

TOWN OF ULSTER PLANNING BOARD  
MEETING MINUTES  
NOVEMBER 10, 2022

PLEDGE OF ALLEGIANCE  
EMERGENCY EXITS  
CALLED TO ORDER BY CHAIRMAN RING AT 7PM

**ROLL CALL**

MR. ALMQUIST	MR. DECKER
MR. LEE	MR STAVROPOULOS
CHAIRMAN RING	

**ALTERNATES** – MR. MORROW AND MR. STOWELL

ALSO, IN ATTENDANCE – JASON KOVACS, TOWN ATTORNEY

MOVING THE APPROVAL OF THE AUGUST MINUTES TO NEXT MEETING

**OCTOBER MINUTES APPROVED**

**MOTION** – MR. STAVROPOULOS

**SECOND** – MR. LEE

**ALL IN FAVOR**

**PUBLIC HEARING**

**DENA MARIE PLAZA**  
810-990 MIRON LANE  
SBL# 48.50-2-20.121  
ZONE – RC  
*MINOR SUBDIVISION*

**OPEN PUBLIC HEARING**

**MOTION** – CHAIRMAN RING

**SECOND** – MR. STAVROPOULOS

**ALL IN FAVOR**

**CLOSE PUBLIC HEARING**

**MOTION** – MR. STAVROPOULOS

**SECOND** – MR. LEE

**ALL IN FAVOR**

SEWER DEPARTMENT SUPERINTENDANT VINCENT MAGGIORE EMAILED WITH A COMMENT STATING THAT THERE MAY BE A SEWER USE AGREEMENT NEEDED FOR THIS PARCEL IN THE CASE THAT THE PROPERTY IS EVER SOLD.

**CHAIRMAN RING READ A RESOLUTION**

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**RESOLUTION:**

**WHEREAS**, the applicant and owners – Applicant and owners – Dena Marie II, LLC and David Kaplan, are seeking approval of a minor two-lot subdivision at an existing improved commercial, retail property accessed directly, or via easement, from Miron Lane and NYS Route 9W / Ulster Avenue; and,

**WHEREAS**, the proposed lots comply with the minimum lot size and dimensions of the RC Zoning District as well as the provisions of an Open Development Area previously authorized by the Town of Ulster Town Board allowing lot access by right of way or easement; 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 David Kaplan, Dena Marie II, LLC with Craig Tripp, Greenman-Pedersen, Inc. dated 9/28/22
- Preliminary Sketch Plan – Minor 2-Lot Subdivision Dena Marie Plaza, prepared by GPI (Greenman-Pedersen, Inc.) Consulting Engineers, dated 9/26/2022 and updated 10/28/2022
- One page letter and narrative description of application from Craig Tripp, RLA, GPI/Greenman-Pedersen, Inc. to Town of Ulster Planning Board, dated 9/26/22
- Signed Owner Consent Form for Filing
- Signed Escrow Agreement
- Completed Short Environmental Assessment Form, prepared by Craig Tripp, Senior Landscape Architect, for David Kaplan, dated 9/23/22; 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

**WHEREAS**, consistent with same Chapter 161, Section 161-10C the Planning Board held such Public Hearing on November 10, 2022, and considered all comments made at such Public Hearing; and,

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**WHEREAS**, the Planning Board declared its intent to be Lead Agency and classified the Proposed Action as a SEQRA Unlisted Action at its October 11, 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 Engineer as well as Town Sewer Superintendent and Water Superintendent.
3. Compliance with any comments from the Town of Ulster Attorney related to review of applicable easements or agreements for access and for utilities.
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

**MOTION OF APPROVAL BY: CHAIRMAN RING**

**SECOND: MR. DECKER**

**ALL IN FAVOR**

**PRESS LEAP LLC – P-892**

71-77 KUKUK LANE

SBL# 39.16-4-7.100

ZONE – OM

*MINOR 2 LOT SUBDIVISION*

-PROPOSED 2 LOT SUBDIVISION

-THERE IS ACCESS OFF OF KUKUK LANE FROM A 12 FOOT RIGHT AWAY.

-DECIDING BETWEEN ASKING FOR A 15 FOOT RIGHT AWAY THROUGH MAIN PARCEL OR TRYING TO GET ANOTHER 3 FEET ON THE RIGHT OF WAY THAT IS ALREADY THERE.

-TRYING TO GET BACK TO THE ORIGINAL CONFIGURATION OF THE PROPERTY BEFORE THE LOT LINE WAS DELETED IN 2000.

-WITHOUT THE EXTRA 3 FEET THEY CANNOT MEET THE REQUIREMENTS TO SUBDIVIDE IT.

- GOING TO BE A RESIDENTIAL USE OF THE LOT.

**CHAIRMAN RING READ A RESOLUTION**

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Summary - A motion initiating SEQRA, scheduling public hearing, and recommending referral to the Town of Ulster Zoning Board of Appeals

Resolution:

**WHEREAS**, Applicant –Press Leap LLC - 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 (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 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,

**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 7 PM, December 13, 2022.

**APPROVE THE RESOLUTION- MOVE TO DECEMBER MEETING FOR PUBLIC HEARING**

**MOTION** – MR. DECKER

**SECOND** – MR LEE

ALL IN FAVOR

**SDJ PROPERTY MANAGEMENT/ SDJ 1962 LLC – P-893**

1620 ROUTE 9W

SBL # 39.82-2-6.200&100

ZONE – RC

*LOT LINE REVISION*

PROPOSING TO TRANSFER .033 ACRE FROM THE NEXTDOOR HOME TO THE JOLLY COW TO SERVE AS MORE SPACE FOR THE JOLLY COW.

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-NOT CREATING ANYTHING NON-CONFORMING AND MEETS ALL REQUIREMENTS

**CHAIRMAN RING READ A RESOLUTION**

**WHEREAS**, the applicants, SDJ Property Management with JC 1962 LLC, seek a lot line adjustment between two lots they own, both fronting Route 9W. This adjustment will transfer 0.033 acres from tax parcel 38.82-2-6.100 to tax parcel 39.82-2-6.200; and,

**WHEREAS**, the proposed new lots comply with the minimum lot size and dimensional requirements of the RC 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 of Proposed Lot Line Revision prepared by Michael Vetere for JC 1962, LLC (owners), dated 10/23/22

Signed Owner Consent Form for Filing

Completed SEQRA Short EAF with EAF Mapper Summary Report, signed by Michael C. Vetere, PLS, dated 10/24/22

Map of Lot Line Adjustment Prepared for SDJ Property Management, LLC, prepared by Vetere Land Surveying, PLLC, dated 10/13/22.; 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 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 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.

**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; and,

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2. 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
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.

**APPROVE RESOLUTION**

**MOTION – MR. STAVROPOULOS**

**SECOND – MR. ALMQUIST**

**ALL IN FAVOR**

**ADOURN MEETING**

**MOTION -CHAIRMAN RING**

**SECOND – MR. ALMQUIST**

**ALL IN FAVOR**

Respectfully submitted,

Megan Hay