

**TOWN OF ULSTER PLANNING BOARD
JANUARY 10, 2023
MEETING MINUTES**

-PLEDGE
-EMERGENCY EXITS

ROLL CALL

MR. ALMQUIST- EXCUSED
MR. STAVROPOULOS
CHAIRMAN LEE

MR. DECKER – EXCUSED
MR STOWELL

ALSO IN ATTENDANCE WAS JASON KOVACS, TOWN ATTORNEY AND WARREN TUTT, BUILDING INSPECTOR.

MOTION FOR MR. JOHN CRISPELL TO BE ALTERNATE WAS MADE MY CHAIRMAN LEE AND SECOND WAS MR. STAVROPOULOS

APPROVAL OF MINUTES
MOTION: MR. CRISPELL
SECOND: MR. STAVROPOULOS
ALL IN FAVOR

APPOINTMENT OF VICE CHAIRMAN FRANK ALMQUIST
MOTION: MR. STAVROPOULOS
SECOND: MR. CRISPELL
ALL IN FAVOR

NEW BUSINESS

BVH SAPPHIRE TRUST – P-891
127-133 GLENERIE BLVD
SBL# 39.7-8-1.1
ZONE-R30
MINOR 3 LOT SUBDIVISION/SITE PLAN

ELIEZA SHER PRESENTED, PROPOSING A 3 LOT SUBDIVISION
-WANTS TO CREATE 3 NEW APARTMENTS WITH A TOTAL OF 6 UNITS ON ENTIRE SUBDIVISION.
-A WATER LINE EASEMENT MAY BE NEEDED BECAUSE THE WATER LINE WILL BE RAN THROUGH THE OTHER LOT.

JASON KOVACS READ A RESOLUTION

Resolution:

WHEREAS, the applicant and owner, BVH Sapphire Trust, proposes a three (3) lot minor subdivision of a 3.656-acre parcel fronting Glenerie Boulevard, and proposes a site plan

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for two (2), new 3-unit apartment buildings each on two (2) of the proposed three (3) new lots; and,

WHEREAS, the applicant has submitted a complete subdivision application and associated site plan application, including a submitted State Environmental Quality Review Act (SEQRA) Short Environmental Assessment Form to the Town of Ulster Planning Board; and,

WHEREAS, the Town of Ulster Planning Board has final subdivision review and approval authority for the subdivision application; and,

WHEREAS, the Town Board of the Town of Ulster has final site plan approval authority in coordination with and based on recommendations from the Town of Ulster Planning Board; and,

NOW THEREFORE BE IT RESOLVED, based on a review of both these applications, the Town of Ulster Planning Board takes the following actions:

FIRST, AS PER THE SUBDIVISION APPLICATION, BE IT RESOLVED, that the Town of Ulster Planning Board determines that the Minor Subdivision application is an Unlisted Action under the New York State Environmental Quality Review Act (SEQRA) and that the Planning Board declares intent to be Lead Agency; and,

BE IT RESOLVED, that as a minor subdivision this application is exempt from referral to the Ulster County Planning Board as per the Ulster County Planning Board Land Use Referral Guide; and,

NOW BE IT FURTHER RESOLVED, the Planning Board waives the procedural requirement for preliminary plat submission as well as a preliminary hearing consistent with Town of Ulster Subdivision of Land Chapter 161 Section 161-10B and schedules the Final Public Hearing for February 14, 2023.

SECOND, AS PER THE SITE PLAN APPLICATION, BE IT RESOLVED, the Town Board of the Town of Ulster has final review and approval authority for the site plan application in coordination with and based on recommendations from the Town of Ulster Planning Board; and,

WHEREAS, the applicant has submitted complete Site Plan application to the Town of Ulster including a submitted State Environmental Quality Review Act (SEQRA) Full Environmental Assessment Form; and,

WHEREAS, said Planning Board has reviewed the site plan application.

NOW THEREFORE BE IT RESOLVED, the Planning Board recommends that the site plan application is typed as an Unlisted Action under the New York State Environmental Quality Review Act (SEQRA) and the Town Board should be designated as Lead Agency; and,

NOW BE IT FURTHER RESOLVED, the Planning Board recommends the Town Board formally refers the 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.

Motioned by: Mr. Crispell

Seconded by: Mr. Stavropoulos

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Votes: All in favor
DATE: 1/10/2023

ULSTER COMMONS III, LLC - P-897
1601 ULSTER AVE
SBL# 39.82-2-7.118
ZONE- OM
SITE PLAN REVISION

- PROPOSED STARBUCKS
- NO PROPOSED CHANGES FOR WATER OR SEWER
- WILL BE A MODIFICATION TO THE DRIVE THRU TURNING IT TO A DOUBLE LANE DRIVE THRU.
- REMOVING 5 PARKING SPACES BUT STILL HAS MORE THAN ENOUGH PARKING
- FRESHENING UP LANDSCAPING AND AROUND DUMPSTER AREA
- 1 ENTRY AND 1 EXIT TO ACTUAL BUILDING TO GET TO THE DRIVETHRU OR TO PARK.
- 3 ENTRANCES TO THE PLAZA, TWO (2) FROM 9W AND ONE (1) FROM GRANT AVE TOTAL.

JASON KOVACS READ A RESOLUTION

Resolution:

WHEREAS, the applicant – Ulster Commons III, LLC - seeks approval to amend site plan for an existing, vacant restaurant site for proposed new use as a Starbucks restaurant with drive thru services; and,

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

Cover letter from Ulster Commons III, LLC describing the proposed application, dated 11/28/2022, and signed by Joseph T. Kirchhoff (owner and applicant) and Jeff Kane (Agent for applicant).

Completed Application for Site Plan Amendment prepared by Ulster Commons III, LLC dated 11/22/2022.

Site Plan prepared by Kimley Horn of New York, P.C., dated 11/03/2022 and consisting of the following sheets:

Sheet C-1.0, Site Plan

Sheet L-1.0 Landscaping Plan

Sheet L-1.1 Landscaping Details

Starbucks Coffee #73071, QID 22-63600 prepared by Hilton Displays, dated 11/11/2022 and consisting of the following 16 sheets:

Site Plan

Main Perspective

Main Elevation on Ulster Ave.

untitled sheet showing rear façade signage locations

S/F Exterior Trimless Flex Face Siren Wall Sign details

48" DT Wall Sign-RH details

Trimless Channel Letters – Raceway details

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46" Illuminated Directional TYEO (thank you / exit only) details
46" Illuminated Directional <DT / DT> (drive thru) details
Clearance Bar – Illuminated details
Pre-menu Board details
Canopy details
DOS details
Menu Board Steel Kit details
MOP Bollard Cover details
Tenant Panel sign details
Signed Owner Consent, signed by Joseph T. Kirchhoff, dated 11/22/2022
Completed Short Environmental Assessment Form, prepared by Jeff Kane, Agent for Owner; and,

WHEREAS, the Town of Ulster Town Board retains the authority to approve the final Site Plan Amendment in accordance with the Town Code and based on a recommendation from the Town of Ulster Planning Board; 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 recommends that the Proposed Action is Type II under SEQRA and no further action is required related to environmental assessment.

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Planning Board hereby recommends to the Town of Ulster Town Board the granting of 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 any comments from the Town of Ulster Water Superintendent and Sewer Superintendent.
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. Crispell
Seconded by: Mr. Stowell
All in favor
DATE: 1/10/2023

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756 E. CHESTER STREET BYPASS
SBL# 48.50-2-7
ZONE- RC
SITE PLAN REVISION

ROB DUPONT, ARCHITECT FOR PROJECT PRESENTED.
-PROPOSING AN UPGRADE TO THE DEALERSHIP FAÇADE, ELECTRIC AND GAS LINES.

JASON KOVACS READ A RESOLUTION

Resolution:

WHEREAS, the applicant – Prestige Automotive Inc. (aka Prestige Toyota), seeks site plan amendment approval for an approximate 2,480 square foot expansion as well as interior and façade changes to existing building and minor modifications to parking and utility gas and electric lines only; and,

WHEREAS, the applicant has submitted a complete Site Plan application to the Town of Ulster including a submitted State Environmental Quality Review Act (SEQRA) Full Environmental Assessment Form; and,

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

WHEREAS, said Planning Board has reviewed the applications as complete noting that the proposed site plan amendments are identical to those previously reviewed and approved by the Town of Ulster in 2012 with extensions thru 2016; and,

NOW THEREFORE BE IT RESOLVED, the Planning Board recommends to the Town Board that the site plan application is a Type II Action under the New York State Environmental Quality Review Act (SEQRA) not requiring further environmental review; and,

NOW BE IT FURTHER RESOLVED, the Planning Board recommends the Town Board formally refers the 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.

Motioned by: Mr. Crispell
Seconded by: Mr. Stavropoulos
Votes: All in favor

DATE 1/10/2023

GARRETT CHISLETT-P-899
589 ROUTE 28

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SBL#47.2-3-24.200
ZONE- HC
SITE PLAN REVIEW

PLAN WAS PRESENTED
NOT ALTERING THE BUILDING OR PROPERTY

JASON KOVACS READ A RESOLUTION:

Resolution:

WHEREAS, the applicant – Garrett Chislett Trucking LLC - seeks approval to amend site plan for a change of use to operate a truck and automotive repair business in an existing commercial building; and,

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

Completed Application for Site Plan submitted by Garrett Chislett, dated 12/27/2022
One-page Written Project Narrative signed by Garrett Chislett, dated 12/27/2022
Completed Short Environmental Assessment Form, signed by Garrett Chislett, dated 12/27/2022

Amended Site Plan map with handwritten notes, Site Plan for Roland Dunn, originally prepared by Medenbach & Eggers, 5/04/2000 with various revisions thru 7/28/2000, as originally approved by Town of Ulster 7/25/2000 & 10/31/2006; 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 Type II under SEQRA and no further action is required related to environmental assessment.

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.

7. Compliance with applicable zoning and building laws, rules and regulations.
8. Compliance with all representations made by the applicant.
9. Compliance with site plan, design plans and all details as cited herein.

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10. Submission of an updated site plan map, for review and approval by the Town building inspector or Town's consulting planner, showing locations and details of any new signage or exterior lighting proposed as well as a notation on the site plan map with date and name of person who made any handwritten or other changes to the site plan map provided as part of this application.
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
DATE: 1/10/2023

ABEEL SUBDIVISION – P-900
1215 MAIN STREET
SBL#39.1-4-1
ZONE: R60
MINOR SUBDIVISION

BRENDAN JOHNSON PRESENTED
SUBDIVIDING INTO TWO LOTS
NO DEVELOPMENT PROPOSED AT THIS TIME

JASON KOVACS READ A RESOLUTION:

Resolution:

WHEREAS, Applicant – Mark Abeel - has applied for a minor subdivision dividing a single lot into two (2) lots; and,

WHEREAS, the applicant has submitted a complete subdivision application including a submitted State Environmental Quality Review Act (SEQRA) Short Environmental Assessment Form to the Town of Ulster Planning Board; and,

WHEREAS, the Town of Ulster Planning Board has final subdivision review and approval authority for this application.

NOW THEREFORE BE IT RESOLVED, based on a review of the application the Town of Ulster Planning Board takes the following actions:

BE IT RESOLVED that the Town of Ulster Planning Board determines that this Minor Subdivision application is an Unlisted Action under the New York State Environmental Quality Review Act (SEQRA) and that the Planning Board declares intent to be Lead Agency; and,

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BE IT RESOLVED, that as a minor subdivision this application is exempt from referral to the Ulster County Planning Board as per the Ulster County Planning Board Land Use Referral Guide; and,

NOW BE IT FURTHER RESOLVED; the Planning Board waives the procedural requirement for preliminary plat submission as well as a preliminary hearing consistent with Town of Ulster Subdivision of Land Chapter 161 Section 161-10B and schedules the Final Public Hearing for February 14, 2023.

Motioned by: Mr. Crispell

Seconded by: Mr. Stowell

Votes: All in favor

Date 1/10/2023

DENA MARIE PLAZA PROJECT REQUESTED A 30 DAY EXTENSION

MOTION- MR. STAVROPOULOS

SECOND - MR. CRISPELL

ALL IN FAVOR

Town of Ulster Planning Board requests to continue to use dropbox for viewing of agenda items and documents and adding a resolution folder to the dropbox.

MOTION TO ADJOURN MEETING - MR. CRISPELL

SECOND - MR. STOWELL

ALL IN FAVOR