

**TOWN OF ULSTER PLANNING BOARD  
MEETING MINUTES  
AUGUST, 8, 2023**

-Pledge of Allegiance  
-Emergency Exits

**Approval of July Meeting minutes**

Motion – Mr. Stowell  
Second – Mr. Decker  
All in Favor

**Old Business**

**Morgan Coy Storage Warehouses – P-903**

80 Brabrant Rd  
SBL: 48.14-3-44.220  
Zone: OM  
*Site Plan approval*

Morgan coy came and presented to refresh the board about his project. All necessary recommendations have been taken care of except for planting notes for landscaping on the plans. Morgan has agreed to have them added right away. David church read a resolution referring this project to the town board for final approval with conditional site plan approval to add planting notes.

Resolution:

**WHEREAS**, Applicant and owner – Morgan Coy (aka Monofonus Kingston LLC, Monofonus East), seeks site plan approval for a set of three (3) adjoining warehouse / storage buildings with associated loading, access, landscaping and parking areas. Buildings will be 4,800, 2,100 and 1,500 square feet respectively, each one story approximately 18-20 feet tall. No tenant or occupant identified at this time.

Warehouses and storage facilities are permitted as of right within the OM zoning district subject to site plan approval; and,

**WHEREAS**, the materials submitted in support of this site plan application include:

Completed Application for Site Plan with Signed Owner Consent Form for Filing prepared by Morgan Coy, Monofonus East, dated 02/27/23  
Signed Escrow Agreement by Morgan Coy, dated 02/27/23  
Complete Short Environmental Assessment Form, Part 1, undated  
Set of Maps and Plans for Morgan Coy, prepared by Richard Lanka & Associates dated 02/25/23 and consisting of the following sheets:  
Sheet A1S1, Proposed Site Plan

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SheetA1S2, Site Plan  
Sheet LP, Lighting Plan (with lighting and signage details)  
Sheet LP1, Landscaping Plan

Elevation sheets for Buildings Proposed, Future Steel Building Intl. Corp consisting of two (2) sheets, consisting of:

Profile of Model XA30-18, dated 8/28/17

Profile of Model XX35-20, dated 3/14/17

Application review memo (four pages) prepared by David Church, AICP, dated 3/10/2023

One page email memo from Town of Ulster Superintendent of Water noting no comments

MS4 Stormwater Pollution Prevention Plan (SWPPP) Acceptance Form, reviewed and signed by Dennis M. Larios, PE, dated 7/10/2023, and signed by Warren Tutt, Town of Ulster Building Inspector and MS4 Officer, dated 7/20/2023; 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,

**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, Part 1; 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 is exempt from referral under New York State General Municipal Law 239 to the Ulster County Planning Board given the subject site is greater than 500 feet from features that require such referral; 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 from 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, as shown on signed plans, with all comments via memo provided by Town of Ulster Water Superintendent, as cited above;

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2. Compliance, as shown on signed plans, with any additional comments as may be provided from the Town Engineer and the Town of Ulster superintendents of Highway and Water;
3. Compliance with any and all comments from the Ulster County Fire District No. 5 and from the Town of Ulster Highway Superintendent regarding access, vehicle circulation and any other emergency services matters;
4. Inclusion of and compliance with the Town of Ulster Planting Notes to be place on the Site Plan map, Landscaping Plan sheet LP1 cited above;
5. Coordination with the Town of Ulster Building Inspector regarding any and all compliance necessary, including for a Floodplain Development Permit, consistent with the Town of Ulster code, Chapter 87 Flood Damage Prevention;
6. Compliance with applicable zoning and building laws, rules and regulations.
7. Compliance with all representations made by the applicant;
8. Compliance with documentation, site plan, design plans and all details as cited herein;
9. 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
10. All fees, including consultant fees, shall be paid.

Motioned by: Mr. Almquist

Seconded by: Mr. Decker

All in favor

Date: August 8, 2023

**BVH Sapphire Trust- P-891**

127-133 Glenerie Blvd

SBL# 39.7-8-1.1

Zone – R30

*Site Plan approval*

Eliezer y sher presented with the requested changes from last month's meeting to add lighting and landscaping. Also needed to add Planting notes on the plans.

David church read a resolution for conditional approval and referral to the town board for final approval.

Resolution:

**WHEREAS**, the applicant and owner, BVH Sapphire Trust, proposed and had approved a three (3) lot minor subdivision of a 3.656 acre parcel fronting Glenerie Boulevard, and now also proposes a site plan 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, Part 1 to the Town of Ulster Planning Board; and,

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**WHEREAS**, the Town of Ulster Planning Board has previously approved the proposed minor subdivision noted above; and,

**WHEREAS** the materials submitted in support of the Proposed Site Plan Action include:

Completed Application for Subdivision prepared by Eliezer Y. Sher as Trustee for BVH Sapphire Trust, dated 10/06/2022

Updated Application for Subdivision by Eliezer Y. Sher as Trustee for BVH Sapphire Trust, dated 12/15/22

Map of Proposed Subdivision of Lands of BVH Sapphire Trust, prepared by Brinnier & Larios, P.C. dated 9/22/22, **Revised 12/02/22** “to reconfigure parking, show water services, mailbox and trash locations”, Revised 7/11/2022 “To add shrubs and lighting fixtures”, and Revised 8/07/2023 by Hudson & Pacific Design

Project Narrative prepared by Brinnier & Larios, P.C. dated 10/6/2022

Completed Short Environmental Assessment Form, Part 1 including EAF Mapper Summary, unsigned / undated

Proposed Floor Plan, 127 Glenerie, Sheet A-1, prepared by Ideal Design, no date

Proposed Elevations, 127 Glenerie, consisting of two (2) sheets, both titled A-2

Nuvo 60-4923 Lighting Fixture Specification Sheet, Satco/Nuvo, copyright 2020

Nuvo 65-219 Lighting Fixture Specification Sheet, Satco/Nuvo, copyright 2020

One page comment memo (email) from Town of Ulster Water Superintendent, to Town of Ulster Planning Department, dated 1/05/2023

Two-page comment letter from The Glenerie Lake Park Improvement Association, Inc, to the Town of Ulster Planning Board, dated 02/24/2023 and outlining comments on Traffic & Safety, Environment, Emergency Access, Notification, Recreational Space, and Litter

Ulster County Planning Board Review Memo No. 2023-022, dated 03/01/2023 including required modification comments on Signage, Landscaping, Lighting, and Elevations/Photo Simulations; 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,

**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

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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. 2023-022* referenced above and below; 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.

11. Compliance, as shown on signed plans, with all comments via memo provided by Town of Ulster Water Superintendent, as cited above.
12. Compliance, as shown on signed plans, with any additional comments as may be provided from the Town Engineer and the Town of Ulster superintendents of Highways, Water, and Sewer as well as the
13. Compliance with any and all comments from the Ulster County Fire District No. 5 and from the Town of Ulster Highway Superintendent regarding access, vehicle circulation and any other emergency services matters.
14. Compliance with comments from the Ulster County Planning Board via review memo *Referral No. 2023-022*.
15. Placement on the Site Plan map of the Town of Ulster Planting Notes, and compliance with such Notes.
16. Compliance with applicable zoning and building laws, rules and regulations;
17. Compliance with all representations made by the applicant;
18. Compliance with documentation, site plan, design plans and all details as cited herein;
19. 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
20. All fees, including consultant fees, shall be paid.

Motioned by: Mr. Crispell  
Seconded by: Mr. Almquist  
All in Favor  
Date August 8, 2023

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**Frank & Helen Lange - P-912**

18&30 North Dr  
SBL:39.11-5-8/9  
Zone: R30  
*Lot line Revision*

Applicant, Frank Lange, decided to have the lot line moved, per suggestion of the building inspector at the July meeting, to meet the required amount of square footage for each parcel.

David Church read a resolution approving the lot line revision.

Resolution:

**WHEREAS**, the applicant Frank & Helen Lange propose a lot line adjustment correcting inadequate setbacks and property marker locations on lands that they own; and,

**WHEREAS**, the proposed new lots comply with the minimum lot size and dimensional requirements of the R30 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 for Subdivision  
Signed Owner Consent Form for Filing

Project Narrative, prepared by Frank Lange, dated 6/08/23.

Short Environmental Assessment Form, prepared by Frank Lange, undated.

Map of Lot Line Adjustment for Frank & Helen Lange, prepared by Kenneth M. Keefe, LLS, dated 5/02/23, revised 7/17/2023; and,

**WHEREAS**, referral to the Ulster County Planning Board was not required pursuant to the UCPB Land Use Referral Guide, since the Proposed Action is not a subdivision and 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 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

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**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,
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.

Motioned by: Mr. Decker

Seconded by: Mr. Stowell

DATE: August 8, 2023

**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 and addressed the county comments. The board brought up the lighting requirements causing a resolution for a conditional approval. The applicant said he will have lighting

Resolution:

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

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**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 Map of Survey for Industry Village 1151 LLC, Sheet 1 of 2, prepared by Donald Brewer Surveying, Inc., dated 6/13/2023

Floor Plan #58282, Kingston-Rhinebeck Self Storage Unit Dimensions, one sheet prepared by Trachte Building Systems, Inc., dated 4/05/2023; 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 meets the conditions of being referable for review and comment to the Ulster County Planning Board (UCPB) pursuant to their referral agreement with the Town of Ulster. UCPB as per referral memo no. 2023-123, dated 8/02/2023 returned two (2) required modification comments related respectively to details of new building sizes to be shown on site plan with adequate access, and site exterior lighting with full cutoff fixtures and International Dark Sky compliance; 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; and,

**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;
5. Compliance with all comments provided by the Ulster County Planning Board (UCPB) as noted above, related to site plan notation on building sizes to be noted on map, access, and exterior lighting design. Such exterior lighting details compliant with UCPB comments will be provided prior to issuance of any building permit related to this application;
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. Almquist

Seconded by: Mr. Crispell

DATE: August 8, 2023



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**New business**

**Benderson Plaza – LL Bean – P-917**

1137-1187 Ulster Ave

SBL: 48.42-3-1.100

Zone: RC

*Site plan – Façade Change only*

Proposing a Façade change only. The Planning board members agreed that the date and preparers name need to be on the plans and submitted to the building department as soon as possible.

David Church read a resolution:

Resolution:

**WHEREAS**, the applicant and owner, Ben Benderson 85-1 Trust (aka Benderson Development Corporation, LLC), seeks a site plan amendment to convert vacant retail space, formerly occupied by Bed, Bath and Beyond, for use by a new retail tenant, LL Bean; and,

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

Completed Application for Site Plan submitted by Benderson 85-1 Trust, dated 07/25/2023, signed by James A. Boglioli, Agent 07/26/2023

Completed Short Environmental Assessment Form, Part 1, prepared by Matthew J. Oates, PE, dated 07/25/2023

One-page application transmittal & project narrative, signed by James A. Boglioli, Esq., Director, Right to Build – Northeast US, Benderson Development, dated 07/25/2023

Site Plan, Ulster Crossings, Property ID# 3520 L.L. Bean, prepared by Benderson Development Corporation, LLC, dated 07/25/2023

Sheet A106, Exterior Elevation, titled L.L. Bean Kingston, NY, no date, no preparer identified, date and preparer to be provided by applicant 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

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**WHEREAS**, the Town of Ulster Planning Board, upon review of the entire record determines the Proposed Action is a Type II Action and no further decision are required 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.

8. Compliance with applicable zoning and building laws, rules and regulations;
9. Compliance with all representations made by the applicant;
10. Compliance with site plan, design plans and all details as cited herein;
11. Compliance with the US Route 9W Corridor Enhancement Plan;
12. 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
13. All fees, including consultant fees, shall be paid.

Motioned by: Mr. Almquist

Seconded by: Mr. Crispell

All in favor

Date: August 8, 2023

Meeting adjourned

Motion – Mr. Stowell

Second – Stavropoulos

All in Favor

Respectfully submitted,

Megan Hay

Planning/Zoning Secretary