

TOWN OF ULSTER PLANNING BOARD  
MEETING MINUTES  
APRIL 12, 2022

MEETING HELD IN PERSON

CALLED TO ORDER BY CHAIRMAN GEOFFREY RING AT 7:00 PM

PLEDGE OF ALLEGIANCE

EMERGENCY EXITS

**ROLL CALL BY WARREN TUTT**

FRANK ALMQUIST

LAWRENCE DECKER

RORY LEE

ANDREW STAVROPOLOUS

JOHN MORROW (ALT)

JOHN STOWELL (ALT)

GEOFFREY RING – CHAIRMAN

**AUDIENCE:** MIKE VETERE

**APPROVAL OF MINUTES** – MARCH 8, 2022

**MOTION** – FRANK ALMQUIST

**SECOND** – LAWRENCE DECKER

ALL IN FAVOR

**PUBLIC HEARING**

**Smith Subdivision-P-874**

601/605 Lenox Pl

SBL# 48.57-1-27 & 48.65-4-3

Zone: R-10

*Minor subdivision*

**OPEN PUBLIC HEARING**

**MOTION** – FRANK ALMQUIST

**SECOND** - LAWRENCE DECKER

ALL IN FAVOR

-LETTERS OF APPROVAL FROM WATER/SEWER/HIGHWAY WERE NEEDED – ALL WERE APPROVED.

-WARREN SPOKE TO FRANK PETRAMALE ABOUT WHERE SNOW WILL BE PLOWED TO – THEY WILL GIVE A CURB CUT.

-HIGHWAY- NO LETTER NECESSARY ALL IS APPROVED AND CAN MOVE FORWARD.

-COPIES OF LETTERS WERE GIVEN TO THE PLANNING BOARD COMMITTEE FROM WATER/SEWER BY MIKE VETERE

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-NO QUESTIONS OR FURTHER DISCUSSION

**CLOSE PUBLIC HEARING**

**MOTION** – GEOFFREY RING

**SECOND** – FRANK ALMQUIST

ALL IN FAVOR

**APPROVAL OF SUBDIVISION**

**MOTION** – LAWRENCE DECKER

**SECOND** – ANDREW STAVROPOLOUS

ALL IN FAVOR BY A ROLL CALL VOTE

GEOFFREY RING READS A RESOLUTION PREPARED BY DAVID CHURCH, PLANNER.

RESOLUTION:

**WHEREAS**, the applicant – William and Kelly Smith, propose a two-lot subdivision to create a new residential lot accessed by Lenox Place; and,

**WHEREAS**, the applicant proposes to adjust the current 7.366 acre lot and reduce it into a new 6.821 acre lot (Lot 1) and to create a new 0.545 acre lot (Lot 2); and,

**WHEREAS**, the proposed lots comply with the minimum lot size and dimensions of the R10 Zoning District; and

**WHEREAS**, pursuant to Section 161-9 & 10 of the Town Code, the Proposed Action is classified as a Minor Subdivision, which is subject to the approval of the Town of Ulster Planning Board; and

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

Completed Application for Subdivision prepared William Smith (owner) and Mike Vetere (Vetere Land Surveying, PLLC), dated 2/15/2022

Map of Subdivision Prepared for William & Kelly Smith, prepared by Vetere Land Surveying, PLLC, 2/11/2022

Signed Owner Consent Form for Filing, dated 2/15/2022

Signed Escrow Agreement, dated 2/15/2022

Completed Short Environmental Assessment Form including EAF Mapper Summary and FEMA flood map excerpt, dated 2/11/2022

Memo from Frank C. Petramale, Town of Ulster Highway Superintendent, to Town of Ulster Planning Board, dated 03/07/2022 and regarding Smith Subdivision 605 Lenox Place; and,

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**WHEREAS**, referral to the Ulster County Planning Board was not required pursuant to the UCPB Land Use Referral Guide, since the Proposed Action involves few than 5 lots and access roads and structures are not situated within the 100-year floodplain; and

**WHEREAS**, the Planning Board considered the application materials submitted by the applicant in support of the Proposed Action, along with the comments of its consultants and Town staff made via memoranda (which memoranda are incorporated herein by reference); and

**WHEREAS**, in accordance with Town of Ulster Subdivision of Land Chapter 161, Section 161-9 the Proposed Action is a Minor Subdivision and the Planning Board must hold at least one (1) public hearing before it can take final action but can waive the requirement for a preliminary public hearing; and

**WHEREAS**, consistent with same Chapter 161, Section 161-10C the Planning Board held such Public Hearing on April 12, 2022; and,

**WHEREAS**, the Planning Board declared its intent to be Lead Agency, and classified the Proposed Action as a SEQRA Unlisted Action at its March 8, 2022 meeting; and, upon review of the entire record, makes a SEQRA Negative Declaration after concluding that the Action does not pose any large or significant potential, adverse environmental impacts.

**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 Minor Subdivision approval as described above subject to the conditions, limitations and restrictions set forth below:

1. The Plat may be filed with the office of County Clerk after signing by the Chairman of the Planning Board.
2. Compliance with any comments from the Town of Ulster Highway Superintendent including those stated on the Memo dated 03/07/2022 and referenced above that include the following: Applicant will need to install a swale or earth berm along the front of the proposed house to prevent stormwater runoff from causing any water issue to the foundation and property; the Town of Ulster Highway Department and the homeowner or property owner will need to designate a snow dump area at the end of Lenox Place as snow is currently plowed straight in where the house is to be built; and a Driveway Permit will need to be obtained from the Town Highway Department before construction can begin.
3. 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
4. The final Plat must be filed with the Office of the County Clerk within 62 days of the date final Plat is approved by the Planning Board; and
5. All fees, including consultant fees, shall be paid

**APPROVING THE RESOLUTION**

**MOTION – FRANK ALMQUIST**

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**SECOND** – LAWRENCE DECKER  
ALL IN FAVOR BY A ROLL CALL VOTE

**NEW BUSINESS**

**BIG LOTS–P-876**  
1375 Ulster Ave  
SBL#48.7-1-30.100  
Zone RC  
*Façade change*

BURLINGTON OCCUPIED ROUGHLY 84,000 SQ FT – BIG LOTS DID NOT NEED THE FULL SPOT.

- 47,000 SQ FT WILL BE USED
- COLOR CHANGE TO MAIN FAÇADE
- REMOVING DOOR ON NORTH SIDE
- ADDING A DOOR ON THE FRONT

DISCUSSION ON IF OTHER BUSINESSES WILL HAVE ANY INTERRUPTION BECAUSE OF THE WORK FOR BIG LOTS.

ANSWER – NO, THE CREW IS VERY RESPECTFUL TO THE SURROUNDING BUSINESSES

GEOFFREY RING READS A RESOLUTION PREPARED BY DAVID CHURCH, PLANNER.

RESOLUTION:

**WHEREAS**, the applicant – BIG LOTS (aka GBR Neighborhood Road LLC) - seeks site plan amendment approval for building interior and façade changes to an existing commercial building limited to accommodate a new BIG LOTS retail use; and,

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

Complete Application for Site Plan Amendment prepared by Lynn Davies for GBR Neighborhood Road LLC dated 3/11/22 and 3/23/22.

Signed Owner Consent Form for Filing by Loomis V. Grossman, Manager dated 3/23/2022

Signed Escrow Agreement

Complete SEQRA Short Form prepared by Lynn Davies, dated 3/11/2022

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BIG LOTS drawing sheets consisting of seven (7) sheets:

T-1 Title Page

LS-1 Life Safety Plan

D-1 Demo Plan

A-1 Construction Plan

A-1.1 Construction Notes

A-1.2 Floor Finish Plan

A-1.3 Storefront Elevations; and,

**WHEREAS**, the Town of Ulster Planning Board retains the authority to approve the Site Plan Amendment in accordance with the Town Code; and

**WHEREAS**, the Proposed Action is exempt from referral to the Ulster County Planning Board pursuant to their referral agreement with the Town of Ulster; and

**WHEREAS**, the Town of Ulster Planning Board, upon review of the entire record determines the Proposed Action is a Type II Action and no further decision are required under SEQRA.

**NOW THEREFORE BE IT RESOLVED**, the Town of Ulster Planning Board hereby grants Conditional Site Plan Amendment approval for the Proposed Action 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. Compliance with the US Route 9W Corridor Enhancement Plan;
5. 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

6. All fees, including consultant fees, shall be paid.

**APPROVING THE RESOLUTION**

**MOTION** – FRANK ALMQUIST

**SECOND** – LAWRENCE DECKER

ALL IN FAVOR BY A ROLL CALL VOTE

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**GBR NEIGHBORHOOD–P-875**

1375 Ulster Ave

SBL#48.7-1-30.100

Zone: RC

*Façade change*

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GBR WILL BE PAINTING THE SECOND HALF OF THE BUILDING THE SAME COLOR AS BIG LOTS TO MATCH BIG LOTS EXTERIOR FAÇADE AND ADDING A NEW STOREFRONT.

GEOFFREY RING READS A RESOLUTION PREPARED BY DAVID CHURCH, PLANNER.

Resolution:

**WHEREAS**, the applicant – GBR Neighborhood Road LLC, seeks site plan amendment approval for building interior and façade changes to an existing commercial building limited to accommodate a new retail use lease; and,

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

Complete Application for Site Plan Amendment prepared by David A. Barbuti, Architect, for GBR Neighborhood Road LLC dated 3/17/2022

Signed Owner Consent Form for Filing by Loomis J. Grossman, Jr. As Manager dated 3/17/2022

Signed Escrow Agreement by Loomis J. Grossman, Jr, dated 3/16/2022

Complete SEQRA Short Form prepared by David A. Barbuti, RA, dated 3/16/2022

Site Plan Drawing Sheets prepared by David A. Barbuti, Architect, PC and dated 1-18-2022 consisting of two (2) sheets:

A-2, Partial Enlarged Floor Plan, Proposed Tenant Separation For: Gibraltar Management Co, Inc., dated 1-18-2022

A-3, New Storefront Partial Plan, Elevation and Details; and,

**WHEREAS**, the Town of Ulster Planning Board retains the authority to approve the Site

Plan Amendment in accordance with the Town Code; and

**WHEREAS**, the Proposed Action is exempt from referral to the Ulster County Planning Board pursuant to their referral agreement with the Town of Ulster; and

**WHEREAS**, the Town of Ulster Planning Board, upon review of the entire record determines the Proposed Action is a Type II Action and no further decision are required under SEQRA.

**NOW THEREFORE BE IT RESOLVED**, the Town of Ulster Planning Board hereby grants Conditional Site Plan Amendment approval for the Proposed Action 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. Compliance with the US Route 9W Corridor Enhancement Plan;
5. The Town's consulting planner and Building Inspector are hereby authorized to approve

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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.

**APPROVAL OF RESOLUTION**

**MOTION** – ANDREW STAVROPOLOUS

**SECOND** – FRANK ALMQUIST

ALL IN FAVOR BY A ROLL CALL VOTE

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**AJR MASONRY**

2372-2468 RT 9W.

SBL#39.12-1-26

*REQUEST FOR EXTENSION OF SITE PLAN*

**APPROVAL OF EXTENSION**

**MOTION** – GEOFFREY RING

**SECOND** – FRANK ALMQUIST

ALL IN FAVOR BY A ROLL CALL VOTE

RUPCO WILL BE DISCUSSED AT 4.19.22 MEETING.

**MEETING ADJOURNED**

**MOTION** – LAWRENCE DECKER

**SECOND** – GEOFFREY RING

ALL IN FAVOR