

TOWN OF ULSTER PLANNING BOARD
MEETING MINUTES
JUNE 14, 2022

PLEDGE OF ALLEGIANCE

EMERGENCY EXITS

CALLED TO ORDER BY CHAIRMAN RING AT 7PM

ROLL CALL BY WARRANT TUTT

FRANK ALMQUIST

RORY LEE

LAWRENCE DECKER

ANDREW STAVROPOULOS

GEOFFREY RING – CHAIRMAN

JOHN STOWELL – ALTERNATE

JOHN MORROW – ALTERNATE

NEW BUSINESS

FALA Technologies Employee Residences – P-882

430 Old Neighborhood Rd

SBL: 48.7-1-9

Zone: OM

Special Permit

DAVID CHURCH READS A RESOLUTION

Resolution:

WHEREAS, Applicant – FALA Technologies, currently occupies and proposes to use a portion of their existing commercial building for employee residences, subject to special use and site plan approval as a dwelling, residence above non-residential use, as applicable in the OM zoning district (Proposed Action); and,

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

Completed Application for Special Use and Site Plan submitted by Frank S. Falatyn, President,

FALA Technologies Inc., dated 5/14/22

Signed Owner Consent Form for Filing dated 5/14/22

Signed Escrow Agreement dated 5/14/22

Completed Short Environmental Assessment Form signed by Frank S. Falatyn, dated 5/14/22

One page letter dated 6/2/22 and signed by Frank S. Falatyn, President, summarizing proposal.

Set of three (3) maps consisting of:

FALA Technologies Employee Residence Site Plan prepared by FALA Technologies, dated 04/16/22

(page 3 of 3)

FALA Technologies Apartment Project Existing First Floor, prepared by North Engineers & Design Associates, dated 05/16/22 (page 2 of 3); and,

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WHEREAS, the Town of Ulster Planning Board (Planning Board) retains the authority to approve the Site Plan Amendment in accordance with the Town Code; and

WHEREAS, the Town Board of the Town of Ulster, in coordination with the Planning Board retains the authority to approve Special Uses including dwelling, residence above non-residential use; 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

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Planning Board recommends, upon review of the entire record, the Proposed Action is a Type II Action and no further decision are required under SEQRA; and,

BE IT FURTHER RESOLVED, the Planning Board recommends the Town Board schedule a public hearing for the special use permit application; and,

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Planning Board recommends, subject to outcome of the public hearing, that the Town Board can grant 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 superintendents of Highway, Water and Sewer;
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.

MOVE TO TOWN BOARD

MOTION – MR. DECKER

SECOND - MR. ALMQUIST

ALL IN FAVOR

TECH CITY BUILDINGS 42,43 AND 64

90-98, 1600-1678, 1680-1698 BOICES LANE

SBL # 48.7-1-29.290, 29.210, & 29.220

ZONE: OM

ANTHONY MIRANDA, LAND USE COUNSEL RETAINED BY KINGSTON REALTY REPRESENTING TECH CITY

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KINGSTON REALTY ACQUIRED 6 BUILDINGS IN THE TECH CITY COMPLEX

3 OF THE 6 BUILDINGS PROPOSED TO BE MAINTAINED AS IS AND REOCCUPIED. TENANTS ARE READY AS SOON AS SITE PLAN GETS APPROVED.

DISCUSSION ABOUT PARKING BEING ONE OF THE MAJOR CHALLENGES. REQUIRED PARKING IS LESS THAN AVAILABLE PARKING.

DAVID CHURCH READS A RESOLUTION:

Resolution:

WHEREAS, the applicant – Kingston Realty Team LLC, owner of the properties, proposes to use three (3) adjoining, existing commercial buildings – part of the former IBM / Tech City complex - for warehouse, distribution, and light manufacturing uses (Action); 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, Part 1; 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 initiated review of the Action;

NOW THEREFORE BE IT RESOLVED, the Planning Board recommends the Town Board declare to be Lead Agency for this Action, and the Town Board also type this Site Plan application as Type II Action under the New York State Environmental Quality Review Act (SEQRA) as per 6 NYCRR 617.5 (c) (3) and (18), being reuse of an existing commercial structure where use is permitted and that no further review is required under SEQRA.

MOVE TO TOWN BOARD FOR

MOTION – MR. ALMQUIST

SECOND – MR. LEE

ALL IN FAVOR

OLD BUSINESS

RUPCO–P-873

114 Route 28

SBL# 48.14-1-24 & 27

Zone HC

Site Plan

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CHUCK SNYDER ASSISTANT PRESIDENT OF DESIGN AND CONSTRUCTION FOR RUPCO MADE SLIGHT CHANGE TO CONSULTANT TEAM- NATALIE FROM SWBR (TROY, NY) AS ARCHITECT

- WANT TO BREAK UP BUILDING INTO SECTIONS WITH DIFFERENT MATERIALS
- WANTS TO CREATE A MORE INVITING ENTRANCE WITH WOOD MATERIAL BUT DURABLE AND WILL LAST.

ROOFLINE – PRE-ENGINEERED SYSTEM THAT COULD ANCHOR DOWN TO THE GRADE. STEEL FRAME WITH METAL PANELS.

PLANNING BOARD ASKS FOR SAMPLES OF MATERIALS THEY ARE PLANNING ON USING.

SEWER – PLAN IS TO UTILIZE THE WASHINGTON AVENUE SEWER LINE ONCE CORRECTLY CONNECTED. HEATING/COOLING- WHOLE BUILDING WILL BE HEATED AND COOLED WITH GEOTHERMAL.

DAVID CHURCH READS A RESOLUTION

Resolution:

WHEREAS, the applicant –RUPCO, seeks Site Plan approval as an eleemosynary organization and use to convert and adaptively reuse a former hotel/motel complex for assisted and supportive apartments (Action) to be reviewed using the multiple-dwelling use provisions of the Town Code; 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, Parts 1 & 2; 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 initiated review of the Action, and the Planning Board assumes that the proposed Action will benefit from proposed new sewer and water connections still being finalized between the Town of Ulster and Ulster County;

NOW THEREFORE BE IT RESOLVED, the Planning Board has recommended the Town Board declare to be Lead Agency for this Action, and the Town Board also type this Site Plan application as Type II Action under the New York State Environmental Quality Review Act (SEQRA) as per 6 NYCRR 617.5 (c) (3) and (18), being reuse of an existing commercial structure where use is permitted, and that such reuse will incorporate green infrastructure; and,

NOW BE IT FURTHER RESOLVED, the Planning Board recommends that this application be referred to the New York State Department of Transportation, Region 8 for comments on transportation matters related to the NYS Route 28 corridor which serves the site of the Action proposed.

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MOVE TO TOWN BOARD

MOTION- CHAIRMAN RING

SECOND- MR. DECKER

ALL IN FAVOR

Uncle B's Warehouse Building- P-880

400-416 Old Neighborhood Rd

Kingston, NY 12401

SBL: 48.7-1-12

Zone: RC

COMMENTS FROM HIGHWAY SUPERINTENDANT:

DID NOT WANT WATER RUNNING OUT ONTO OLD NEIGHBORHOOD ROAD AND WANTS STOP BAR STOP SIGNS.

David church reads the resolution:

WHEREAS, the applicant – Uncle B's Holdings LLC – seeks site plan approval for phase 2 of an existing mixed use development to include a warehouse use; and,

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

WHEREAS, the Town Board, in coordination with the Planning Board, previously determined the Town Board was lead agency, typed the application as an Unlisted Action, and initiated the coordinated review under the New York State Environmental Quality Review Act (SEQRA); and,

WHEREAS, this application was referred under New York State General Municipal Law 239 to the Ulster County Planning Board who returned comments as described in Referral No. 2022-094 referenced below; and,

WHEREAS, the application materials in support of the Proposed Action include:
Application for Site Plan Review prepared by Richard Tompkins, AIA, Mauri Architects PC, for Uncle B's Holdings LLC dated 4/26/22
SEQRA Short Environmental Assessment Form prepared by Bart Panesa, dated 4/26/22
memo to Geoffrey Ring from Richard K. Tompkins, AIA dated 4/26/22 summarizing project proposed
Completed owner consent and escrow agreement forms

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Amended Site Plan for Uncle B's Car Wash, most recent revision dated 4/26/22, prepared by Mauri Architects, PC and consisting of three (3) sheets as follows:

Sheet S-1 Proposed Site Plan

Sheet S-2 Proposed Landscape Plan and Planting Schedule

Sheet S-3 Proposed Elevations

With additional documentation, dated 4/25/22 and prepared by CPL Architects and Engineers, Inc. consisting of ten (10) sheets as follows:

Sheet C-101 Utility Plan

Sheet C-201 Grading Plan

Sheet C-301 Lighting Plan

Sheet C-401 Erosion and Sediment Control Plan

Sheet C-501 Site Details

Sheet C-502 Water and Site Details

Sheet C-503 Sanitary Sewer and Stormwater Details

Sheet C-504 Stormwater Infiltrator and ESC Details

Sheet C-505 Lighting Details

Sheet C-901 Truck Turning Plan

And more recent documentation,

Sheet C-402 Erosion and Sediment Control Plan and Downspout Plan also dated 4/25/22

Sheet C-506 Erosion and Sediment Control Details dated 6/02/22

Ulster County Planning Board Referral No. 2022-094 review memo (including three (3) required modifications dated 6/01/22

Memo from Frank C. Petramale, Town of Ulster Highway Superintendent, dated 6/09/22 providing two (2) comments; and,

WHEREAS, the Planning Board considered all of the application materials submitted by the applicant in support of the Proposed Action, along with the comments of the Ulster County Planning Board, as well as Town consultants and staff; and,

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Planning Board recommends the Ulster Town Board make a Negative Declaration under SEQRA for this Unlisted Action based on coordinated review with the Town Planning Board and others; 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 with all comments via memo provided by Frank C. Petramale, Town Superintendent of Highways dated 6/09/22.
2. Compliance with any additional comments as may be provided from the Town Engineer and the Town of Ulster superintendents of Highways, Water, and Sewer.
3. Compliance with comments from the Ulster County Planning Board via review memo

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Referral No. 2022-094.

4. Compliance with applicable zoning and building laws, rules and regulations;
5. Compliance with all representations made by the applicant;
6. Compliance with documentation, site plan, design plans and all details as cited herein;
7. 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
8. All fees, including consultant fees, shall be paid.

MOVE TO TOWN BOARD FOR APPROVAL

MOTION – MR. DECKER

SECOND – CHAIRMAN RING

ALL IN FAVOR

901 Grant Kingston LLC- P-878

901 Grant Ave

SBL: 39.82-1-31

Zone : OM

Site plan/ Change of use

BRAD CLEVERLY FROM MJS ENGINEERING REPRESENTING 901 GRANT

PROPOSING TO:

FIX PARKING LOT – INSTALLING STRIPING, FRONT AND SIDE OF BUILDING PARKING

PUTTING ISLANDS IN AND LANDSCAPING (TREES AND SHRUBS BEING INSTALLED THROUGHOUT SITE)

NEW (SHORTER) LIGHT POLES WILL BE INSTALLED

DAVID CHURCH READS RESOLUTION:

WHEREAS, the applicant – 901 Grant Kingston LLC, seeks site plan approval to reuse an existing, vacant commercial building for warehousing; and light manufacturing and office uses; and,

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

Completed Application for Site Plan / Change of Use submitted by 901 Grant Kingston LLC, dated 4/25/22

Signed Owner Consent Form for Filing by Meiv Frei, dated 4/25/22

Signed Escrow Agreement by Meiv Frei, dated 4/24/22

Completed Short Environmental Assessment Form signed by Meiv Frei, dated 4/25/22

Two page letter of transmittal from MJS Engineering & Surveying, PC including one page Letter of Transmittal dated 4/26/22 and listing documents provided, and one page narrative description of application and project signed by Bradley G. Cleverly, P.E. dated 4/19/22.

Set of ten (10) map sheets prepared by MJS Engineering & Surveying, PC dated 4/26/22 consisting

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of:

Sheet C-1 Site Plan

Sheet C-2 Existing Conditions & Demolition Plan

Sheet C-3 Grading & Drainage Plan

Sheet C-4 Erosion & Grading Plan

Sheet C-5 Landscaping & Lighting Plan

Sheet C-6 Accessible Parking Details

Sheet C-7 Details

Sheet C-8 Vehicle Turning

Sheet C-9 Asphalt Details

Sheet L-1 Acuity Design Services, Illumination Plan, including lighting fixture details

Email memo from Vincent Maggiore, Town of Ulster Sewer Superintendent, outlining six (6) comments on 901 Grant Avenue project, dated 5/5/22

Memo to Town of Ulster Planning Board from Frank C. Petramale, Town of Ulster Superintendent of Highways, dated 6/09/22

Memo to Town of Ulster Planning Board and others from Dennis M. Larios, P.E. (Town Engineer), dated 6/08/22 outlining general comments as well as water supply, sewer service, and stormwater comments; 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 a reuse of any existing structure and meets the conditions of being 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 an Unlisted Action and makes a Negative Declaration 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. Compliance with all comments, as shown on signed plans, cited above via memos from the Town of Ulster Superintendent of Highways, Sewer Superintendent, and Town Engineer, as well as any additional comments from these sources and from the Town of Ulster Water 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

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6. All fees, including consultant fees, shall be paid.

APPROVAL

MOTION – MR ALMQUIST

SECOND – MR LEE

ALL IN FAVOR

Reapproval of Bair / Milici Subdivision

APPROVAL

MOTION – MR ALMQUIST

SECOND – CHAIRMAN RING

ALL IN FAVOR

ADJOURN THE MEETING

MOTION – MR. STAVROPOULOS

SECOND – MR. DECKER

ALL IN FAVOR