

**TOWN OF ULSTER PLANNING BOARD
MEETING MINUTES
JULY 11, 2023
7:00 PM**

-Pledge of Allegiance
-Emergency Exits

Roll call

Mr. Almquist	Mr. Decker
Mr. Stavropoulos	Mr. Stowell
Chairman Lee	

Approval of June minutes

Motion – Mr Almquist
Second – Mr. Stowell
All in favor
Abstained – Mr. Decker (excused from last meeting)

Old Business

Woods Rd Solar – P-866

550 Woods Rd
SBL# 48.1-1-1.112 (fka 48.14-1-1.111)
Zone: HC
Site Plan

Daniel Graziano represented for Keith Libolt
Water easement- applicant spoke to John Rose, needed a month notice as to when they were going to start work.
Town attorney, Jason Kovacs, will need to review the easement which will be a conditional approval.
Archeological study was completed.

David church reads a resolution:

Resolution:

WHEREAS, the applicant – Woods Road Solar (aka Professional Commercial Group, LLC), seeks Site Plan and lot line adjustment approval for construction of a commercial solar facility / Utility company structure; and,

WHEREAS, the applicant has submitted the following documentation:

**TOWN OF ULSTER PLANNING BOARD
MEETING MINUTES
JULY 11, 2023
7:00 PM**

Completed Application for Lot Line Adjustment dated 12/28/21

Completed Application for Site Plan dated 11/30/21

Signed Owner Consent Form for Filing by Paul Hakim, dated 11/1/21

Signed Escrow Agreement by Keith P. Libolt, dated 11/30/21

Completed SEQRA Full EAF, Parts 1 & 2 with EAF Mapper Summary Report, prepared by Michael Morgante, Arden Consulting Engineers, dated 12/27/21

Preliminary Sketch Map Showing of Lands of Relax 845 LLC to be Conveyed to Woods Road Solar, prepared by Brinnier & Larios, P.C., dated 12/23/21.

Project Narrative (three pages) prepared by Michael A. Morgante, P.E., dated 11/1/21.

Woods Rd Community Solar Facility Decommissioning Plan, prepared by Professional Commercial Group, LLC, dated November 2021.

5 MW AC Solar Farm Site Plan, prepared by Arden Consulting Engineers, PLLC, dated 11/23/21 and 12/27/21 with revisions dated 2/15/2022, 3/14/2022, 4/28/2023, and 5/16/2023 including the following nine (9) sheets:

Title Sheet

Existing Conditions Map

Slope Analysis

Concept Site Plan

Grading and Utility Plan

Erosion and Sediment Control Plan

Driveway Profile

NYSHPO Plan

Orthoimagery Sheet

One-page memo from Michael Nowicki, Biologist, Ecological Solutions, LLC, to Keith Libolt, Professional Commercial Group, LLC, dated 07/14/2022 stating "...it is my professional opinion, that the aforementioned solar project will not require a Nationwide or Individual Permit from the USACE"

Recommendation memo from Ulster County Planning Board, Referral No. 2022-030, regarding Wood Road Solar, dated 02/02/2022

Three-page memo from Michael A. Morgante, PE, Arden Consulting Engineers, PLLC, to Town of Ulster Planning Board, dated 03/20/2022 responding to 02/02/2022 comments from the Ulster County Planning Board and attaching

**TOWN OF ULSTER PLANNING BOARD
MEETING MINUTES
JULY 11, 2023
7:00 PM**

Stormwater Pollution Protection Plan (SWPPP) from Arden Consulting Engineers, PLLC, dated 11/22/2021

Referral Response memo from Ulster County Planning Board, Referral No. 2022061, regarding Professional Consulting Group, LLC, Woods Road Solar Farm, review date 04/06/2022 and stating “No County Impact”

Letter to Town of Ulster Planning Board, dated 03/10/2022 with Exhibit A, Stormwater Pollution Protection Plan (SWPPP) from Arden Consulting Engineers, PLLC, dated 11/22/2021

Solar Farm Site Plan, Stormwater Pollution Prevention Plan and Narrative, prepared by Michael A. Morgante, PE, Arden Consulting Engineers, PLLC, consisting of six (6) sections and including seven (7) appendices A thru G, dated 11/22/2021 and revised 07/16/2022

Three-page memo from Bruce D. Utter, PE, Praetorius and Conrad, PC, to Town of Ulster, dated 04/12/2022 regarding review of stormwater management and related matters.

Three-page memo from Michael A. Morgante, PE to Town of Ulster Planning Board, dated 04/25/2022 in response to above mentioned 04/12/2022 memo from Bruce D. Utter PE

Three-page memo from Bruce D. Utter, PE, Praetorius and Conrad, PC, to Town of Ulster, dated 06/03/2022 further regarding stormwater management, Proposed Solar Farm

Three-page memo from Michael A. Morgante, PE to Town of Ulster Planning Board, dated 07/16/2022 further responding to comments from Praetorius and Conrad, PC to the Town of Ulster as noted and dated above

Two- page memo from Jessica Schreyer, Historic Preservation Program Analyst – Archaeologist, New York State Office of Parks, Recreation and Historic Preservation (OPRHP), to Keith Libolt, Professional Commercial Group, LLC, dated 06/09/2023 outlining review of completed Phase I and II Archaeological Survey Report (22SR00373) and stating “...it is the opinion of OPRHP that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State or National Registers of Historic Places will be Adversely Impacted by this project with condition that the restrictive deed covenant is filed: and,

**TOWN OF ULSTER PLANNING BOARD
MEETING MINUTES
JULY 11, 2023
7:00 PM**

WHEREAS, the applicant has submitted complete Site Plan and lot line adjustment applications 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 while the Town of Ulster Planning Board has final review and approval authority for the lot line adjustment; and,

WHEREAS, said Planning Board has reviewed the applications as complete.

NOW THEREFORE BE IT RESOLVED, the Planning Board finds that the lot line adjustment application is a Type II action and that the lot line adjustment is exempt from referral to the Ulster County Planning Board, no further environmental review or referral is required, and said lot line adjustment has been previously approved; and,

BE IT FURTHER RESOLVED, the Planning Board recommends that the Town Board, as Lead Agency for the Site Plan, can find that the site plan / special use application is a Type I Action under the New York State Environmental Quality Review Act (SEQRA) and the Town Board can make a Negative Declaration under SEQRA that no significant adverse environmental impacts are likely to occur with this Action; and,

NOW BE IT FURTHER RESOLVED, the Planning Board also recommends formal re-referral of the site plan application with the more recent application documents 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 and as required via Ulster County Planning Board memo Referral No. 2022-030, dated 02/02/2022.

Motioned by: Mr. Stavropoulos

Seconded by: Mr. Almquist

Votes: All in favor

DATE July 11,2023

BVH Sapphire Trust- P-891

127-133 Glenerie Blvd

SBL# 39.7-8-1.1

Zone – R30

Site Plan

**TOWN OF ULSTER PLANNING BOARD
MEETING MINUTES
JULY 11, 2023
7:00 PM**

The Applicant updated plans with lighting and landscaping but gave information/documents on July 10, 2023. This was after the submission deadline, not giving the board a chance for a full review. The board asked to give one more month to review the lighting specs and move to the August Planning Board meeting and For final approval recommendations to the town board.

Amit Patel / Kingston Commons – P-905

631-669 & 625 Washington Avenue

SBL# 48.14-1-19 & 20

Zone: HC

Site Plan Revision – proposed retail building

Representative of the applicant went over some small changes in the site plan (miniscule) There was a small discussion about the drive thru queuing lane, they are estimating roughly eleven (11) cars (depending on which type) fitting in the drive thru lanes.

Review memo addressing county comments will be provided from the applicant.

Applicant met all other required modifications from county memo 2023-062. The planning board recommends the Town board override county comment for a bike lane.

David Church read a resolution.

Resolution:

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,

**TOWN OF ULSTER PLANNING BOARD
MEETING MINUTES
JULY 11, 2023
7:00 PM**

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, having declared intent to be Lead Agency, can make a negative declaration under SEQRA that this Action does not have the potential for significant adverse environmental impact; and,

BE IT FURTHER RESOLVED, the Planning Board finds that the applicant, working with the Town of Ulster, has met the Recommendations and Required Modifications from the Ulster County Planning Board Referral Memo No. 2023-062 dated 05/03/2023, with exception of the Required Modification item titled Bicycle Lane. The Planning Board recommends a Town override of this item as impractical under current road conditions; but, said Board does encourage the placement of bicycle racks or storage equipment on site; and,

NOW BE IT FURTHER RESOLVED, the Planning Board recommends that the Town Board grants final conditional approval for this amended site plan consistent with this resolution, and consistent with the prior 2019 approval of this original site plan as well as other standard Town of Ulster conditions on site plan approvals.

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

DATE 7/11/2023

New Business

Frank & Helen Lange – P-912

18&30 North Dr

SBL:39.11-5-8/9

Zone: R30

Lot line Revision

Frank Lange represented. Looking to have a lot line revision. Bought property in 1972, when surveyed, back then, all survey markers were in the wrong spots. He is just looking to put a straight line between the two properties that he owns.

As planning board members go over the parcel details (i.e. acreage) they told the applicant that he will need to change the lot line to fit the requirements of total acreage needed for

**TOWN OF ULSTER PLANNING BOARD
MEETING MINUTES
JULY 11, 2023
7:00 PM**

each parcel. If the applicant didn't want to move the line he would need to seek an area variance for an undersized lot.

The applicant said he was going to go through the Zoning board of appeals to ask for a variance.

Kingston Rhinebeck self-storage – P-913

1151 Flatbush Rd

SBL: 40.17-1-24

Zone: OM

Site plan Revision – additional storage units

Don Tallerman represented.

Proposing to add more self storage units to an already existing storage unit facility.

Code requires atleast 17 parking spaces, but will have 36 spaces.

Proposing a large billboard on route 32.

Adding a dumpster enclosure.

David church read a resolution referring to the county.

Resolution:

WHEREAS, the applicant and owner, Donald Tallerman, Industry Village 1151 LLC (aka Kingston Rhiinebeck Self-Storage, proposes an addition to an existing self-storage facility; and,

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

Completed Application for Site Plan submitted by Donald Tallerman, Industry Village 1151 LLC, dated 6/20/2023

One page Project Narrative, unsigned and undated

Completed Short Environmental Assessment Form, signed by Donald Tallerman, dated 6/20/2023

Aerial View Self storage – showing site with existing and proposed self-storage units identified, undated

**TOWN OF ULSTER PLANNING BOARD
MEETING MINUTES
JULY 11, 2023
7:00 PM**

Map of Survey for Industry Village 1151 LLC, Sheet 1 of 2, prepared by Donald Brewer Surveying, Inc., dated 6/13/2023; 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 to be lead agency under the New York State Environmental Quality Review Act (SEQRA), and further determines that this proposed application is an Unlisted Action under SEQRA; 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.

Motioned by: Mr. Almquist

Seconded by: Mr. Decker

DATE 7/11/2023

Wrap Around Services of the HV – P-909

234 & 230 Tuytenbridge Rd

SBL: 39.20-1-24.221

Zone: R60

Site plan revision

Rich from mauri architects represented applicant.

Keeping the same entrance drive but widening it.

They will be Creating a dayhab in the building. This Will be a 4600 square foot addition with new sidewalk. Planning board will need highway, sewer and water comments on the project.

David church reads a resolution to send to town board to start the SEQRA process.

Resolution:

**TOWN OF ULSTER PLANNING BOARD
MEETING MINUTES
JULY 11, 2023
7:00 PM**

WHEREAS, the applicant – Wraparound Service of the Hudson Valley proposes to convert an existing one-story residence (group home) into classrooms as part of a certified Dayhab facility and to construct a new 4,600 square foot addition to this building with associated parking, landscaping, utilities and lighting; and,

WHEREAS, the applicant has submitted a 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 (Planning Board); and,

WHEREAS, said Planning Board has reviewed the application materials submitted; and,

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

AND BE IT FURTHER RESOLVED, the Planning Board recommends that this application is not referable 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. Almquist

Seconded by: Mr. Stowell

Votes: All in favor

DATE 7/11/2023

Ten Broeck Child Daycare Center – P-914

1 Commons Dr

SBL: 39.15-7-16.130

Zone: OM

Site plan revision

Tyler brown- project manager from JH construction represented along with Tara Hogan, administrator of ten Broeck commons and lance the director of maintenance.

**TOWN OF ULSTER PLANNING BOARD
MEETING MINUTES
JULY 11, 2023
7:00 PM**

- Proposing a child daycare in the existing spot in the building. They will need to add another entrance for child daycare licensing purposes.
- Daycare will be for employees and public. For ages 2-5.
- They are planning on around 15 children in the space.
- The pickup and drop off areas will stay the same.

David church read a resolution approving the project.

Resolution:

WHEREAS, the applicant – Ten Broeck Center for Rehabilitation and Nursing proposes to redesign the entry way of its existing facility towards conversion to a Child Daycare Center; and,

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

Completed Application for Site Plan submitted by Tara Hogan, Administrator, Ten Broeck Center, dated 06/02/2023

One page Architectural Narrative, New Child Daycare Entry, unsigned, dated 06/02/2023

Completed Short Environmental Assessment Form Part 1, signed by David A Schlosser, Schopfer Architects LLP, dated 06/02/2023

Plans for Child Daycare Exterior Entry, Ten Broeck Center for Rehabilitation and Nursing, Sheets L1.1 & A1.1, prepared by Schopfer Architects LLP, dated 06/02/2023; 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.

TOWN OF ULSTER PLANNING BOARD
MEETING MINUTES
JULY 11, 2023
7:00 PM

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. Decker

Seconded by: Mr. Stowell

DATE 7/11/2023

New Kingdom Hall – P-915

298 Memorial Dr

SBL: 48.66-2-3.200

Zone: OM

Site plan

Representation from multiple persons for a proposed new Kingdom Hall building. Across from Cranesville Block. Parking will be 74 spaces, which is standard for the size of the building. Lot is approximately 4.23 acres. Environmental screening has been completed. They will only be disturbing 1.9 acres of the total 4.23 acres. Will be leaving 83% of the site as green space. Stormwater analysis has been done. Lighting and landscaping have been noted.

Small discussion on façade appearance.

Proposing a standard monument sign at the entrance when everything is completed.

Building inspector Tutt asked if there was any plan for replacing a percentage of trees that their taking down, the applicant is going to investigate it.

David church read a resolution.

Resolution:

**TOWN OF ULSTER PLANNING BOARD
MEETING MINUTES
JULY 11, 2023
7:00 PM**

WHEREAS, the applicant – JW Congregation Support proposes to construct a new, approximate 5,000 square foot, one-story building and associated infrastructure and parking for a new Kingdom Hall. Such a “house of worship” is a permitted use with site plan approval in the OM zoning district; 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 an Unlisted Action under the New York State Environmental Quality Review Act and that the Ulster Town Board should act to designate as 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

DATE: 7/11/2023

Verizon Wireless / lands of Sam & Bonnie Decicco – P-916

434 Flatbush Rd

SBL: 39.20-1-29.110

Zone: R60/OM

Site Plan/ Special Use permit- cell tower

**TOWN OF ULSTER PLANNING BOARD
MEETING MINUTES
JULY 11, 2023
7:00 PM**

Scott Olson represented for the applicant. Proposing to install and operate a new wireless communication facility, 2100 mh frequency, 100 ft tower.
There will be no interference with the airport tower.

David church read a resolution.

Summary – to Town board for SEQRA plus public hearing schedule for special use for utility company structure, wireless service facility.

Resolution:

WHEREAS, the applicant – Verizon Wireless, proposes to construct and operate a new personal wireless service facility including construction of a new 100 foot high monopole with antennae and communications equipment; and,

WHEREAS, the applicant has submitted a complete Special Permit / Site Plan application to the Town of Ulster Planning Board in coordination with the Ulster Town Board, including a submitted State Environmental Quality Review Act (SEQRA) Full Environmental Assessment Form, Part 1; and,

WHEREAS, the Town of Ulster Planning Board retains authority to approve this site plan application; however, the Ulster Town Board has final approval authority for special use permit approval of the special use – public utility structure; and,

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

WHEREAS, the Planning Board at their July 11, 2023 meeting finds that the application is an Unlisted Action under SEQRA and that the Ulster Town Board designate as lead agency under SEQRA; and,

WHEREAS, the Planning Board also recommended that the application should be referred to the Ulster County Planning Board as per NYS General Municipal Law 239, pending Town of Ulster receipt from the applicant of both a completed Visual Environmental Assessment as well as additional documentation related to a viewshed analysis of the proposal; and,

NOW BE IT FURTHER RESOLVED, the Town Board, in coordination with the Planning Board, schedules a public hearing for August 3, 2023 at 7:10PM as required for this special use permit application.

**TOWN OF ULSTER PLANNING BOARD
MEETING MINUTES
JULY 11, 2023
7:00 PM**

Motioned by: Mr. Almquist
Seconded by: Mr. Stavropoulos

Date: 7/11/2023

Michael Schatzel – P-910

73 Lake Rd
SBL: 39.16-1-15
Zone: HC
Site plan

Mike schatzel gave his plans for the lake road project. Only disturbing less than a half acre. Lighting and landscaping was submitted.

Resolution: to send to the Town board to refer to the county.

WHEREAS, the applicant – Michael Schatzel, proposes to construct a new, approximate 6,000 square foot commercial building for contractor storage with 1,800 square feet on second floor for a two (2) bedroom residence above the non-residential. In the HC zoning district, commercial building requires site plan review and approval, and residence over non-residential use requires special use permit review and approval in coordination with the site plan approval; and,

WHEREAS, the applicant has submitted a Site Plan / Special Use Permit 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 special use permit and the site plan application in coordination with the Town of Ulster Planning Board (Planning Board); and,

WHEREAS, said Planning Board has reviewed the application materials submitted; and,

NOW THEREFORE BE IT RESOLVED, the Planning Board recommends to the Town Board that the site plan and special use permit application can be defined as an Unlisted Action under the New York State Environmental Quality Review Act (SEQRA) and the Town Board can initiate the SEQRA process by declaring intent to be Lead Agency; and,

**TOWN OF ULSTER PLANNING BOARD
MEETING MINUTES
JULY 11, 2023
7:00 PM**

AND BE IT FURTHER RESOLVED, the Planning Board recommends that this application is referable 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; however, such referral should be held by the Town Board until the Planning Board has opportunity to review an up-to-date site plan map to complete this application.

Motioned by: Mr. Decker
Seconded by: Mr. Stowell
Votes: All in favor

DATE 7/11/2023

Adjourn the meeting
motion - Mr. Stowell
second – mr. Stavropoulos
all in favor

respectfully submitted,
Megan Hay