

*TOWN OF ULSTER  
PLANNING BOARD  
FEBRUARY 19, 2013*

The monthly meeting of the Town of Ulster Planning Board was held on Tuesday February 19, 2013 at 7:00 p.m. at the Town Hall Lake Katrine New York. The following members were present:

Alan DeForest - Chairman  
Karl Allison  
Anna Hayner

Alan Sorensen – Planner  
Larry Decker  
Gary Mulligan

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

**Catskill Tennis LLC**

Robert Dupont appeared on behalf of the application for a tennis club located at 470 Old Neighborhood Road. Mr. Dupont responded to Mr. Sorensen’s memo; revisions will be made to correct the inconsistencies between the architect and engineer plans. The lighting has been changed to full shield wall pack. The only signage will be lettering on the awning over the door. The roof of the building will be gray; the clubhouse will be white and the main building blue. The applicant will bring color samples to the next meeting. The stormwater plan has been revised; the snow storage will perk into system provided. Placing a sidewalk to the site may be difficult as the land is not owned by the Tennis Club. Mr. Sorensen will contact the Highway Superintendent for comments. There will not be a dumpster on site. Mr. Sorensen stated variance is required for the building as it is in the front setback; a public hearing will be held on March 6<sup>th</sup>. The Town Board will need to grant a wavier for parking in the front setback. Mr. Sorensen made the recommendation to forward to the Town Board to consider granting a waiver to allow parking in the front yard.

**Action:** A motion to refer to the Town Board to consider granting a waiver to allow parking in the front yard was made by Mrs. Hayner with a second from Mr. Mulligan with all in favor.

**Peacebomb**

Nadine Carney appeared on behalf of the application for a site plan amendment for Peacebomb Honest Foods. Ms Carney reviewed the changes to the site plan stating the approved site plan had 2 domes with a small utility building. The new plan will have the utility are connecting the domes. A concrete walkway will now connect the front entrances and provides access along the front of the structure. A green area between the parking area and sidewalk is now provided. Mr. Sorensen recommended approval of the amendments. Mr. DeForest read the resolution.

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WHEREAS, the Town of Ulster Planning Board and its consultant planner have reviewed an application by *Joseph Stote dba Peacebomb Honest Foods & Stuff* seeking site plan amendment approval to add an additional 320 sq. ft. to a Site Plan, which was approved by the Town Board in April of 2012; and

WHEREAS, the proposed project would now consist of the construction of a 3,500 square foot (SF) geodesic dome greenhouse and geodesic dome retail store, utility area and construction of a new access drive from Forest Hill Drive; and

WHEREAS, the subject site is situated within the HC-Highway Commercial District in the Town of Ulster where retail nurseries are permitted upon approval of a *Site Plan Approval*; and

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

- *Site Plan Application* prepared by Joseph Stote, dated February 7, 2012;
- *SEQR Short EAF* prepared by Joseph Stote, dated February 7, 2012;
- *Site Plan Consent Form* prepared by Joseph Stote, dated February 7, 2012;
- *Site Plan Narrative* by Nadine Carney, *Project Engineer* dated January 13, 2013;
- *Existing Conditions Plan* by Brinnier & Larios, Engineers and LS, P.C, revised 1/28/2013;
- *Site Plan* prepared by Brinnier & Larios, Engineers and LS, P.C, revised 1/28/2013;
- *Landscape and Lighting Plan* by Brinnier & Larios, Engineers and LS, P.C, revised 1/28/2013;
- *Grading, Drainage and Soil Erosion & Sediment Control* by B&L, P.C, revised 1/28/2013;
- *Site Plan Details* by Brinnier & Larios, Engineers and LS, P.C, revised 1/28/2013; and
- *Proposed Sewage Disposal System* prepared by Brinnier & Larios, P.C, revised 1/28/2013.

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 approved Site Plan involves less than 2,500 SF of new gross floor area; and

WHEREAS, the Town of Ulster Town Board, as Lead Agency, determined the Proposed Action is an *Unlisted Action* pursuant to 6NYCRR Part 617 of State Environmental Quality Review (SEQR) and issued a SEQR Negative Declaration; and

WHEREAS, the Town of Ulster Planning Board hereby finds the proposed 320 sq. ft. addition to the approved structures does not exceed any of the thresholds established during the 2012 SEQR

WHEREAS, the applicant provided revised plans for the Proposed Action, which were reviewed by the Town's planner with a recommendation to the Town of Ulster Planning Board to accept the revised plans; 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 an increase in parking spaces on the site was not required to accommodate

NOW THEREFORE BE IT RESOLVED the Town of Ulster Planning Board reaffirms the Town of Ulster Town Board's SEQR Determination of Non-Significance (Negative Declaration); and

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FURTHER BE IT RESOLVED, the Town of Ulster Planning Board hereby grants Site Plan Amendment Approval to *Joseph Stote dba Peacebomb Honest Foods & Stuff* to construct a 3,500 square foot (SF) geodesic dome greenhouse and geodesic dome retail store, utility area, onsite water and septic systems, and construction of a new access drive from Forest Hill Drive 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. Execution of all necessary access and utility easements shown on the site plan set

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

### **Quick Chek**

Mr. DeForest stated Quick Chek requested a 6month extension on the approval of their lot line revision due to some issues with the taxes.

**Action:** A motion to grant a 6 month extension to Quick Chek for the lot line adjustment was made by Mr. Mulligan with a second from Mr. Allison with all in favor.

### **Northeast Center for Special Care**

Matt Laughlin appeared on behalf of the application for site plan amendment for the Northeast Center of Special Care. The applicant removed a parking area in the front of the facility and created a park area for the residents. After meeting with Mr. Sorensen and Chief Appa some revisions of the site will need to be completed. A new driveway to accommodate fire engines will be built. Mr. Sorensen recommended the Board grant approval of site plan date February 13<sup>th</sup> with the condition of approval of the Ulster Hose Fire Chief. Mr. Sorensen read the resolution.

**WHEREAS**, the applicant – Mark Badaloto for Hudson River Valley, LLC dba the Northeast Center for Special Care – submitted an application seeking *Site Plan Amendment* approval for changes to an existing Site Plan, which involved the removal an off-street parking area to create a green/park area for residents and reestablishment of emergency access roadways to H-20 load ratings; and

**WHEREAS**, pursuant to Chapter 145 of the Town Code, the Proposed Action is subject to Site Plan review and approval by the Town of Ulster Planning Board; and

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

- *Site Plan Application* by Mark Badaloto dated January 14, 2013;

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- *SEQR Short EAF* by Mark Badaloto dated January 14, 2013;
- *Site Plan Northeast Center for Special Care* by Scott A. Lane, P.E., Jr. dated 1/14/13; and
- *Site Plan Northeast Center for Special Care* by Scott A. Lane, P.E., Jr. **revised 2/13/13.**

**WHEREAS**, referral to the Ulster County Planning Board is not required pursuant to the UCPB Land Use Referral Guide, since the site has channelized access and an increase in parking spaces on the site is not required to accommodate the proposed use; 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 and Ulster Hose Fire Chief Sam Appa made via memoranda (which memoranda are incorporated herein by reference); and

**WHEREAS**, a *Site Plan* was prepared by Scott A. Lane, P.E., Jr. dated January 14, 2013, which was revised on **February 13, 2013** and submitted for review to the Planning Board; and

**WHEREAS**, the Planning Board has received a recommendation to accept the Site Plan by its consulting planner; and

**WHEREAS**, the Planning Board upon review of the entire record (including SEQR Short Environmental Assessment Form (EAF)) found the Proposed Action was a Type 2 Action pursuant to Part 617 of State Environmental Quality Review (SEQR) law.

**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 Hudson River Valley, LLC dba the Northeast Center for Special Care to allow them to make site improvements at the above referenced site as shown on *the Site Plan Northeast Center for Special Care* by Scott A. Lane, P.E., Jr. **revised 2/13/13** 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. Acceptance of Revised Site Plan by Ulster Hose No. 5 Fire Chief Sam Appa;  
and
4. All fees, including consultant fees, shall be paid.

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

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**Lands of Hinchey**

Charles Boolukos appeared on behalf of the application for a resubdivision. The applicant would like to move the lot line to make one lot conforming. Driveway access would be off of Sidden Lane. The applicant has Board of Health approval for a 1 bedroom dwelling. Mr. Booklukos stated he just found out that the owner has submitted to the building department an application for a garage with a 1 bedroom apartment he has been told the building will be 30' x 73'. Mr. Sorensen questioned if the proposed dwelling will be residential; the parcel is in a residential district and a commercial garage will not be allowed. Mr. Kovacs recused himself from this application. Mr. Boolukos will contact the owner and return at a later date.

**Tractor Supply**

Kyle Kirchoff and Larry Boudreau appeared on behalf of the application for site plan amendment for a Tractor Supply Store. Mr. Kirchoff stated the master plan for the site was approved last year. The store will be on the Northwest corner of the site. The applicant will apply to the Town Board for Open Development. The Stormwater will be updated along with the lighting landscaping and utility details. Mr. Sorensen requested the applicant look at upgrading the elevations and replacing the chainlink fencing with ornamental fencing. A short discussion on cross access followed. Mr. Sorensen recommended the project be forwarded to the Ulster County Planning Board for review. **Action:** A motion to forward to the Ulster County Planning Board was made by Mrs. Hayner with a second from Mr. Decker with all in favor.

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

Respectfully Submitted,

Mary Secreto  
Planning Secretary