

Town of Ulster Planning Board
Meeting Minutes
April 11, 2023

The April meeting was called to order at 7:00 PM.

Pledge of Allegiance Recited

Roll Call

Mr. Almquist
Mr. Stavropoulos
Chairman Lee

Mr. Decker
Mr. Stowell

Also in attendance: David Church, Town Planner; Jason Kovacs, Town Attorney; John Crispell, Alternate

Approval of March Minutes

Motion - Mr. Stowell
Second – Mr. Almquist
All in favor

Old Business

IBM Building Modification project.

Allan Dumas presented the proposed project.

The existing building is more than 25 years old, so it is in need of updates. They are planning on incorporating solar, efficient HVAC, and appropriate lighting. The building will be 36' x 36', tying into existing utilities including Sanitary wastewater, domestic water, and the existing ground water treatment system. There are two trees that will need to be removed.

They have assembled a regional design team with All engineers for design of the building.

A Drill company did preliminary borings to pull samples and now they are waiting on a geotechnical report.

There are just a few minor changes to the plans that have already been provided including roof pitch and door placement. They will provide a new set of plans with the adjustments right away.

There was a small discussion on the update of the planning details.

David Church read a resolution recommending conditioned approval to the Town board for final approval.

Resolution:

WHEREAS, the applicant – IBM, proposes to modify an existing groundwater treatment facility with the construction of a new 2000 square foot, two story building to improve current groundwater treatment and site remediation. This proposal is a part of on-going obligations of the former site owner and operator, and the project is covered by the IBM existing easement

Town of Ulster Planning Board
Meeting Minutes
April 11, 2023

on the subject property as well as an Order on Consent from NYS Department of Environmental Conservation related to the former IBM property.

The proposal is for accessory uses related to an existing non-residential site plan. These include the new/modified treatment building, utility connections, and landscaping; 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) Short Environmental Assessment Form; and,

WHEREAS, the Town Board of the Town of Ulster (Town Board) 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 application as complete and has recommended to the Town Board of the Town of Ulster the actions as described below; and,

NOW BE IT RESOLVED, The Planning Board recommends that the Town Board as lead agency for this site plan application can determine that this 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 Town Planning Board has reviewed the comments received from the Ulster County Planning Board via Referral No 2023-024, dated 03/01/2023, and recommends a condition that the site plan should be and is now compliant with Ulster County Planning Board recommendations on landscaping and lighting based on documentation provided; and,

BE IT FURTHER RESOLVED that the Town of Ulster Planning Board recommends that the Ulster Town Board makes final review of this Application and grants Conditional Site Plan approval for the Proposed Action subject to the conditions, limitations and restrictions set forth below.

1. Compliance, as shown on signed plans, and from the Town Superintendents of Water and of Sewer.
2. Compliance with comments from the Ulster County Planning Board via review memo *Referral No. 2023-024, date 03/01/2023*.
3. Compliance with applicable zoning and building laws, rules and regulations;
4. Compliance with all representations made by the applicant;
5. Compliance with documentation, site plan, design plans and all details as cited herein;
6. 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
7. All fees, including consultant fees, shall be paid.

Motioned by: Mr. Decker

Seconded by: Mr. Almquist

Votes: All in favor

Date: April 11, 2023

Town of Ulster Planning Board
Meeting Minutes
April 11, 2023

New Business

Kingston Commons

Mathew Checca from Stonefield Engineering and Design Represented Bipin Kingston NY realty, LLC. For 625-635, 669 Washington Avenue (across from QuickChek).

In 2019 they were before the planning board and their site plan was approved but because of COVID they ceased working at the site shortly after.

Modern changes include Swapping the proposed restaurant and proposed bank, from prior approved site plan, re shuffled utilities slightly to accommodate the new area, and reconfigured the drive aisle behind the proposed restaurant building. The 2 refuse areas from the prior plans were modified as well.

Frank Almquist asked how many cars can fit in the drive thru of the proposed Dunkin Donuts building drive thru area? Mathew answered that Approximately 12 should fit according to their plans. There are ample parking spaces to comply with all zoning requirements, as well.

David Church read a resolution recommending Town board refer application to the county and to start SEQRA.

WHEREAS, the Applicant – Amit Patel / Kingston Circle Properties LLC, in 2019 gained site plan approval for a mixed use, commercial project at this location. Initial stage of site construction preparation did advance, but applicant reports that due to constraints associated with the Covid-19 Pandemic the project was paused. Applicant has now returned for site plan approval of the same previously approved project but with certain modifications; 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; and,

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

NOW BE IT FURTHER RESOLVED, the Planning Board recommends that 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. Stavropoulos

Seconded by: Mr. Almquist

Votes: All in favor by roll call vote

Date: April 11, 2023

Town of Ulster Planning Board
Meeting Minutes
April 11, 2023

Cobey Subdivision

Mike Vetere represented the applicants for a 3-lot subdivision on 20.392 acres. Lots A and C, on the map, will be serviced by a right of way and lot B will be serviced by a private driveway.

There is a preliminary curb cut approval from the county in progress. Septic and well will be on each of the three lots.

David Church read a resolution initiating SEQRA and scheduling public hearing.

WHEREAS Applicant and owner – Joanne Cobey, proposes a three (3) lot subdivision with the existing and proposed lots all fronting Kukuk Lane; 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,

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 May 9, 2023.

Motioned by: Mr. Almquist

Seconded by: Mr. Stavropoulos

Votes: All in favor

Date: April 11, 2023

Motion to adjourn the meeting.

Motion - Mr. Almquist

Second- Mr. Stowell

All in favor

Town of Ulster Planning Board
Meeting Minutes
April 11, 2023

Respectfully submitted,
Megan Hay, *Planning Secretary*