

*TOWN OF ULSTER
PLANNING BOARD
APRIL 17, 2013*

watermark

The monthly meeting of the Town of Ulster Planning Board was held on Wednesday April 17, 2013 at 7:00 p.m. at the Town Hall Lake Katrine New York. The following members were present:

Alan Sorensen – Planner
Karl Allison
Frank Almquist - Alternate

Gary Mulligan- Acting Chairman
Larry Decker
Tim O’Brien - Alternate

A motion to approve the minutes from the March meeting was made by Mr. O’Brien with a second from Mr. Almquist. All were in favor.

Mr. Mulligan designated Mr. Almquist and Mr. O’Brien as alternates for the April meeting.

Tractor Supply

Kyle Kirchoff and Larry Boudreau appeared on behalf of the application for site plan amendment for a Tractor Supply Store. Mr. Boudreau stated the landscaping plan and lighting have been upgraded; all signage will be code compliant. A revised SWWP has been submitted for review by the Town Engineer. The application to the Army Corps of Engineers is ready to be submitted. The applicant has applied for a Lot Line Adjustment; this will combine the two lots into one. Mr. Kirchoff reviewed the elevations with the Board stating the facade will look similar to the Medical Building that will be on site. Mr. Sorensen stated Brinnier & Larios would need to approve the SWWP. Mr. Sorensen recommended the Board reaffirm the SEQRA that was approved during the Medical Building plan review, approve the Lot Line Adjustment and refer the project to the Town Board with the recommendation of approval. Mr. Sorensen read the resolution

WHEREAS, the Town of Ulster Planning Board and its consultant planner, Town Engineer (Brinnier & Larios, PC), Water & Sewer Departments have reviewed an application by *MHMG – KM Kingston, LLC* – seeking Lot Line Adjustment (consolidation) approval pursuant Chapter 161 of the Town Code, to combine Section-Block-Lot: 39.082-2-7.1 and 19, which would result in a 14.66-acre lot encompassing the entire subject site; and

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

- *Written Project Narrative* prepared by Jeff Kane dated February 6, 2013;
- *Site Plan Application* prepared by Kyle Kirchoff dated February 13, 2013;
- *Written Project Narrative* prepared by Kyle Kirchoff dated February 13, 2013;
- *Escrow Agreement* signed by Kyle Kirchoff for KHMG-KM Kingston, LLC dated 2/13/13;
- *Site Plan Consent Form* by David Silver of 1561 Ulster Properties, LLC dated 2/12/2013;
- *Trip Generation Analysis* prepared by Maser Consulting, P.A, dated 2/12/13;

*TOWN OF ULSTER
PLANNING BOARD
APRIL 17, 2013*

-
- *Title Sheet for Amended Site Plan* by Chazen Engineering & Surveying, P.C, dated 2/13/13;
- *Map of Existing Conditions* by Chazen Engineering & Surveying, P.C, dated 12/13/11;
- *Overall Master Site Develop. Plan* by Chazen Engineering & Surveying, P.C, dated 2/13/13;
- *Demolition Plan* prepared by Chazen Engineering & Surveying, P.C, dated 5/7/12;
- *Phase One Site Plan* prepared by Chazen Engineering & Surveying, P.C, dated 2/13/13;
- *Grading, Drainage and S&E C Plan* by Chazen Engineering & Surveying, P.C, dated 2/13/13;
- *Utility Plan* prepared by Chazen Engineering & Surveying, P.C, dated 2/13/13;
- *Fire Apparatus Access Plan* prepared by Chazen Engineering & Surveying, P.C, dated 2/13/13;
- *Signage Plan* prepared by Chazen Engineering & Surveying, P.C, dated 2/13/13;
- *Landscaping Plan* prepared by Chazen Engineering & Surveying, P.C, dated 2/13/13;
- *Lighting Plan* prepared by Chazen Engineering & Surveying, P.C, dated 2/13/13;
- *Town of Ulster Water District Capacity Letter* by Paul Vogt, December 1, 2011; and
- *Town of Ulster Sewer District Capacity Letter* by Corey Halwick, December 1, 2011.

- *Project Review Notes* prepared by Brinnier & Larios, P.C. dated March 1, 2013;
- *Ulster County Planning Board Recommendation* by Robert Leibowitz dated 3/6/2013;
- *Cover Letter* prepared by Larry Boudreau, RLA GA NY, Project Manager dated 3/6/2013;
- *Title Sheet for Amended Site Plan* by Chazen Engineering & Surveying, P.C, revised 3/6/13;
- *Map of Existing Conditions* by Chazen Engineering & Surveying, P.C, dated 12/13/11;
- *Overall Master Site Develop. Plan* by Chazen Engineering & Surveying, P.C, revised 3/6/13;
- *Demolition Plan* prepared by Chazen Engineering & Surveying, P.C, revised 3/6/13;
- *Phase One Site Plan* prepared by Chazen Engineering & Surveying, P.C, revised 3/6/13;
- *Grading, Drainage and S&E C Plan* by Chazen Engineering & Surveying, P.C, revised 3/6/13;
- *Utility Plan* prepared by Chazen Engineering & Surveying, P.C, revised 3/6/133;
- *Fire Apparatus Access Plan* prepared by Chazen Engineering & Surveying, P.C, dated 2/13/13;
- *Signage Plan* prepared by Chazen Engineering & Surveying, P.C, revised 3/6/13;
- *Landscaping Plan* prepared by Chazen Engineering & Surveying, P.C, revised 3/6/13;
- *Lighting Plan* prepared by Chazen Engineering & Surveying, P.C, revised 3/6/13;
- *Site Details* prepared by Chazen Engineering & Surveying, P.C, dated 5/7/12;
- *Sanitary Sewer System Details* by Chazen Engineering & Surveying, P.C, revised 3/6/13;
- *Water System Details* prepared by Chazen Engineering & Surveying, P.C, dated 5/7/12;
- *Erosion and Sediment Control Details* by Chazen Engineering & Surveying, P.C, dated 5/7/12;
- *Stormwater Details* prepared by Chazen Engineering & Surveying, P.C, dated 5/7/12;
- *Landscaping Details and Notes* by Chazen Engineering & Surveying, P.C, dated 5/7/12;
- *Section Elevations* prepared by Chazen Engineering & Surveying, P.C, dated 12/7/11; and
- *Architectural Elevations* prepared by Oxford Architecture dated 3/12/13.
- *Section Elevations* prepared by Chazen Engineering & Surveying, P.C, dated 12/7/11; and

TOWN OF ULSTER
PLANNING BOARD
APRIL 17, 2013

-
- *Proposed Exterior Building Elevations* by Optimus Architecture dated November 15, 2011.
Cover Letter prepared by Larry Boudreau, RLA GA NY, Project Manager dated 4/3/2013;
- *Application for Lot Line Consolidation* by Chazen Engineering & Surveying, P.C, dated 4/3/13;
- *Map of Lot Line Consolidation* by Chazen Engineering & Surveying, P.C, dated 4/3/13;
- *Title Sheet for Amended Site Plan* by Chazen Engineering & Surveying, P.C, revised 4/2/13;
- *Map of Existing Conditions* by Chazen Engineering & Surveying, P.C, dated 12/13/11;
- *Overall Master Site Develop. Plan* by Chazen Engineering & Surveying, P.C, revised 4/2/13;
- *Demolition Plan* prepared by Chazen Engineering & Surveying, P.C, dated 5/7/12;
- *Phase One Site Plan* prepared by Chazen Engineering & Surveying, P.C, revised 4/2/13;
- *Grading, Drainage and S&E C Plan* by Chazen Engineering & Surveying, P.C, revised 4/2/13;
- *Utility Plan* prepared by Chazen Engineering & Surveying, P.C, revised 4/2/13;
- *Fire Apparatus Access Plan* by Chazen Engineering & Surveying, P.C, revised 4/2/13;
- *Signage Plan* prepared by Chazen Engineering & Surveying, P.C, revised 3/6/13;
- *Landscaping Plan* prepared by Chazen Engineering & Surveying, P.C, revised 4/2/13;
- *Lighting Plan* prepared by Chazen Engineering & Surveying, P.C, revised 4/4/13;
- *Site Details* prepared by Chazen Engineering & Surveying, P.C, dated 5/7/12;
- *Sanitary Sewer System Details* by Chazen Engineering & Surveying, P.C, revised 4/2/13;
- *Water System Details* prepared by Chazen Engineering & Surveying, P.C, dated 5/7/12;
- *Erosion and Sediment Control Details* by Chazen Engineering & Surveying, P.C, dated 5/7/12;
- *Stormwater Details* prepared by Chazen Engineering & Surveying, P.C, revised 4/2/13;
- *Landscaping Details and Notes* by Chazen Engineering & Surveying, P.C, dated 5/7/12;
- *Section Elevations* prepared by Chazen Engineering & Surveying, P.C, dated 12/7/11;
and
- *Architectural Elevations* prepared by Oxford Architecture, revised 4/5/13.

WHEREAS, the Town of Ulster Planning Board has reviewed the SEQR Negative Declaration statement along with comments of the Town Engineer, Highway, Water and Sewer Departments and finds the Current Proposed Action would not pose any potentially significant environmental impacts *based upon detailed studies provided and the mitigation measures being employed in the design of the proposed TSC Store development; and*

WHEREAS, the Current Proposed Action does not exceed any of the thresholds established under the original SEQR Negative Declaration, thus no further SEQR review is required; and

WHEREAS, the Town Board has determined it has complied fully with the procedural requirements of Part 617 of the State Environmental Quality Review (SEQR) Law; and

TOWN OF ULSTER
PLANNING BOARD
APRIL 17, 2013

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Planning Board **hereby** grants Lot Line Adjustment Approval to *MHMG – KM Kingston, LLC* to allow the combination of SBL 39.082-2-7.1 and 19.

Action: A motion to reaffirm SEQRA and approve the Lot Line Adjustment was made by Mr. O'Brien with a second from Mr. Allison with all in favor.

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

WHEREAS, the Town of Ulster Planning Board and its consultant planner, Town Engineer (Brinnier & Larios, PC), Water & Sewer Departments have reviewed an application by *MHMG – KM Kingston, LLC* – seeking *Site Plan approval* to construct a 19,067 sf *Tractor Supply Company* store with a 15,000 sf fenced outdoor display area and an additional 3,255 sf of designated display area in front of the retail store, plus an additional 2,645 sf of permanent trailer and equipment and display area on the west side of the building on the above referenced site; and

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

- *Written Project Narrative* prepared by Jeff Kane dated February 6, 2013;
- *Site Plan Application* prepared by Kyle Kirchoff dated February 13, 2013;
- *Written Project Narrative* prepared by Kyle Kirchoff dated February 13, 2013;
- *Escrow Agreement* signed by Kyle Kirchoff for *KHMG-KM Kingston, LLC* dated 2/13/13;
- *Site Plan Consent Form* by David Silver of 1561 Ulster Properties, LLC dated 2/12/2013;
- *Trip Generation Analysis* prepared by Maser Consulting, P.A, dated 2/12/13;
- *Title Sheet for Amended Site Plan* by Chazen Engineering & Surveying, P.C, dated 2/13/13;
- *Map of Existing Conditions* by Chazen Engineering & Surveying, P.C, dated 12/13/11;
- *Overall Master Site Develop. Plan* by Chazen Engineering & Surveying, P.C, dated 2/13/13;
- *Demolition Plan* prepared by Chazen Engineering & Surveying, P.C, dated 5/7/12;
- *Phase One Site Plan* prepared by Chazen Engineering & Surveying, P.C, dated 2/13/13;
- *Grading, Drainage and S&E C Plan* by Chazen Engineering & Surveying, P.C, dated 2/13/13;
- *Utility Plan* prepared by Chazen Engineering & Surveying, P.C, dated 2/13/13;
- *Fire Apparatus Access Plan* prepared by Chazen Engineering & Surveying, P.C, dated 2/13/13;
- *Signage Plan* prepared by Chazen Engineering & Surveying, P.C, dated 2/13/13;
- *Landscaping Plan* prepared by Chazen Engineering & Surveying, P.C, dated 2/13/13;
- *Lighting Plan* prepared by Chazen Engineering & Surveying, P.C, dated 2/13/13;
- *Town of Ulster Water District Capacity Letter* by Paul Vogt, December 1, 2011; and
- *Town of Ulster Sewer District Capacity Letter* by Corey Halwick, December 1, 2011.

- *Project Review Notes* prepared by Brinnier & Larios, P.C. dated March 1, 2013;
- *Ulster County Planning Board Recommendation* by Robert Leibowitz dated 3/6/2013;
- *Cover Letter* prepared by Larry Boudreau, RLA GA NY, Project Manager dated 3/6/2013;
-

TOWN OF ULSTER
PLANNING BOARD
APRIL 17, 2013

-
- *Title Sheet for Amended Site Plan* by Chazen Engineering & Surveying, P.C, revised 3/6/13;
- *Map of Existing Conditions* by Chazen Engineering & Surveying, P.C, dated 12/13/11;
- *Overall Master Site Develop. Plan* by Chazen Engineering & Surveying, P.C, revised 3/6/13;
- *Demolition Plan* prepared by Chazen Engineering & Surveying, P.C, revised 3/6/13;
- *Phase One Site Plan* prepared by Chazen Engineering & Surveying, P.C, revised 3/6/13;
- *Grading, Drainage and S&E C Plan* by Chazen Engineering & Surveying, P.C, revised 3/6/13;
- *Utility Plan* prepared by Chazen Engineering & Surveying, P.C, revised 3/6/133;
- *Fire Apparatus Access Plan* prepared by Chazen Engineering & Surveying, P.C, dated 2/13/13;
- *Signage Plan* prepared by Chazen Engineering & Surveying, P.C, revised 3/6/13;
- *Landscaping Plan* prepared by Chazen Engineering & Surveying, P.C, revised 3/6/13;
- *Lighting Plan* prepared by Chazen Engineering & Surveying, P.C, revised 3/6/13;
- *Site Details* prepared by Chazen Engineering & Surveying, P.C, dated 5/7/12;
- *Sanitary Sewer System Details* by Chazen Engineering & Surveying, P.C, revised 3/6/13;
- *Water System Details* prepared by Chazen Engineering & Surveying, P.C, dated 5/7/12;
- *Erosion and Sediment Control Details* by Chazen Engineering & Surveying, P.C, dated 5/7/12;
- *Stormwater Details* prepared by Chazen Engineering & Surveying, P.C, dated 5/7/12;
- *Landscaping Details and Notes* by Chazen Engineering & Surveying, P.C, dated 5/7/12;
- *Section Elevations* prepared by Chazen Engineering & Surveying, P.C, dated 12/7/11;
and
- *Architectural Elevations* prepared by Oxford Architecture dated 3/12/13.
- *Section Elevations* prepared by Chazen Engineering & Surveying, P.C, dated 12/7/11;
and
- *Proposed Exterior Building Elevations* by Optimus Architecture dated November 15, 2011.

- *Cover Letter* prepared by Larry Boudreau, RLA GA NY, Project Manager dated 4/3/2013;
- *Application for Lot Line Consolidation* by Chazen Engineering & Surveying, P.C, dated 4/3/13;
- *Map of Lot Line Consolidation* by Chazen Engineering & Surveying, P.C, dated 4/3/13;
- *Title Sheet for Amended Site Plan* by Chazen Engineering & Surveying, P.C, revised 4/2/13;
- *Map of Existing Conditions* by Chazen Engineering & Surveying, P.C, dated 12/13/11;
- *Overall Master Site Develop. Plan* by Chazen Engineering & Surveying, P.C, revised 4/2/13;
- *Demolition Plan* prepared by Chazen Engineering & Surveying, P.C, dated 5/7/12;
- *Phase One Site Plan* prepared by Chazen Engineering & Surveying, P.C, revised 4/2/13;
- *Grading, Drainage and S&E C Plan* by Chazen Engineering & Surveying, P.C, revised 4/2/13;
- *Utility Plan* prepared by Chazen Engineering & Surveying, P.C, revised 4/2/13;
- *Fire Apparatus Access Plan* by Chazen Engineering & Surveying, P.C, revised 4/2/13;
- *Signage Plan* prepared by Chazen Engineering & Surveying, P.C, revised 3/6/13;
- *Landscaping Plan* prepared by Chazen Engineering & Surveying, P.C, revised 4/2/13;
- *Lighting Plan* prepared by Chazen Engineering & Surveying, P.C, revised 4/4/13;

TOWN OF ULSTER
PLANNING BOARD
APRIL 17, 2013

-
- *Site Details* prepared by Chazen Engineering & Surveying, P.C, dated 5/7/12;
- *Sanitary Sewer System Details* by Chazen Engineering & Surveying, P.C, revised 4/2/13;
- *Water System Details* prepared by Chazen Engineering & Surveying, P.C, dated 5/7/12;
- *Erosion and Sediment Control Details* by Chazen Engineering & Surveying, P.C, dated 5/7/12;
- *Stormwater Details* prepared by Chazen Engineering & Surveying, P.C, revised 4/2/13;
- *Landscaping Details and Notes* by Chazen Engineering & Surveying, P.C, dated 5/7/12;
- *Section Elevations* prepared by Chazen Engineering & Surveying, P.C, dated 12/7/11;
- and
- *Architectural Elevations* prepared by Oxford Architecture, revised 4/5/13.

WHEREAS, the Town of Ulster Planning Board granted Lot Line Adjustment Approval at its April 17, 2013 meeting to allow the combination of 39.082-2-7.1 and 19; and

WHEREAS, the proposed Tractor Supply Company Store is permitted-by-right subject to Site Plan approval by the Town of Ulster Town Board in accordance with the Town Code; and

WHEREAS, the Proposed Action was referred to the Ulster County Planning Board pursuant to Section 239 l and m of NYS General Municipal Law and written comments from the UCPB were provided on March 6, 2013; and

WHEREAS, upon review of the UCPB Required Modifications, the Town of Ulster Planning Board concluded the Town Board should override the required modification to require foundation landscaping should be provided along the southern elevation of the building; and

WHEREAS, the Town of Ulster Planning Board has reviewed the SEQR Negative Declaration statement along with comments of the Town Engineer, Highway, Water and Sewer Departments and finds the Current Proposed Action would not pose any potentially significant environmental impacts *based upon detailed studies provided and the mitigation measures being employed in the design of the proposed TSC Store development; and*

WHEREAS, the Current Proposed Action does not exceed any of the thresholds established under the original SEQR Negative Declaration, thus no further SEQR review is required; and

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

FURTHER BE IT RESOLVED, the Town of Ulster Planning Board hereby recommends the Town Board override of the UCPB required modification to require

*TOWN OF ULSTER
PLANNING BOARD
APRIL 17, 2013*

foundation landscaping should be provided along the southern elevation of the building;
and

FURTHER BE IT RESOLVED, the Town of Ulster Planning Board hereby recommends the Town Board grant Site Plan Approval to *MHMG – KM Kingston, LLC* to construct a 19,067 sf *Tractor Supply Company* store with a 15,000 sf fenced outdoor display area and an additional 3,255 sf of designated display area in front of the retail store, plus an additional 2,645 sf of permanent trailer and equipment and display area on the west side of the building 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 site plan, design plans and all details as cited herein;
4. Approval of final detailed utility plans, SWPPP, etc., by the Town Engineer and Sewer & Water Departments and receipt of water & sewer permits prior to construction;
5. 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
6. All fees, including consultant fees, shall be paid.

Action: A motion to refer the project to the Town Board with a recommendation of approval was made by Mr. Decker with a second from Mr. Almquist with all in favor.

Volkswagen of Kingston

John Capobianco appeared on behalf of the application for a 2,580 sq ft addition to the Kingston Volkswagen site. Mr. Capobianco stated the layout has changed slightly. When cars arrive for service they will not be lined up in front of the building. There will be a parking area designated for the service center. Drainage, sediment control and design questions from the Sewer Superintendent will be submitted at a later date. A short discussion on signage followed, the applicant will submit cut sheets next month. Alighting plan should be completed by the end of the week. Mr. Sorensen stated DOT will need to review the traffic circulation on the site. A list of plantings will also be required. The owner of the site does not want a cross access in the front as he feels it will encourage drivers to cut thru his site and his cars may be damaged. Mr. Sorensen stated that DOT will review the cross access when reviewing the traffic control. No action was taken.

McDonald's

Brad Bohler appeared on behalf of the application for McDonald's. The applicant is proposing demolition and rebuilding the existing restaurant. Mr. Bohler stated he

*TOWN OF ULSTER
PLANNING BOARD
APRIL 17, 2013*

contacted DOT; the access points are fine. The sidewalk will require more investigation as the process to place a sidewalk on the state right of way can take a long time. The pole sign has been changed to a monument sign; Mr. Sorensen and the Board requested the size of the sign be reduced. A short discussion on the lighting followed; the Board will request the Zoning Board limit the lighting to 3foot candles on the site. The applicant will submit samples of the stone that will be on the facade. The applicant will also be moving forward with a lot consolidation. No action was taken by the Board.

Callanan Industries

Jeff Frani appeared on behalf of the application for an additional silo to store asphalt in the existing footprint. Mr. Sorensen reviewed the site map pointing out where the equipment is located and the elevation of the existing silos and the proposed silo. Mr. Sorensen questioned if the site received prior site plan approval. The applicant stated yes in 1997. Mr. Sorensen stated although he stated in his review the Board might be in a position to vote he needs more time to review the prior approval to see if there were any conditions placed on the site. The applicant explained that they are not changing the operation on the site and are not expanding the site as the silo will be in the existing footprint. Mr. Sorensen also requested copies of all operating permits. The applicants explained each silo hold a different mixture of asphalt, by adding a silo it will allow them to carry more products. No action was taken by the Board.

Applebee's

Anthony DeBerra appeared on behalf of the application for a facade change at Applebee's. Mr. DeBerra stated the brick on the tower will change to stone and a new canopy will be installed. The canopy has 27 watt bulbs. All signage on the site has already received approval from the Building Department.

Action: A motion to grant approval of a facade change was made by Mr. O'Brien with a second from Mr. Allison. All were in favor.

Frank Lange/ 1950 Ulster Avenue

Frank Lange appeared on behalf of the application to convert a vacant deli to a tattoo parlor. Mr. Lange stated he went to a workshop meeting and revised his plans as per Mr. Sorensen. Mr. Lange submitted a photo of the signage he is requesting.

Action: A motion to grant site plan approval was made by Mr. O'Brien with a second from Mr. Decker with all in favor.

A motion to adjourn was made by Mr. Mulligan with a second from Mr. Allison with all in favor.

Respectfully Submitted,
Mary Secreto
Planning Secretary