

*TOWN OF ULSTER
PLANNING BOARD
FEBRUARY 18, 2014*

The monthly meeting of the Town of Ulster Planning Board was held on Tuesday February 18, 2014 at 7:00 p.m. at the Town Hall Lake Katrine, New York. The following members were present:

Alan DeForest-Chairman–
Gary Mulligan
Anna Hayner –
Karl Allison
Larry Decker
Alan Sorensen - Planner

A motion to approve the minutes from the January meeting was made by Mr. Mulligan with a second from Mr. Allison. All were in favor with Mr. Decker abstaining.

Hudson Landing LLC

Michael Moriello and Steven Fink appeared on behalf of Hudson Landing LLC. Mr. Moriello stated the Developer's Agreement is now ready for approval. The City of Kingston Water Board and Planning Board have signed off on the agreement. The Town of Ulster Town Board and the City of Kingston Common Council still need to sign off. The changes that were made to the agreement dealt mainly with the City of Kingston Waste Water Plant. Both Mr. Sorensen and Mr. Kovacs have reviewed the agreement. Mr. Sorensen reviewed the EAF with the Board reading the questions and responses. Mr. Sorensen read the resolution.

Action: A motion to grant a Negative Declaration was made by Mr. Decker with a second from Mr. Mulligan with all in favor. A motion to accept the Developer's Agreement was made by Mr. Mulligan with a second from Mrs. Hayner with all in favor.

All Space Storage

Kelly Libolt appeared on behalf of the application to construct an 18,000 sq ft storage building on the All Space Storage site. Ms. Libolt stated revised plans have been submitted and that she attended a site inspection with Mr. Sorensen and the Fire Chief. The Sormwater Plan has been approved by Brinnier & Larios. Mr. Sorensen reviewed his memo with the Board stating that a sidewalk should be placed on the existing site and the applicant should contact NYS DOT and apply for a Highway Permit. Ms Libolt stated the applicant owns sufficient property in the front setback therefore they may not need approval from DOT. Since the request for a sidewalk comes so late in the review Ms. Libolt requested the Board refer the project to the Town Board for review with the condition. Mr. Sorensen stated that the County Planning Board has not reviewed the project and the Town Board cannot vote until the 30 wait period is over; that date is the 27th of February. After a short discussion on procedures it was decided to forward the project with the conditions of submitting an elevation of the building and securing approval of DOT for sidewalk.

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Action: Mr. Mulligan made a motion to forward the project to the Town Board with the conditions of elevation submittal and approval of sidewalk location from the DOT. Mr. Allison seconded the motion with all in favor.

Kingston Area Soccer League

Khattar Elmassalemah appeared on behalf of the application for site plan and special use permit for two soccer fields with concession stand and equipment shed. Mr. Elmassalemah stated the entrance has been moved to line up with the entrance to Deer Run as per Ulster County Highway. No approval from NYS DOT is needed and the Ulster County Health Department has given consent for porta potties on site. The grading plan is completed; the largest amount of fill will be approximately 4 feet in the center of the fields. The grading will create a 4ft. berm near the neighboring properties. The stormwater plan is being reviewed by Brinnier & Larios. The Town Board will hold a Public Hearing on February 20th. No action was taken by the Board.

Hudson Valley Bee Supply

Anthony Costanzi appeared on behalf of the application for a change of use from office to retail within an existing commercial building. Mr. Sorensen stated the application is a change of use; SEQRA Type II. Mr. Sorensen recommended the Board grant a Negative Declaration and grant site plan approval. Anne Ede a representative of the neighboring businesses stated the employees of 3 businesses are concerned with the bee excrement that appears on their cars. The excrement is a sticky yellow substance that needs to be scraped off of vehicles. Mr. Costanzi stated that the bees belong to him and are not going to be moved from the property even if the change of use is not approved. Mr. Sorensen read the resolution.

WHEREAS, the applicant – *Anthony Costanzi dba Hudson Valley Bee Supply*– submitted an application seeking *Site Plan* approval for a change in use from office to retail within an existing commercial building on the subject site, which is located at 600 Sawkill Road; and

WHEREAS, pursuant to Chapter 145 of the Town Code, the Proposed Action is subject to Site Plan review and approval by the Town of Ulster Planning Board; and

WHEREAS, the application materials in support of the Proposed Action includes:

- Written Narrative* of Proposed Action prepared by Anthony Costanzi-owner dated 11/13/13;
- *Site Plan Application for Change in Use* prepared by Anthony Costanzi-owner dated 11/13/13;
- *SEQR Short EAF* prepared by Anthony Costanzi-owner dated 11/13/13; and
- *Proposed Site Plan* prepared by Brinnier & Larios, P.C. dated December 31, 2013.

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WHEREAS, referral to the Ulster County Planning Board is not required pursuant to the UCPB Land Use Referral Guide, since the site has channelized access and an increase in parking spaces on the site is not required to accommodate the proposed use; 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 consultants made via memoranda (which memoranda are incorporated herein by reference); and

WHEREAS, a *Proposed Site Plan* was prepared by Brinnier & Larios, PC dated December 31, 2013 and submitted for review to the Planning Board on January 10, 2014; and

WHEREAS, the Planning Board has received a recommendation to accept the Proposed Site Plan subject to minor revisions by its consulting planner; and

WHEREAS, the Planning Board upon review of the entire record (including SEQR Short Environmental Assessment Form (EAF)) found the Proposed Action was a Type 2 Action pursuant to Part 617 of State Environmental Quality Review (SEQR) law.

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Planning Board has determined they have complied fully with the procedural requirements of Part 617 of the State Environmental Quality Review (SEQR) Law; and

FURTHER BE IT RESOLVED, the Town of Ulster Planning Board hereby grants Site Plan Approval to – *Anthony Costanzi* – to establish the *Hudson Valley Bee Supply* business at the above referenced site subject to the conditions, limitations and restrictions set forth below.

1. Compliance with applicable zoning and building laws, rules and regulations;
2. Compliance with all representations made by the applicant;
3. Prior to Chairman signing the Site Plan, the applicant shall provide a revised Site Plan addressing the minor technical revisions cited in the Town Planner’s Project Review Notes dated January 10, 2014;
4. The Town’s consulting planner, engineer and Building Inspector are hereby authorized to approve minor Site Plan changes of a ministerial nature, which may arise due to unforeseen circumstances in the project site development; and
5. All fees, including consultant fees, shall be paid.

Action: A motion to approve the Planner’s recommendation was made by Mr. Mulligan with a second from Mrs. Hayner with all in favor.

Residence Inn by Marriott

Richard Tabaczynski appeared on behalf of the application for a 92 unit, 4 story Residence Inn that is proposed on Frank Sottile Blvd. Mr. Tabaczynski reviewed

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2 proposed plans with the Board. One plan will require an area variance from the Zoning Board waving the requiring 1,400 square footage for every hotel unit. The other plan shows the required square footage. Both plans show lots that may be developed at a later time. The applicant would like to purchase only the lot that the hotel is going to be located. Mr. Tabaczynski stated the applicant met with Ulster County Planning and there are concerns with the access of the site. Discussion on the entrance followed. The stormwater plan is being reviewed by Brinnier & Larios. The applicant will revise the plans after consulting the County Highway Department. No action was taken.

Corridor Enhancement Plan and Design Guidelines for Commercial Districts

Mr. Sorensen stated the Enhancement plan and Design guidelines have been in draft form since 2011. The Ulster County Planning Board and NYS DOT have reviewed and signed off on them in 2011. The Planner requested the Planning Board refer the documents to the Town Board with a recommendation of approval. A short discussion on the documents followed.

Action: A motion to recommend approval of the Corridor Enhancement Plan was made by Mrs. Hayner with a second from Mr. Mulligan with all in favor.

A motion to recommend approval of the Design Guidelines was made by Mr. Decker with a second from Mr. Allison with all in favor.

Respectfully Submitted,
Mary Secreto
Planning Secretary