

**Town of Ulster Planning Board  
Meeting Minutes  
March 12, 2024**

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

**Roll call**

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

**Approval of February minutes**

Motioned by: Mr. Crispell  
Seconded by: Mr. Almquist  
All in favor

**New Business**

**Dunkin Donuts renovation- P-931**

585 Ulster Ave  
SBL : 48.66-1-54  
Zone : HC  
*Site Plan*

Rosemarie Chavez from GK +A architects represented, the proposed renovations include replacing the drive thru with new equipment, incorporating new color schemes on the exterior façade, and new signage. They will be removing the metal finish and putting on fiber cement panels. The word “Donuts” will be removed from the signage to just say “Dunkin” as part of the next gen image being implemented.

David Church read a resolution for approval:

Resolution:

**WHEREAS**, the applicant and owner, JAS Donuts Inc., seeks site plan amendment to renovate an existing Dunkin (aka Dunkin Donuts) restaurant; and,

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

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Completed Application for Site Plan submitted by JAS Donuts Inc (dba Dunkin), dated 02/05/2024

Completed Short Environmental Assessment Form, Part 1, prepared by Nelson Sousa, dated 01/31/2024

Map Set, Application for Site Plan special Use Permit for DUNKIN', prepared by gk&a Architects, PC (aka Gary Kliesch and Associates Architects), dated 01/25/2024 and consisting of the following sheets:

T 1.0 – Coversheet

SP 1.0 – Schematic Site Plan, Drive Thru Window and Menu Board Layouts, Site Details

SP 1.1 – Site and Signage Details, Directional Sign Details, Pylon Sign Details

A 1.0 – Proposed Plan, Notes, Legend

A 2.0 – Proposed Exterior Elevations

A 2.1 – Proposed Exterior Elevations

A 2.2 – Existing Exterior Elevations (photos)

A 3.0 – Building Signs 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 is 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. 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.

Motioned by: Mr. Almquist

Seconded by: Mr. Crispell

All in favor

Rory Lee, Chair

Frank Almquist, Vice Chair

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**Wendy's Renovation – P-932**

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1322 Ulster Ave  
SBL: 48.8-1-1.214  
Zone: RC  
*Site plan*

Luis Montoya represented from Wallen & Gomez architects. Minor exterior changes to the current Wendys building. The light fixtures will be replaced, the brick will remain, and certain sections will be painted with new corrugated metal panels applied. No modifications to parking lot lighting or landscaping. The parking lot will be restriped and re-sealed. David Church read a resolution for approval.

Resolution:

**WHEREAS**, the applicant – Wendy’s, and owner – CKA Management LLC, seek site plan amendment to renovate an existing Wendy’s restaurant; and,

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

Completed Application for Site Plan submitted by Luis Montoya, Wallin Gomez Architects, and CKA Management LLC, dated 02/16/2024

One page project narrative, prepared by Donald J. Wallin, Wallin Gomez Architects, dated 02/16/2024

Completed Short Environmental Assessment Form, Part 1, prepared by Luis Montoya, dated 02/16/2024

Map Set / Site Plan, titled Wendy’s, prepared by Wallin Gomez Architects LTD, dated 02-13/2024 and consisting of the following sheets:

AS1.1 – Site Plan

D1.1 – Demolition Plan

D3.1 – Demolition Elevations

A1.1 – Floor Plan

A2.1 – Exterior 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 is 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.

6. Compliance with applicable zoning and building laws, rules and regulations.

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7. Compliance with all representations made by the applicant.
8. Compliance with site plan, design plans and all details as cited herein.
9. Submission to the Building Inspector of color renderings for building elevations consistent with the colors described in the sheets noted above;
10. Compliance with the US Route 9W Corridor Enhancement Plan.
11. 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
12. All fees, including consultant fees, shall be paid.

Motioned by: Mr. Crispell  
Seconded by: Mr. Stowell  
Rory Lee, Chair  
Frank Almquist, Vice Chair

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**Firehouse Productions – P-933**

505 Boices Ln  
SBL: 48.7-2-37.110  
Zone: OM  
*Site Plan*

Scott Dutton Architects represented. They are proposing to add a loading dock to the existing structure.

David Church read a resolution referring to the Ulster County Planning Board:

Resolution:

**WHEREAS**, the applicant - Firehouse Productions, and owner of the property – BLO Holdings LLC, seek a site plan approval for reuse of an existing commercial building along with the addition of new loading dock; *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 Town of Ulster Planning Board, upon review of the entire record determines this application to be a Type II action under the New York State Environmental Quality Review Act (SEQRA), and no further environmental assessment is required; *and*,

**WHEREAS**, the Proposed Action must be referred for comment to the Ulster County Planning Board pursuant to their referral agreement with the Town of Ulster prior to any further action on this application.

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Motioned by: Mr. Almquist  
Seconded by: Mr. Crispell  
Rory Lee, Chair  
Frank Almquist, Vice Chair

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**Bread Alone Addition – P-934**

2121 Ulster Ave  
SBL: 39.15-4-16.100  
Zone: HC  
*Site Plan*

Sharon Leder, co-owner of Bread Alone represented. They are proposing an 11,000 sq ft production addition on the northeast corner and a sanitation addition on the West side of the building.

Alan Dumas Also represented to further explain in more detail each part of the proposed addition.

David Church read a resolution referring to the UCPB and TOU Water and Sewer.

Resolution:

**WHEREAS**, the applicant, Bread Alone, and owner of the property, Largay LLC, seek a site plan amendment for an approximate 11,200 square foot addition, and approximate 2000 square foot second addition, along with new loading bays, improvements to parking, and other interior and exterior improvements; *and*,

**WHEREAS**, given the scale of this application, the Town of Ulster Planning Board must coordinate review and approval with the Ulster Town Board, who retains final approval for this Site Plan Amendment in accordance with the Town Code; *and*,

**WHEREAS**, the Town of Ulster Planning Board, upon review of the entire record determines this application to be an Unlisted Action under the New York State Environmental Quality Review Act (SEQRA), and recommends the Ulster Town Board establish to be Lead Agency under SEQRA and also determine this application is an Unlisted Action; *and*,

**WHEREAS**, the Proposed Action must be referred for comment to the Ulster County Planning Board pursuant to their referral agreement with the Town of Ulster prior to any further action on this application pending receipt of a draft Stormwater Pollution Prevention Plan (SWPPP); *and*,

**WHEREAS**, recommendation is made that this application be referred for comment to the Town of Ulster Superintendents of Water and Sewer as well as the Town Engineer.

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Motioned by: Mr. Crispell  
Seconded by: Mr. Almquist  
Rory Lee, Chair  
Frank Almquist, Vice Chair

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**Jacobsen Subdivision – P-935**

1081 Pine Place  
SBL: 48.42-7-1  
Zone: R10  
*Major Subdivision*

Robert Jacobsen, Applicant, appeared to explain the proposed subdivision of 2.2 acres. The parcel has a sewer easement that runs through. They would like to extend the street with a hammerhead at the end for a turnaround.

Small discussion on possible referral to the UCPB, which does not need to be referred because of the distance being over 500 Ft from a county road.

David Church read a resolution scheduling a Public Hearing.

Resolution:

**WHEREAS** the applicant and owner – Robert R. Jacobsen and Cindy R. Jacobsen, seek approval for a major subdivision in accordance with Town of Ulster code titled Subdivision of Land Section 161-10; and

**WHEREAS** the applicant proposes to create six (6) residential lots from an existing lot, all access by the existing with an extension of Pine Place, a Town road; and,

**WHEREAS** the proposed lots as presented appear to comply with the minimum lot size and dimensions of the R10 Zoning District; and

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

**WHEREAS**, based on the application documents provided by the Applicant, the Town of Ulster Planning Board takes the following actions:

**NOW THEREFORE BE IT RESOLVED**, the Planning Board determines that this Application is an Unlisted Action as defined under Part 617 of the State Environmental Quality Review (SEQRA) Law, and that said Planning Board declares its intent to be Lead Agency under SEQRA; and,

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**FURTHER BE IT RESOLVED** that the Planning Board is not referable to the Ulster County Planning Board consistent with NYS General Municipal Law 239 as the subject property exceeds 500 feet from Boices Lane (aka Ulster County Route 157); and,

**FURTHER BE IT RESOLVED**, this application will be referred to the Town Superintendents of Highway, Water and Sewer for comment; and,

**FURTHER BE IT RESOLVED** that the Planning Board sets April 9, 2024, as the date for a required preliminary subdivision public hearing consistent with Town of Ulster Subdivision of Land Section 161-10

Motioned by: Mr. Almquist  
Seconded by: Mr. Decker  
Rory Lee, Chair  
Frank Almquist, Vice Chair

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## **Old Business**

**Venue on the Hill – P-930**  
261 Sawkill Rd  
SBL: 48.10-1-17.100  
Zone: R30  
*Special Use Permit*

This application has been postponed until the April 9, 2024 meeting.

### **Re-approval of the Uncle B's subdivision**

Motioned by – Mr. Decker  
Seconded by – Mr. Almquist  
All in favor

### **Approval of a modification of the resolution for the I.Park87 Lot line revision approval.**

iPark87 East Campus Lot Line Adjustments  
Boices Lane and Enterprise Drive  
SBL 39.18-1-5.100 & 5.200  
Zone ROD

**WHEREAS**, the applicant – iPark87 proposes a set of lot line adjustments on lands referred to as the southern portion of the East Campus of iPark87 (previously known as TechCity and IBM Kingston). These lands are specifically six (6) contiguous tax parcels north of Boices Lane and east of Enterprise Drive. The following is a listing of the existing Section, Block and Lot (SBL) reference numbers for these

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parcels followed by the new Lot reference number. The new Lot reference number will be used in documentation until full SBL numbers are provided by the County of Ulster.

48.7-1-29.120	Lot 12
48.7-1-29.130	Lot 13
48.7-1-29.140	Lot 14
48.7-1-29.160	Lot 16
48.7-1-29.250	Lot 25
48.7-1-29.270	Lot 27

**WHEREAS**, the new lots fully comply with the minimum lot size and dimensional requirements of the ROD zoning district, and this proposed Action substantially improves the compliance of the existing lots with the current Town of Ulster zoning and subdivision codes; 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 iPark87 LLC dated 11/02/2023

Signed Owner Consent Form for Filing, signed by Joseph Cotter, President iPark87 LLC, granting consent to George Distefano and LaBella Engineers, dated 11/02/2023

One-page narrative titled Lot Line Adjustment Application – i.Park 87 East Campus, from Joseph Cotter, dated 11/28/2023

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

Sheet of four (4) map sheets, titled iPark87 East Complex, Map of Lot Line Adjustments of Parcels 12, 13, 14, 16, 25 & 27 of Filed Map 10649, prepared for National Resources, prepared by LaBella Engineers and David H. Dippel, L.S. dated 11/28/2023 as follows:

Sheet SV1

Sheet SV2

Sheet SV3

Sheet SV4

Letter in Support, unsigned, from Yidel Pachman, Authorized Agent of Kingston Realty Team LLC, to Town of Ulster Supervisor James E. Quigley III and Planning Board Chairman Rory Lee, dated 02/14/2024, confirming support by Kingston Realty Team LLC, Abe's NY Realty LLC, and BSD Realty LLC, of iPark87 applications to the Town of Ulster and confirming agreement on an amendment to a shared Management Agreement

**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 is only a set of lot line



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adjustments; however, in cooperation with the County of Ulster the Town of Ulster did receive and review comments on this application from the Ulster County Planning Board via memo dated 12/06and,

**WHEREAS**, the Town of Ulster Planning Board (Planning Board) considered the application materials submitted by the applicant and by Town consultants and staff; and,

**WHEREAS**, this application was the subject of a prior public meetings and discussion with the Town of Ulster Planning Board on 11/14/2023 and on 12/12/2024; and,

**WHEREAS**, this application is complementary to associated applications received by the Town of Ulster for both rezoning of the subject parcels to Redevelopment Overlay District (ROD) zoning as well as a proposed Comprehensive Design Plan, and a complete site plan application with maps and detail sheets for mixed use development on said parcels. These two (2) complementary applications have also provided substantial documentation which was considered by the Town of Ulster Planning Board and the Ulster Town Board. This documentation includes a set of Environmental Assessment Forms, as well as a Supplementary Generic Environmental Impact Statement (SGEIS) for the ROD rezoning and the proposed site plan titled Draft Supplementary Environmental Impact Statement i.Park87 – East Campus, dated April 25, 2023 and revised June 27, 2023. Also provided is a five (5) page memorandum titled i.Park 87 East Campus Master Plan – Environmental, dated June 22, 2023; 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**, because this Action is a set of lot line adjustments and consistent with 9 NYCRR §617.5 c 17, 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 a SEQR Short Form EAF Part 1 as well as SGEIS as noted above; and,

**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. These lot line adjustments are to be complementary to a pending site plan approval for a mixed use development within the ROD zoning district on the same parcels.
3. These lot line adjustments will not conflict with any property rights or easements previously granted to a set of other, current property owners of lands within the former IBM East Campus (aka TechCity) as reviewed by the Town of Ulster Town Attorney.
4. All pre-existing covenants, conditions, restrictions, and easements on the parcels listed above will be revised, reviewed by all affected property owners, and filed with the County of Ulster, to the satisfaction of the Town of Ulster Attorney.

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5. 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.
6. 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.
7. 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.
8. All fees, including consultant fees, shall be paid.

Motioned by: Mr. Crispell

Seconded by: Mr. Almquist

Rory Lee, Chair

Frank Almquist, Vice Chair

DATE: March 12, 2024

A town resident appeared and asked questions about a particular project going on in the Town of Ulster, with a small discussion on that.

**Motion to adjourn the March meeting**

Motioned by – Mr. Crispell

Seconded by – Mr. Almquist

All in favor