: The Town of Ulster Planning Board hereby approves the TND Plan and the Design Regulating Manual submitted by Kingston Landing Development, LLC, last dated April 29, 2010, including the amended Section V, Administration and Implementation.

Section 2: The Planning Board hereby authorizes the Kingston Landing Development, LLC to begin rough site grading for major internal roadways and utility corridors, subject to approval of the SWPPP, dated April 30, 2010, by the City Engineer of the City of Kingston in accord with applicable regulations. .

Section 3: This resolution shall take effect immediately.

A motion to adjourn was made by Mr. Ricketson with a second from Mr. Decker, all were in favor.

Respectfully Submitted

Mary Secreto
Planning Secretary