

*TOWN OF ULSTER
PLANNING BOARD
December 13, 2016*

The monthly meeting of the Town of Ulster Planning Board was held on Tuesday December 13, 2016 at 7:00 p.m. at the Town Hall Lake Katrine, New York. The following members were present:

Gary Mulligan-Chairman
Anna Hayner
Troy Ashdown
Andrew Stavropoulos

Larry Decker
Frank Almquist
Karl Allison
Alan Sorensen – Planner

A motion to approve the minutes from the November meeting was made by Mr. Almquist with a second from Mr. Decker with all in favor.

Lands of Christiana- Public Hearing

Michael Vetere Jr. appeared on behalf of the application for a minor subdivision. Lot 1 will be 0.390 acres with an existing single family dwelling and Lot 2 will have .862 acres with an existing 4,100 sq. ft. metal building. Both lots comply with Town requirements. A motion to open the Public Hearing was made by Mrs. Hayner with a second from Mr. Almquist. No one appeared for or against the subdivision. A motion to close the Public Hearing was made by Mr. Decker with a second from Mr. Allison with all in favor. Mr. Sorensen recommended the Board grant a Negative Declaration as per SEQRA and grant Minor Subdivision approval.

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

A motion to accept the Planners recommendation and grant subdivision approval was made by Mr. Almquist with a second from Mr. Allison with all in favor.

WHEREAS, the applicant – **Michael F. Vetere, Jr. P.L.S with the consent of Deborah J. Christiana (owner)** – is seeking *Minor subdivision* approval in accordance with Section 161-10 and of the Town of Ulster Code to subdivide the subject 1.252-acre property into two (2) lots.; and

WHEREAS, pursuant to Section 161-9 of the Town Code, the Proposed Action is a Minor Subdivision, which is subject to the approval of the Town of Ulster Planning Board; and

WHEREAS, the Proposed Action also required an area variance, which was granted by the Zoning Board of Appeals on December 7, 2016 following the close of its public hearing; and

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

- *Consent to File Form* signed by Deborah Christiana dated October 19, 2016;
- Preliminary Subdivision Application* by Michael F. Vetere, Jr. P.L.S., dated October 19, 2016;

*TOWN OF ULSTER
PLANNING BOARD
December 13, 2016*

- *SEQR Short EAF Part 1* prepared by Michael F. Vetere, Jr. P.L.S., dated October 19, 2016;
and
- *Map of Subdivision* prepared by Michael F. Vetere, Jr. P.L.S., dated October 19, 2016.

WHEREAS, the proposed lots comply with the bulk requirements of the R-10 Residential Zoning District and the area variance granted by the Zoning Board of Appeals; and

WHEREAS, referral to the Ulster County Planning Board was not required pursuant to the UCPB Land Use Referral Guide, *since the Proposed Action involves fewer than 5 lots and access roads and structures are not situated within the 100-year floodplain*; 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 *Map of Subdivision* was prepared by Michael F. Vetere, Jr, LS dated October 19, 2016 and submitted for review to the Planning Board with a recommendation by its consulting planner to accept the proposed subdivision plat; and

WHEREAS, the Planning Board waived the requirement for a preliminary public hearing and set a public hearing for the Final Plat for its December 13, 2016 meeting; and

WHEREAS; the public hearing was held during which no public controversy was raised concerning the Proposed Action; and

WHEREAS, the Planning Board upon review of the entire record (including SEQR Short EAF Part 1 & 2) found the Proposed Action did not pose a potentially significant adverse environmental impact; and

NOW THEREFORE BE IT RESOLVED, the Planning Board has determined they have complied fully with the procedural requirements of Part 617 of the State Environmental Quality Review (SEQR) Law and hereby issues a *SEQR Negative Declaration* for the Proposed Action; and

FURTHER BE IT RESOLVED, the Town of Ulster Planning Board hereby grants Minor Subdivision approval as described above to **Deborah J. Christiana** subject to the conditions, limitations and restrictions set forth below.

1. Plat may be filed with Office of County Clerk after signed by the Chairman of the Planning Board;
2. No changes, erasures, modifications or revisions shall be made to any plat after approval by the Planning Board and endorsed in writing on the plat; and
3. All fees, including consultant fees, shall be paid.

*TOWN OF ULSTER
PLANNING BOARD
December 13, 2016*

New York Heartwood

Michael Vetere appeared on behalf of the application for a change of use. The applicant is proposing a wood/furniture shop with outdoor kiln and a roof overhang for wood storage. The applicant has been granted a Use Variance. The only signage will be a 4'x6' sign that will be on the fence. There will be no color change. Mr. Sorensen stated the Negative Declaration for the Christina subdivision also covers this action. Mr. Sorensen recommended the Board grant approval of the change of use.

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

WHEREAS, the Town of Ulster Planning Board and its consultant planner have reviewed an application by *Megan Offner dba New York Heartwoods, LLC with the Consent of Deborah Christiana* is seeking *Site Plan* approval for a change-in-use to establish a wood / furniture fabrication shop on the subject site, which is located at 190 Harwich Street.; and

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

- *Consent to File Form* signed by Deborah Christiana dated October 19, 2016;
- *Site Plan Application* by Michael F. Vetere, Jr. P.L.S., dated October 19, 2016;
- *SEQR Short EAF* prepared by Michael F. Vetere, Jr. P.L.S., dated October 19, 2016; and
- *Site Plan* prepared by Michael F. Vetere, Jr. P.L.S., dated October 27, 2016.

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, with respect to SEQRA review the Proposed Action is part of a larger action that included the Subdivision of the subject site into two (2) lots, so the Planning Board classified the action as an Unlisted Action NYCRR Part 617 of the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Planning Board upon review of the entire record (including State Environmental Quality Review Act (SEQRA) Short Environmental Assessment Form Part 1 and Part 2 found the Proposed Action did not pose a significant environmental impact and granted a SEQRA Negative Declaration; and

WHEREAS, the Proposed Action also required an area variance, which was granted by the Zoning Board of Appeals on December 7, 2016 following the close of its public hearing; and

WHEREAS, the Planning Board held the required public hearing for the 2-Lot Subdivision affecting the subject property, closed the public hearing and granted Minor Subdivision approval at its December 13, 2016 meeting.

*TOWN OF ULSTER
PLANNING BOARD
December 13, 2016*

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

FURTHER BE IT RESOLVED, the application by New York Heartwoods, LLC for Site Plan Amendment approval as described above is granted, 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, building elevations and all details as cited herein;
4. 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;
5. All fees, including consultant fees, shall be paid.

Thomas Hricisak

Michael Vetere Jr. appeared on behalf of the application for a contractor's storage yard. The applicant is proposing to store up to 16 roll off containers with 2 parking spaces. There will be no structures. There is an existing 6' fence on site that will require an area variance as it is in the front setback. The Town Highway Superintendent and Town Engineer have requested gravel be placed on sloped areas to prevent erosion. A short discussion on the type of screening that should be use on the fence followed. Mr. Sorensen recommended the Board forward the application to the Ulster County Planning Board for comments.

Action: A motion to forward the project to the Ulster County planning Board was made by Mr. Decker with a second from Mr. Almquist with all in favor.

Romeo Kia

Larry Boudreau appeared on behalf of the application for a 19,000 square foot Kia Dealership. Mr. Boudreau stated the Town and the applicant are working with the County and NYS DOT in regards to the land surrounding the monument. The SWPPP is being updated and should be completed within a week. Elevations have been provided and they are waiting on a letter from U.S. Fish and Wildlife. A detailed sign package will be submitted at a later date. Mr. Sorensen stated due to the issues with the monument the site work will be completed in phases; the area around the monument will not be disturbed until the issues have been resolved. A short discussion on the Ulster County Planning Board comments for a cross access to the property to the North followed. Mr. Mulligan recommended the Board override the Required Modification as it is impractical. Mr. Quigley reviewed the process the Town will go through to resolve the monument

*TOWN OF ULSTER
PLANNING BOARD
December 13, 2016*

issues. Mr. Sorensen recommended the Board forward the project to the Town Board for approval with conditions.

Action: A motion to override the Ulster County Planning Board required modification to require a cross access was made by Mr. Almquist with a second from Mr. Decker with all in favor. A motion to forward the project to the Town board with a recommendation of conditional approval was made by Mrs. Hayner with a second from Mr. Almquist. All were in favor.

Shop Rite

Dan Pedersen appeared on behalf of the application for site plan amendment. The applicant is proposing a 2 phase project. Phase 1 will be the construction of a 10,250 square foot addition to the existing Shop Rite with a 669 square foot expansion to the mezzanine and reconfiguration of the parking area. The second phase will be construction of a 30,961 square foot retail building and 7,412 square foot building near the Sonic. The entrance at the rear of the building will be revised to be a one way in for delivery trucks only. Lighting poles will be replaced with twenty five foot fixtures. A short discussion on the project followed. Mr. Sorensen requested a modified SWPPP be submitted prior to the Board referring the project to the Ulster County Planning Board. The applicant will resubmit when the modified SWPPP is complete. No action was taken by the Board.

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

Respectfully Submitted,
Mary Secreto, Planning Secretary