

Town of Ulster Planning Board

The meeting of the Town of Ulster Planning board was held on Monday December 22, 2008 at 7:00 p.m. at the Town Hall. The following members were present:

Chairman	Gerard Beichert
	Larry Decker
	Frank Almquist
	Renno Budziak

The Pledge to the flag was recited and fire exists designated.

A motion to accept the minutes of the November meeting was made by Mr. Almquist and seconded by Mr. Decker with all in favor.

Oxygen Day Spa Site Plan

Richard Ulloa appeared on behalf of the application for site plan to establish a 2,924 square foot "day spa with a deck and enclosed pool. Mr. Ulloa states the plan as been revised with the entrance on Van Keuren as the Highway superintendent rejected the Morton Blvd. entrance. The (2) two residential parking spaces have been removed from Van Keuren and placed within the site; this eliminates a curb cut onto Van Keuren. The stormwater plan is being reviewed by the Brinnier & Larios; they have requested small changes of the plan. Mr. Sorensen requested a cut sheet on the fence that will be installed and states the plan needs to be revised showing the finished side of the fence facing the neighboring property. Mr. Ulloa submitted lighting plans stating it is the same light that is used on the Breathe Fitness site that is also in a residential neighborhood. The dumpster has been removed from the site and will be replaced with a roll out unit. Dumpsters are picked up between 3 & 4 in the morning; the applicant felt that this would be a nuisance to the neighbors and has decided to change to the roll out unit that will be picked up twice a week in the afternoon. Mr. Almquist requested the White Pines along the rear of the property be replaced by arborvitaes. After a long discussion on the entrance to the site Mr. Sorensen states that this plan has reduced the curb cuts on Van Keuren; in this case the entrance to the site controls the site layout. The applicant will submit new plans. No action was taken by the Board.

Alex Stein Minor Subdivision

Donald Brewer appeared on behalf of the application for a 3 lot subdivision. The subdivision is in the R-60 zone there is no municipal water or sewer on the site. The lots range in size from 5.4 acres to 8.876 acres. Mr. Brewer states the area of disturbance will be under an acre and the applicant was undecided on which access was going to be used; both are shown on the map. If the applicant decides to use the Route 32 entrance a permit from NYS DOT will be needed. Mr. Sorensen states the applicant will need to

submit approval from the Health Department for the septic systems along with driveway profiles for each lot. The applicant will also need to submit a revised Private Road Maintenance Agreement; this will be reviewed by the Town Attorney.

Action: a motion to waive the Public Hearing for the Preliminary Plat was made by Mr. Almquist and seconded by Mr. Budziak; all were in favor. A Public Hearing will be scheduled when the applicant submits all required documentation.

Asatian LLC/Ron Fischer Change of Use

Ron Fischer appeared on behalf of the application for a change of use. The building use to house Brown's Florist. Mr. Sorensen reviews his memo stating the site consists of an existing building and parking area with 8 parking spaces. Two of the spaces will be used for overnight parking of service vans. The applicant has submitted information on lighting and will return to the Planning board if they are going to reuse the awnings as signage. Mr. Fischer has agreed to add shrubs along the parking area where the service vans will be parked. After a short discussion on the need to refer to the county Planning Board it was decided no referral was necessary.

Action: A motion to grant a Negative Declaration as per SEQRA was made by Mr. Almquist with a second from Mr. Beichert; all were in favor. A motion to grant approval of the site plan was made by Mr. Budziak with a second by Mr. Decker; all were in favor

RESOLUTION TOWN OF ULSTER TOWN BOARD

Ron Fisher - Change in Use 163 Boices Lane Section 48.42, Block 1, Lot 1

WHEREAS, the Town of Ulster Planning Board has received an application by Ron Fisher dba Asatian, LLC (applicant) for a change in use to allow the reuse of an existing retail building and garage for professional offices for their security systems business known as "Fisher Systems."

WHEREAS, the subject property is located on the southerly side of Boices Lane, as designated on the Tax Map of the Town of Ulster Section 48.42, Block 1, Lot 1, within an LC-Local Commercial Zoning District of the Town of Ulster; and

WHEREAS, the proposed change in use will occur within an existing 1-story retail building with eight (8) off-street parking spaces; and

WHEREAS, the proposed site plan is minor and does not require approval by the Town Board or referral to the Ulster County Planning Board; and

WHEREAS, materials submitted in support of the proposed action include:

- *Application for Site Plan Approval* prepared by Ron Fisher dated December 9, 2008;
- *Short EAF prepared Ron Fisher* dated December 11, 2008; and
- *Site Plan* prepared by Wright Builders, Architects dated December 8, 2008.

WHEREAS, the proposed action involving interior alterations to an existing building, minor exterior alterations along with the installation of a conforming monument sign will not have an adverse impact on the environment; and

WHEREAS, the Planning Board has considered the application materials submitted by the applicant in support of the proposed action, has considered the comments of the Board's consultants made via memoranda (which memoranda are incorporated herein by reference) and verbal commentary during the Planning Board's meetings.

NOW THEREFORE BE IT RESOLVED, that upon full consideration of the above, the Planning Board hereby finds that the application for a change in use by Ron Fisher to establish a professional office for their security systems building is consistent with the provisions of the Zoning Code of the Town of Ulster and said plan is hereby approved subject the following conditions:

- a. The final site plan shall be revised so that the square footage of the existing retail building and accessory garage is clearly labeled on the site plan; and
- b. The final site plan shall be revised to show arborvitae hedges in front of the parking space closest to Boices Lane and that an arborvitae hedge be shown along the northern edge of the existing parking lot.

Quick Chek Site Plan

Jeff Martell appeared on behalf of the application for site plan. Mr. Martell states the site consist of 2.753 acres with an existing 2,826 square-foot convenience store. The site also has a 445 square foot residential structure that will be demolished. Mr. Martell states the site has a building permit to do internal renovation work and to replace the existing tanks and gas pumps. This application is for expansion of the existing building; it will include a 1,775 square foot addition and parking area in the rear. The applicant has met with NYS DOT and the Ulster County Highway Department. The County Highway Department has requested the entrance on Sawkill Road be cut down to 40 feet; this will give more direction to cars leaving the site and will pull the entrance off the intersection. Mr. Martell goes on to state the applicant is in the process of connecting to the town sewer system and will video tape the lines in the Sewer Easement located in the rear of the site before and after construction. Mr. Martell states that the lighting in the front of the site will be maintained; this lighting is above the towns standards. Mr. Vallario of Quick Chek it is important to have the site well lit as it is at a major intersection and right off of a major exchange. This type of area can attract unwanted activities; keeping the

site well lit can deter unwanted elements from the site. A long discussion followed; Mr. Martell states that when Quick Chek first came to the Board they were advised to mimic the lighting on the Citgo site. Mr. Martell goes on stating the site is in the Floodway the existing building is above flood elevation. The applicant is going to use the existing signage and will be upgrading the facade of the building. Mr. Sorensen states the Washington Avenue corridor is looked at as the gateway to the historic area of Kingston. Mr. Sorensen states street trees should be added to the landscape plans along with a sidewalk. The applicant can construct the sidewalk at this time or enter into a Memorandum of Understanding with the Town. The Board will continue to review the lighting issue on the site.

Action: A motion to declare indent to be Lead Agency was made by Mr. Budziak with a second by Mr. Almquist; all were in favor.

Ulster Crossings/Carrols LLC

Mr. Beichert states the applicant could not make the meeting because of a recent snow storm. The applicant has agreed to new stripping on the site as well as new signage as per the Mr. Sorensen's review, a speed bump will also be installed. The Board will continue their review at next months meeting.

Action: A motion to issue a Negative Declaration as per SEQRA was made by Mr. Almquist and seconded by Mr. Decker with all in favor

A motion to adjourn was made by Mr. Decker and seconded by Mr. Almquist; all were in favor.

Respectfully Submitted,

Mary Secreto
Planning Secretary