

**Town of Ulster Planning Board
January 9, 2024
Meeting Minutes**

The meeting was called to order at 7:00 PM.
The Pledge of Allegiance was recited.
The Emergency Exits were noted.

Approval of December minutes

Motioned by – Mr. Almquist

Seconded by – Mr. Decker

All in favor

Vote to make Megan Hay the Planning Secretary

Motioned by: Mr. Decker

Seconded by: Mr. Crispell

All in favor

Vote for Frank Almquist as Vice Planning board Chair

Motioned by: Mr. Crispell

Seconded by: Mr. Stowell

All in favor

Roll Call

- ✓ Mr Almquist
- ✓ Mr Decker
- ✓ Mr Stowell
- ✓ Mr. Crispell
- ✓ Chairman Lee

Public Hearing

John and Maureen Helmbold P-925

583 Linderman Avenue Ext

SBL: 56.9-5-18.210

Zone: R30

Minor Subdivision

Open Public hearing

Motioned by: Mr. Almquist

Seconded by: Mr. Crispell

All in favor

No one from the public showed.

Close public hearing

Motioned by: Mr. Decker

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Seconded by: Mr. Almquist
All in favor

Chairman Lee read a resolution approving the subdivision.

Resolution:

WHEREAS Applicant and owner – John and Maureen Helmbold, proposes a two (2) lot residential subdivision on property fronting Linderman Avenue Extension. Lot 1 of the application includes an existing residence; and,

WHEREAS the proposed lots comply with the minimum lot size and dimensions of the R30 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 by John A. and Maureen F. Helmbold, dated 10/30/2023

Signed Owner Consent Form, by John A. Helmbold, dated 11/6/2023

On page narrative titled Subdivision of Lands of John A. and Maureen F. Helmbold, prepared by Brinnier and Larios, PC, undated

Map of Proposed Subdivision of Lands of John A. Helmbold and Maureen F. Helmbold, prepared by Brinnier and Larios, PC, dated 08/25/2023

Completed Short Environmental Assessment Form including EAF Mapper Summary, prepared by John A. Helmbold, dated 11/6/2023; 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 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) as well as comments from a public hearing described below; 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

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WHEREAS, consistent with same Chapter 161, Section 161-10C the Planning Board held such Public Hearing on January 9, 2024 and considered all comments made at such Public Hearing; and,

WHEREAS the Planning Board declared its intent to be Lead Agency, and classified the Proposed Action as a SEQRA Unlisted Action at its April, 2023 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 after referral to the Town of Ulster Highway Superintendent.
3. Prior to said Plat signature by the Chairman of the Planning Board, said Plat will be updated to reflect any and all comments from the Town of Ulster Highway Superintendent and will show general or specific locations of potential future residence, septic, well and driveway. Such locations will comply with Town of Ulster zoning setback requirements as well as County of Ulster Health Department requirements.
4. 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
5. 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
6. All fees, including consultant fees, shall be paid.

Motioned by: Mr. Crispell

Seconded by: Mr. Decker

All in favor

DATE: 1/9/2024

New Business

Feddes Lot Line Revision – P-928

299 South Rd

SBL: 39.1-5-9, 10

Zone: R60

Lot Line Deletion

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Virginia Feddes showed to explain the proposed lot line deletion.
Chairman Lee read a resolution for approval.

WHEREAS the applicant – Virginia A. Feddes, proposes a lot line adjustment between lands she owns, specifically tax parcels 39.1-5-9 & 10. Proposed is a lot line deletion to merge these two (2) lots into one (1); and,

WHEREAS the new lot fully complies with the minimum lot size and dimensional requirements of the R60 zoning district; and,

WHEREAS, pursuant to Section 161-9 of the Town Code, the Proposed Action is classified as a Lot Line Adjustment, 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/Lot Line Revision, prepared by Virginia A. Feddes, dated 12/08/2023

Signed Owner Consent Form for Filing

Single sentence / one page project narrative stating “Proposing to combine lot 39.1-5-9 and the adjoining lot 39.1-5-10. Unsigned and undated.

Short Environmental Assessment Form, prepared by Virginia A. Feddes, dated 12/08/2023

Map of Town of Ulster, Parcel #43, SBL 39.1-5-9, dated March 2007, received by Town of Ulster Building Department 12/17/2023

Survey of Lands of Feddes, prepared by Azimuth Surveying & Cartography, prepared for Virginia Feddes, dated 11/29/2023; and,

WHEREAS referral to the Ulster County Planning Board was not required pursuant to the UCPB Land Use Referral Guide, since the Proposed Action is not a subdivision and involves few than 5 lots; and,

WHEREAS the Planning Board considered the application materials submitted by the applicant and by Town consultants and staff; and,

WHEREAS, in accordance with Chapter 161, Section 161-9 and 11.1 the Proposed Action is a Lot Line Adjustment and no public hearing is required; and

WHEREAS the Planning board classifies the Proposed Action as a SEQRA Type II action and no further action is required upon review of the entire record (including SEQR Short Form EAF Part 1.

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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 subject to the conditions, limitations and restrictions set forth below.

1. Consistent with §161-11.1B the Applicant has filed with the Town of Ulster a map for this Lot Line Adjustment prepared by a licensed surveyor.
2. Prior to signing by the Chairman of the Planning Board said map shall be updated to highlight the lot line to be deleted.
3. Upon filing of the map noted above, said map or Plat may be filed with the office of County Clerk after being signed by the Chairman of the Planning Board.
4. 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.
5. 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.
6. All fees, including consultant fees, shall be paid.

Motioned by: Mr. Crispell

Seconded by: Mr. Stowell

Rory Lee, Chair

Frank Almquist, Vice Chair

DATE: 1/9/2024

Marquino Timber Harvest – P-929

2150 Ulster Avenue

SBL: 39.16-1-3

Zone: HC & R60

Special Use Permit

Chris Prentis appeared and represented applicants Wayne and Valerie Marquino. They are looking to harvest approximately 18 of the total 26 acres of property. They have approximately 368 trees marked to harvest.

Supervisor Quigley spoke about the process of where the special use permit will go after this planning board meeting.

Chairman Lee read a resolution referring to Town Board:

Resolution

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WHEREAS the owner and applicant – Valerie and Wayne Marquino, seek special use permit and site plan approval for a timber harvesting operation on a majority of their property, tax parcel SBL 39.16-1-3. Such use is permitted as “forestry operation” in the applicable HC and R60 zoning districts subject to approval of special use permit and site plan; and,

WHEREAS the applicant has submitted a Special Use Permit / Site Plan application to the Town of Ulster including a submitted State Environmental Quality Review Act (SEQRA) Short Environmental Assessment Form, Part 1, and,

WHEREAS, the Town Board of the Town of Ulster has final review and approval authority for the special permit use and site plan in coordination with the Town of Ulster Planning Board; and,

WHEREAS, said Planning Board has reviewed the application documents submitted to date and recommends the Town Board take the actions stated below.

NOW THEREFORE BE IT RESOLVED, hat the special use permit and site plan application is an Unlisted Action under the New York State Environmental Quality Review Act and that the Ulster Town Board determines to be Lead Agency; and,

BE IT FURTHER RESOLVED, this application should be referred for comment to the Town of Ulster Highway Superintendent given the proposal for new site access off Old Stage Road; and

BE IT FURTHER RESOLVED, the Town Board should formally refer the special use permit and site plan application to the Ulster County Planning Board for review consistent with the Ulster County Planning Board Land Use Referral Guide and NYS General Municipal Law 239 and schedule a public hearing for this special use permit application at their earliest convenience.

Motioned by: Mr. Almquist

Seconded by: Mr. Crispell

Votes: All in favor

DATE: 1/9/2024

Old Business

Bread Alone – P-926

2121 Ulster Avenue

SBL: 39.15-4-16.100

Zone: HC

Site plan

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Chairman Lee read a resolution for conditional approval.

Resolution:

WHEREAS, the applicant and owner, Bread Alone aka Largay LLC, proposes an addition of two (2) new flour silos to an existing commercial facility; and,

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

Application for Site Plan Amendment appears complete.

Documents submitted are:

Completed Application for Site Plan submitted by Sharon Burns-Leader, Bread Alone, Inc. and Largay, LLC, dated 11/22/2023

One page Written Narrative, Bread Alone – Lake Katrine Site Plan Application, prepared by Scott Dutton, RA, Dutton Architecture, PLLC, undated

Completed Short Environmental Assessment Form Part 1 with EAF Mapper Summary Report, signed by Scott Dutton, RA, dated 11/22/2023

Site Plan for Bread Alone consisting of two (2) sheets, prepared by Dutton Architecture PLLC, dated 11/27/2023 as follows:

Sheet L101, Existing Site Plan

Sheet L102, Proposed Site Plan

Exhibit: Photo Simulation of Proposed Flour Silos, Bread Alone, prepared by Dutton Architecture PLLC, dated 11/22/2023, and consisting of five (5) sheets; 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 meets the conditions of being referable for review and comment to the Ulster County Planning Board (UCPB) pursuant to their referral agreement with the Town of Ulster. UCPB as per referral no. 2024005, dated 01/04/2024 returned a comment of No County Impact; and,

WHEREAS, the Town of Ulster Planning Board, upon review of the entire record determines the Proposed Action is a Type II Action under SEQRA and no further environmental assessment is required; and,

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 all comments, as shown on signed plans, cited above;

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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.

Motioned by: Mr. Almquist

Seconded by: Mr. Crispell

Rory Lee, Chair

Frank Almquist, Vice Chair

DATE 1/9/2024

Adjourn the meeting

Motioned by: Mr. Crispell

Seconded by: Mr. Almquist

All in favor

Respectfully submitted,

Megan Hay

Planning/Zoning Secretary