

Town of Ulster Planning Board

The monthly meeting of the Town of Ulster Planning Board was held on Tuesday November 16, 2010 at 7:00 p.m. at the Town Hall Lake Katrine New York. The following members were present:

Renno Budziak -Chairman
Larry Decker
Scott Ricketson
Alan Sorensen – Planner

A motion to approve the minutes from the October meeting was made by Mr. Ricketson with a second from Mr. Decker; all were in favor.

Johnson Ford – Lot Line Revision

Chris Zell & Wayne Graff appeared on behalf of the application for a Lot Line Revision; this revision will consist of adjusting existing lines. Currently there are 5 lots with the revision there will be 4; all Right of Ways will remain on the site. Nothing on the site will change other than the lot lines. Mr. Sorensen requested the applicant provide a Parking Analysis Table to verify the parking requirements will be met. Mr. Graff submitted easement descriptions for review; Mr. Graff stated that the most of the lots have long term leases some leases are for 99 years. A long discussion on an open development plan followed with Mr. Sorensen stating the Town Board would need to grant an Open Development Plan. Mr. Sorensen stated the Board could waive the Preliminary Public Hearing and schedule a Public Hearing for the December meeting; the Board should also declare intent to be Lead Agency.

Action: A motion to declare intent to be the Lead Agency was made by Mr. Decker with a second from Mr. Ricketson with all in favor. A motion to waive the Preliminary Public Hearing and schedule a Public Hearing for December 21, 2010 was made by Mr. Decker with a second from Mr. Ricketson.

Trustco Bank – Site Plan Revision

Barry Medenbach appeared on behalf of the application for a site plan revision for Trustco Bank. Mr. Medenbach stated DOT has required a change in the curb cut to the site; they also requested the applicant put in stormwater retention area. The applicant has revised the plans to include a subsurface recharge basin in the grass area on the site. DOT has approved the plans and a Highway Permit will be issued shortly. Mr. Sorensen stated the plan has been approved by DOT and Brinnier & Larios and is minor; he recommends the Board approve the revisions.

Action: A motion to approve the revisions to the site plan for Trustco Bank was made by Mr. Ricketson with a second from Mr. Decker with all in favor.

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Sherry Ralph – Discussion

Rebecca Millouras-Lettre appeared as the Town's alternate attorney to review the application of Sherry Ralph. Ms. Millouas-Lettre stated the building in question is a legal structure but the use is not. In order to make the use legal a Special Use Permit will need to be granted by the Town Board. The Town Board will need to hold a Public Hearing before a vote could be taken. If the Town Board approves the Special use permit the Planning Board would then review the project. Mr. Budziak stated there have been a number of complaints on the noise and the Board is concerned with the noise violation. Ms. Millouras-Lettre stated if the Town Board does not approve the Special Use Permit the applicant will have a short period of time to remove the dogs from the site. Adjoining neighbor Gary Feddes questioned the process; Mr. Sorensen explained the Town Board would have a Public Hearing and if approved the Planning Board would review the site plan, he stated that neighbors would be heard at the Public Hearing. Richard Rothe the engineer for the project stated that the building was not a code violation; the applicant applied for Special Use Permit / Site Plan at the last meeting and the Board denied the applicant the opportunity to proceed with the Special Use Permit. Sherry Ralph stated her dogs do not run free as they are fenced in. She went on to explain that when she received the Notice of Violation she contacted the Planning/Building Department and proceeded with the proper steps to correct the violation. The applicant's application will be forwarded to the Town Board for a Public Hearing for Special Use Permit.

Agreement between the Town of Ulster Planning Board and the Ulster County Planning Board

Mr. Budziak motioned to grant approval of the Memorandum of Agreement between the Town of Ulster Planning Board and the Ulster County Planning Board, a second was made by Mr. Decker with all in favor.

Memorandum of Agreement between the Town of Ulster Planning Board and the Ulster County Planning Board

Actions Not Subject to Submittal under General Municipal Law Article 12B, Sections 239-m & 239-n and Ulster County Code Section C-51

THIS AGREEMENT, made the 16th day of November, 2010, between the Ulster County Planning Board, a county planning agency established pursuant to General Municipal Law Article 12B, having its principal office and place of business at 244 Fair Street, Kingston, New York, hereinafter referred to as "UCPB," and the Town of Ulster Planning Board, having its principal office at 1 Town Hall Drive, Lake Katrine, New York.
WITNESSTH:

WHEREAS, General Municipal Law § 239-m(3)(c) allows for County Planning Boards to enter into written agreements with municipalities to amend the delivery period for referrals, and

WHEREAS, Ulster County Code § C-51 provides for referral of certain planning actions to the Ulster County Planning Board, and

WHEREAS, Ulster County Code § C-51 permits a County Planning Board to enter into agreements with the referring body for certain proposed actions that are determined to be of local rather than inter-community or county-wide concern, and

WHEREAS, the UCPB is desirous of streamlining the county review process and has developed a list of actions that have been determined to be of local rather than inter-community or county-wide concern.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

Actions Not Subject to Referral: The Ulster County Planning Board and the Town of Ulster Planning Board agree that the attached Schedule B - Actions Not Subject to Referral are deemed to be of local concern and will not be required to be submitted to the Ulster County Planning Board under Ulster County Code § C-5 1.

Submittal for Review. Nothing in this agreement shall prevent the Town of Ulster Planning Board from submitting projects, at their discretion, not subject to referral under the agreement to the Ulster County Planning Board for review under Ulster County Code § C-51.

Schedule B Modifications - UCPB. The Ulster County Planning Board shall have the right to remove or otherwise modify any or all referral requirements contained in Schedule B by providing in writing the revisions to Schedule B signed and dated by the Chairman of the Ulster County Planning Board to the Chairman of the Town of Ulster Planning Board. The revisions shall take effect ten (10) days after receipt of such notification by the Town of Ulster Planning Board.

Term of Agreement. The parties agree that the term of the agreement shall be for the duration of the applicability and viability of the Ulster County Planning Board administration of Ulster County Code § C-51 on which it rests.

Any of the parties to this agreement may cancel their participation in the agreement by providing thirty (30) days written notice to the other party.

IN WITNESS WHEREOF, the parties hereto have executed this agreement on or about the day and year first above written.

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

Respectfully Submitted

Mary Secreto
Planning Secretary