

*TOWN OF ULSTER
PLANNING BOARD
JULY 15, 2014*

The monthly meeting of the Town of Ulster Planning Board was held on Tuesday July 15, 2014 at 7:00 p.m. at the Town Hall Lake Katrine, New York. The following members were present:

Gary Mulligan, Chairman
Anna Hayner –
Karl Allison
Larry Decker
Frank Almquist
Alan Sorensen - Planner

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

Residence Inn – 650-900 Frank Sottile Blvd.

Richard Tabaczynski appeared on behalf of the application for a Residence Inn. Mr. Sorensen recommended the Board issue a Negative Declaration as the project will not have a significant adverse effect on the environment.

Action: A motion to issue a Negative Declaration was made by Mrs. Hayner with a second from Mr. Allison with all in favor.

A motion to open the Public Hearing was made by Mrs. Hayner with a second from Mr. Almquist with all in favor. Mr. Tabaczynski stated the applicants are proposing a 2 lot subdivision one lot will be 1.43 acres the other 3.26 acres. Mr. Parisian a representative of PCK (Hudson Valley Mall) appeared stating a letter had been submitted to the Board requesting some technical changes on the plan. The changes deal with water, sewer and stormwater. Mr. Tabaczynski stated the issues are minor and can be resolved. A motion to close the public hearing was made by Mr. Decker with a second from Mr. Almquist with all in favor. Mr. Sorensen stated the Board will deal with Mr. Parisian's request in the site plan resolution.

Action: A motion to grant the subdivision was made by Mr. Allison with a second from Mrs. Hayner with all in favor.

Mr. Sorensen read the resolution to refer the project to the Town Board for approval.

WHEREAS, the Town of Ulster Planning Board and its consultant planner have reviewed an application by *TMI Hospitality with the consent of S&R Company of Kingston* seeking *Site Plan & Special Permit approval* to construct of a 92-unit, 52 foot-high, 4-story *Residence Inn by Marriott* extended-stay hotel along with associated parking, access, landscaped areas and utility infrastructure; and

WHEREAS, the proposed Residence Inn hotel is allowed as a Special Permit Use in accordance with the standards set forth in §190-25 (C) of the Town Code; and

WHEREAS, pursuant to the Town Code, the Town of Ulster *Town Board* retains the authority to approve the *site plan and special permit* for this action, subject to a favorable recommendation from the Town of Ulster Planning Board; and

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

- *Written Project Narrative* by Atlantic Design Engineers, Inc. dated February 4, 2014;
- *SEQR FULL EAF* prepared by Dan Rheault, Mngr. Hotel Design dated January 31, 2014;
- *Traffic Impact Analysis* prepared by Maser Consulting, P.C. dated January 29, 2014;
- *Photometric Plan* prepared by Persona Sign Makers dated January 30, 2014;
- *Sign Specification* prepared by Persona Sign Makers dated December 27, 2013;
- *Existing Conditions Survey* by Brinnier & Larios, P.C. dated December 18, 2013;
- *Site Layout Plan* prepared by Atlantic Design Engineers, Inc. dated February 4, 2014;
- *Grading & Erosion Control Plan* by Atlantic Design Engineers, Inc. dated February 4, 2014;
- *Utilities Plan* prepared by Atlantic Design Engineers, Inc. dated February 4, 2014;
- *Details Plans* prepared by Atlantic Design Engineers, Inc. dated February 4, 2014;
- *First Floor Plan* prepared by TMI Hospitality, Fargo North Dakota undated;
- *Second Floor Plan* prepared by TMI Hospitality, Fargo North Dakota undated;
- *Third Floor Plan* prepared by TMI Hospitality, Fargo North Dakota undated;
- *Exterior Elevations* prepared by TMI Hospitality, Fargo North Dakota undated;
- *Roof Plan* prepared by TMI Hospitality, Fargo North Dakota undated;
- *Lighting Plan* prepared by TMI Hospitality, Fargo North Dakota dated 1-30-14; and
- *Landscape Plan* prepared by TMI Hospitality, Fargo North Dakota dated 12-27-13.

- *Written Project Narrative* by Atlantic Design Engineers, Inc. dated June 10, 2014;
- *Building Rendering Plan provided* by TMI Hospitality, Fargo North Dakota on 6-14-14;
- *Traffic Impact Analysis* prepared by Maser Consulting, P.C. revised June 6, 2014;
- *Photometric Plan* prepared by Persona Sign Makers revised June 11, 2014;
- *Site Layout Plan* prepared by Atlantic Design Engineers, Inc. revised June 10, 2014; and
- *Landscape Plan* prepared by TMI Hospitality, Fargo North Dakota revised 6-9-14.

- *Photometric Plan* prepared by Persona Sign Makers revised June 26, 2014; and
- *Map of Subdivision* prepared by Brinnier & Larios, PC., dated June 10, 2013.

WHEREAS, the Proposed Action was referred to the Ulster County Planning Board pursuant to Section 239 l and m of NYS General Municipal Law by the Town of Ulster Planning Board at its June 17th meeting and written comments from the UCPB were received on July 14, 2014; and

WHEREAS, the Ulster County Planning Board provided the following Required Modifications: 1) The applicant will need to obtain permits for access and for planting within the County right-of-way from the Ulster County Department of Public Works, 2) In the future, should the Hudson Valley Mall change it's policy regarding direct access to the mall's ring road system, the emergency access will need to be upgraded to a full access, 3) At such time an improvement is reestablished for the purpose of expanding Frank Sottile Blvd. to Route 199, the Residence Inn should be included, and 4) Lighting Levels should conform to the Town of Ulster standards; and

WHEREAS, upon review of the UCPB Required Modifications, the Town of Ulster Planning Board found Required Modifications Nos. 1-3 would best be addressed as conditions of approval and Required Modification No. 4 was satisfied through a revision to the Lighting Plan dated June 26, 2014; and

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WHEREAS, the Town of Ulster Planning Board as Lead Agency for the Unlisted Action-Coordinated Review studied the SEQR Full EAF Part 1 and 2, Traffic Impact Analysis, Visual Impact Assessment, and SWPPP along with comments of the Town Engineer, Highway, Water and Sewer Departments and found the Proposed Action would not pose any potentially significant environmental impacts *based upon studies provided and the mitigation measures being employed in the design of the proposed development and issued a SEQR Negative Declaration; and*

WHEREAS, the Proposed Action also involved a 2-lot minor subdivision and the Town of Ulster Planning Board granted Minor Subdivision approval at its July 15th meeting following the close of its public hearing; and

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Planning Board refers this matter to the Town Board with a recommendation that the Town Board affirm its SEQR Determination of Non-Significance (Negative Declaration); and

FURTHER BE IT RESOLVED, the Town of Ulster Planning Board hereby recommends the Town Board grant *TMI Hospitality* Site Plan & Special Permit approval to construct of a 92-unit, 52 foot-high, 4-story *Residence Inn by Marriott* extended-stay hotel along with associated parking, access, landscaped areas and utility infrastructure on 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. Compliance with final site plan, design plans and all details as cited herein;
4. Approval of final SWPPP and utility plans by the Town Engineer and Sewer & Water Departments;
5. Prior to construction, the applicant obtains permits for access and for planting within the County right-of-way from the Ulster County Department of Public Works;
6. Should the Hudson Valley Mall change it's policy regarding direct access to the mall's ring road system, the Residence Inn would need to upgrade the emergency access to full access,
7. At such time an improvement district is reestablished for the purpose of expanding Frank Sottile Blvd. to Route 199, the Residence Inn should be included in the district;
8. The applicant makes minor technical revisions to Site Plan set as requested by PCK Development Company, LLC in their letter dated 7/15/14, and agreed upon by applicant's representative at the July 15, 2014 Planning Board meeting;
9. 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
10. All fees, including consultant fees, shall be paid.

Action: A motion to forward the project to the Town Board with the recommendation for approval was made by Mr. Allison with a second from Mrs. .Hayner with all in favor.

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Holiday Inn Express and Suites – 1857 Ulster Avenue

Dennis Larios appeared on behalf of the application for a 103 room 4-story hotel. Mr. Larios stated Most of the details have been submitted; the landscaping is ready and will be submitted for the next meeting. The applicant met with NYS DOT and they have approved an entrance that is closer to the northern end of the site opposite of Stewart's. An emergency vehicle plan will also be submitted next month. The applicant is also requesting a subdivision; .50 acres will remain with the existing house the remainder will be the hotel site. Mr. Sorensen reviewed his memo stating a sidewalk connecting the site to the street sidewalk should be added to the plans. Mr. Sorensen requested a cross access easement be designated; a short discussion on the cross access easement follow with the Board was in agreement that the cross access site should be flexible. If the neighboring property is going to be developed it should not have to build their plans around the access. Mr. O'Brien suggested the applicant do something to soften the look of the building. Mr. Larios stated that there are no plans to put a water park on the property. The hotel is the only use that is being proposed; as per DOT if the entrance is going to be used for any other uses the entrance will need to be reevaluated by DOT. **Action:** A motion to refer the project to the UCPB was made by Mr. Almquist with a second from Mrs. Hayner with all in favor.

Hardee's – 1601 Ulster Avenue

Jeff Kane appeared on behalf of the application for a 3,007 sq ft Hardee's Restaurant. Mr. Kane gave an update report on the Medical Building Site and stated that a basic plan has been submitted but a detail set of plans will be submitted for review next month. A sidewalk connecting Hardee's will be added to the plan. **Action:** A motion to forward the detailed plans to the UCPB was made by Mr. Decker with a second from Mr. Allison with all in favor.

Lake Katrine Shopping Center: 1774-1776 Ulster Avenue

Larry Decker and Frank Almquist recused themselves. Mr. Decker appeared on behalf of the application for a change of use. The site consists of a multi-tenant building and a separate building that was a deli. The applicant would like to convert the vacant deli building to an office for Mobile Life Support. There will be no changes to the exterior of the building or site. Mr. Sorensen stated it is a straight forward application with enough parking on site to accommodate the use. Mr. Sorensen recommended the Board grant the change of use with the following conditions:

1. Compliance with applicable zoning and building laws, rules and regulations;
2. Compliance with all representations made by the applicant;
3. The Town's consulting planner 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
4. All fees, including consultant fees, shall be paid.

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Action: A motion to accept the Planner's recommendation was made by Mr. O'Brien with a second from Mrs. Hayner with all in favor.

Mr. Almquist suggested the Planning Board write a letter to the Town Board requesting they remove the small signs that are on the roadways throughout the town.

Action: A motion to adjourn was made by Mr. Decker with a second from Mrs. Hayner with all in favor.

Respectfully Submitted,
Mary Secreto
Planning Secretary