

*TOWN OF ULSTER  
PLANNING BOARD  
December 16, 2014*

The monthly meeting of the Town of Ulster Planning Board was held on Tuesday December 16, 2014 at 7:00 p.m. at the Town Hall Lake Katrine, New York. The following members were present:

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

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

**Wolf-Tec, Inc**

Chris Zell appeared on behalf of the application for a Lot Line Adjustment. Mr. Sorensen stated the request is to transfer a small amount of land from the Town of Ulster lot to the City of Kingston lot. The Board granted a Negative Declaration with a permissive segmentation at last month's meeting. Mr. Sorensen recommended the Board grant the Lot Line Adjustment; the resolution was read.

**WHEREAS**, the Town of Ulster Planning Board and its consultant planner has reviewed an application by *Wolf-Tec, Inc./Whitman Electric* seeking approval for a Lot Line Adjustment between Town of Ulster Tax Parcels SBL 48.66-2-20.32 and 48.74-3-29.114; and

**WHEREAS**, pursuant to Chapter 161 of the Town Code, the proposed Lot Line Adjustment is subject to review and approval by the Town of Ulster Planning Board, and a public hearing is not required on this matter; and

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

- *Application for Preliminary Subdivision* by Don Tegeler, CFO dated October 21, 2014;
- *SEQR Short EAF* prepared by Don Tegeler, CFO-Wolf-Tec; dated October 21, 2014;
- *Letter of Agent granting Chris Zell, P.L.S.* to represent applicants dated 10-23/2014;
- *Map of Lot Line Revision* by Christopher J. Zell, P.L.S. dated October 20, 2014; and
- *Application Addendum: Lawful Segmentation* by Michael A. Moriello, Esq. dated 11/17/14.

**WHEREAS**, in accordance with GML § 239-nn, the Town of Ulster Planning Board gave notice of the Proposed Action via mail to the clerk of the City of Kingston.

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**WHEREAS**, a *Map of Lot Line Revision* was prepared by Christopher J. Zell, *P.L.S.* dated October 20, 2014 and submitted for review to the Planning Board with a recommendation to accept the *Map of Lot Line Revision* by its consulting planner subject to the Title Block being relabeled *Map of Lot Line Adjustment*; and

**WHEREAS**, the Town of Ulster Planning Board The Proposed Action classified the action as *Unlisted Action* pursuant to Part 617 of the State Environmental Quality Review Act and upon review of the Proposed Action found it was one that would not have potentially significant impacts on the environment and issued a SEQR Negative Declaration.

**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

**FURTHER BE IT RESOLVED**, the Town of Ulster Planning Board hereby grants Lot Line Adjustment approval as described above to *Wolf-Tec, Inc./Whitman Electric* 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 in accordance with Section 161-16 of the Town Code.
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;
3. Plat shall be filed in the Office of the Ulster County Clerk within sixty-two (62) days of the date upon which such plat is approved; and
4. All fees, including consultant fees, shall be paid.

**Action:** A motion to grant the Lot Line Adjustment was made by Mr. Decker with a second from Mr. Almquist with all in favor.

**Blue Spa/ Foot Massage**

Mr. Sorensen explained to the applicant what would need to be submitted prior to Planning Board review. The applicant will submit the requested materials as soon as possible.

**H&V Collision**

Richard Tanchyk appeared to discuss the freestanding sign at H&V Collision. Mr. Tanchyk stated the renovations on the building have been completed and the business is now open. Mr. Tanchyk submitted pictures of the proposed signage along with pictures of the existing sign from different angles. The signage that is being proposed will utilize the existing poles. The top part of the sign will be removed making the sign lower. The site is below the road and is not easily seen when driving on Ulster Avenue. The Board

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reviewed the submitted signage. The only thing that will be used is the existing poles. The light fixtures will be removed with new Led lighting replacing it. A discussion on the height of the sign followed. Mr. Sorensen suggested the applicant go the NYS DOT and request a Use and Occupancy Permit to locate the sign adjacent to the highway in the DOT right, of way, or they will have to appear before the Zoning Board of Appeals to seek a variance for the height as it currently exceeds Town code. The applicant will review the Boards comments and return at a later date.

**Hudson Landing**

Dan Simone appeared on behalf of the Hudson Landing Project. Mr. Simone reviewed Phase I with the Board. Phase I will provide public access areas via North Street in Kingston and John Street in the Town. The promenade will have walkways and hiking trails as well as kayaking launches. Parking areas will be provided at both ends of the site. No action was taken by the Board.

**Greene County Bank**

Shawn Fitzgerald appeared on behalf of the request for a freestanding sign at 2 Miron Lane that will replace signage that was removed when the M&T Bank closed. Mr. Fitzgerald submitted photos of the proposed signage stating the sign will be in the same place as the M&T Bank sign was due to Sewer Easements. The photos show a post from the old signage. The sign will have time and temperature and will be top lit. The sign will be 12' in height. Mr. Kovacs stated a site plan showing the location of the sign would not be required. Mr. Sorensen stated the request is a type II action and recommends approval of the sign with the addition of the street address.

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

**Pugliese & Emanuele**

Michael Vetere appeared on behalf of the application for a Lot Line Adjustment. Mr. Vetere stated the applicant is requesting a transfer of .218 acres due to encroachments of a shed and deck. Mr. Sorensen recommended the Board grant a Negative Declaration as per SEQRA and approve the Lot Line Adjustment.

**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 grant approval of the Lot Line Adjustment was made by Mr. Decker with a second from Mr. Almquist with all in favor.

**WHEREAS,** the Town of Ulster Planning Board and its consultant planner has reviewed an application by *David & Eileen Pugliese and Joseph & Marilyn Emanuele* seeking approval for the Lot Line Adjustment between Town of Ulster Tax Parcels SBL 56.30-1-18 & 39.11; and

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**WHEREAS**, pursuant to Chapter 161 of the Town Code, the proposed *Lot Line Adjustment* is subject to review and approval by the Town of Ulster Planning Board, and a public hearing is not required on this matter; and

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

- *Application for Preliminary Subdivision* by David & Eileen Pugliese, dated December 1, 2014;
- *SEQR Short EAF* prepared by Michael F. Vetere, Jr. P.L.S; dated December 1, 2014; and
- *Map of Lot Line Revision* by Michael F. Vetere, Jr, P.L.S. dated December 1, 2014.

**WHEREAS**, referred to the Ulster County Planning Board was not required, in accordance with the County/Town referral agreement, since the Proposed Action involved fewer than 5 lots and access roads and structures were not situated within the 100-year floodplain; and

**WHEREAS**, a *Map of Lot Line Revision* was prepared by Michael F. Vetere, Jr. P.L.S. dated December 1, 2014 and submitted for review to the Planning Board with a recommendation to accept the *Map of Lot Line Revision* by its consulting planner subject to the Title Block being retitled *Map of Lot Line Adjustment*; and

**WHEREAS**, the Town of Ulster Planning Board classified the action as *Unlisted Action* pursuant to pursuant to Part 617 of the State Environmental Quality Review Act and upon review found it was one that would not have potentially significant impacts on the environment and issued a SEQR Negative Declaration.

**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

**FURTHER BE IT RESOLVED**, the Town of Ulster Planning Board hereby grants Lot Line Adjustment approval as described above to *David & Eileen Pugliese and Joseph & Marilyn Emanuele* 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 in accordance with Section 161-16 of the Town Code.
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;
3. Plat shall be filed in the Office of the Ulster County Clerk within sixty-two (62) days of the date upon which such plat is approved; and
4. All fees, including consultant fees, shall be paid.

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**Adams Fairacre Farms**

Khatter Elmassalemah and Scott Dutton appeared on behalf of the application for site plan amendment. Mr. Elmassalemah stated the applicant is proposing 2 small additions (2,200 sq ft). One addition will be on the North side of the building the other the rear of the building. The parking area to the North will be realigned and additional employee parking will be added to the near the south of the Garden Center. New landscaping will include the use of spruce trees. There will be no changes to the facade of the building. Mr. Dutton stated the applicant is working with the Sewer Department on grease trap replacements. Mr. Sorensen stated that this is a Type II action therefore no further action is required. Mr. Sorensen recommended the Board grant approval of the site plan amendment.

**Action:** a motion to accept the Planners recommendation was made by Mr. Almquist with a second from Mr. Decker with all in favor.

**WHEREAS**, the Town of Ulster Planning Board and its consultant planner have reviewed an application by *Adams Fairacre Farms, Inc.*, seeking site plan amendment approval to allow the construction of a total of 2,200 sq. ft. of building additions along with modifications to the existing on-site parking area to comply with the Town of Ulster off-street parking requirements; and

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

- *Site Plan Application* prepared by Praetorius and Conrad, P.C., dated December 2, 2014;
- *SEQR Short EAF* prepared by Khatter Elmassalemah of P&C, P.C. dated December 2, 2014;
- *Existing Site Plan* prepared by Praetorius and Conrad, P.C., dated December 2, 2014; and
- *Proposed Site Plan* prepared by Praetorius and Conrad, P.C., dated December 2, 2014.

**WHEREAS**, the Town of Ulster Planning Board retains the authority to approve the site plan amendment for this Proposed Action since the proposed modifications to the existing Site Plan involves less than 2,500 SF of new gross floor area; and

**WHEREAS**, the applicant provided a Proposed Site Plan for the Proposed Action, which was reviewed by the Town's planner with a recommendation to the Town of Ulster Planning Board to accept the revised plans subject to some minor revisions and the provision of additional supporting information (e.g. building elevations and planting list); and

**WHEREAS**, The Proposed Action did not require further referral to the Ulster County Planning Board pursuant to their referral agreement with the Town of Ulster since the site has channelized access and sufficient parking spaces are provided on the site to accommodate the amended Site Plan; and

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**WHEREAS**, the Town of Ulster Planning Board, as Lead Agency, upon review of the entire record determined the Proposed Action is an *Type II Action* pursuant to 6NYCRR

Part 617 of State Environmental Quality Review (SEQR) Law and found no further action pursuant to SEQR is required.

**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 Amendment Approval to *Adams Fairacre Farms, Inc.* 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. 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.

**Action:** A motion to adjourn was made by Mr. Allison with a second from Mr. Almquist with all in favor.

Respectfully Submitted,  
Mary Secreto  
Planning Secretary