

TOWN OF ULSTER PLANNING BOARD
MEETING MINUTES
AUGUST 9, 2022

PLEDGE OF ALLEGIANCE

EMERGENCY EXITS

CALLED TO ORDER BY MR. ALMQUIST AT 7PM

ROLL CALL BY WARREN TUTT

FRANK ALMQUIST – TEMPORARY CHAIRMAN

RORY LEE

JOHN MORROW

DAVID CHURCH – PLANNER

LAWRENCE DECKER

ANDREW STAVROPOULOS

JOHN STOWELL – ALT

GEOFFREY RING - EXCUSED

ROBERT & LAURA BROOKS – P-886

620 ULSTER LANDING RD

SBL# 40.13-1-31

ZONE: R-60

LOT LINE REVISION

OPEN THE PUBLIC HEARING

MOTION – MR. DECKER

SECOND – MR. MORROW

ALL IN FAVOR

NO ONE APPEARED FOR OR AGAINST THE SUBDIVISION

DAVID CHURCH READS A RESOLUTION:

WHEREAS, the applicant and owners –Robert and Laura Brooks, propose a two-lot subdivision to create a new residential lot accessed by Ulster Landing Road (Ulster County Route 37). The existing lot will be divided into a new 2.162 acre lot (Lot 1) with the remainder 2.599 acres and existing house being the second lot (Lot 2); and,

WHEREAS, the proposed lots comply with the minimum lot size and dimensions of the R60 Zoning District; 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 Robert Brooks (owner) dated 6/24/22

Map of Lands of Robert F. & Laura Brooks, prepared by Brinnier & Larios, P.C., revised March 31,2005

Signed Owner Consent Form for Filing

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Signed Escrow Agreement

Completed Short Environmental Assessment Form including EAF Mapper Summary and FEMA flood map excerpt, dated 6/22/22; 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 August 9, 2022; and,

WHEREAS, the Planning Board declared its intent to be Lead Agency, and classified the Proposed Action as a SEQRA Unlisted Action at its July 12, 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.
3. Consistent with any requirements from Ulster County Department of Public Works, the new and existing driveways for both lots shall share a single, existing curb cut onto Ulster Landing Road.
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

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APPROVAL

MOTION – MR. DECKER

SECOND – MR. MORROW

ALL IN FAVOR

SHAUT LOT LINE REVISION

828-834 NEIGHBORHOOD ROAD

39.19-2-8, 39.19-2-4.100

ZONE – R-10

LOT LINE REVISION

CHRIS ZELL APPEARED FOR THE APPLICATION FOR A LOT LINE REVISION.
MOVING LOT 25'

DAVID READS A RESOLUTION:

WHEREAS, the applicant, Robert and Linda Shaut, seek a lot line adjustment between two (2) parcels they own, one being a single family residential lot and the other being an undeveloped, mostly wooded lot adjoining to the north. Lot line adjustment will transfer 0.158 acres from SBL 39.19-2-4.100 (Parcel 4.100) to SBL 39.19-2-8 (Parcel 8). Resulting Lot 4.100 will be 0.613 and resulting Lot 8 will be 0.989 acres; and,

WHEREAS, the proposed new lots comply with the minimum lot size and dimensional requirements of the R-10 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 Christopher J. Zell, PLS (surveyor) and Linda and Robert Shaut (owners)

Signed Owner Consent Form for Filing

Signed Escrow Agreement

Completed SEQRA Short EAF prepared by Linda Shaut, dated 7/27/22

Map of Proposed Lot Line Revision on Lands of Robert Shaut & Linda Shaut, prepared by Brinnier &

Larios, P.C., dated 6/14/22

Project Application Review Memo prepared by David Church, AICP, dated 8/5/2022; 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

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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 classified 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.

APPROVAL

MOTION – MR. DECKER

SECOND- MR. STAVROPOULOS

ALL IN FAVOR

WOODS ROAD SOLAR FARM – P-866

550 WOODS ROAD AND 600 WOODS ROAD

SBL: 48.14-1-1.111 & 48.10-1-38.300

ZONE: HC

SITE PLAN

- APPLICANT DID NOT ATTEND THE MEETING DUE TO OUTSTANDING ISSUES WITH THE ARCHAEOLOGY REPORT
- DAVID REVIEWED ISSUES WITH THE BOARD

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WASHINGTON AVENUE STORAGE FACILITY P-879

600-620 WASHINGTON AVENUE

KINGSTON, NY 12401

SBL# 48.18-1-18

ZONE : HC

SITE PLAN

CHRIS LAPINE FOR LA BELLA APPEARED FOR THE APPLICANT
CHRIS REVIEWED THE UPDATED PLANS WITH THE BOARD
THE ISSUES THAT WERE STATED IN THE ORIGINAL LETTER HAVE BEEN DISCUSSED AND THE
OUTSTANDING ISSUES ARE MINOR AND CAN BE RESOLVED.

DAVID READ THE RESOLUTION:

WHEREAS, the applicant – Diamond Point Development, LLC, seeks site plan approval to demolish an existing diner (Olympic Diner) and separate office building, and to construct a new 3-story, 92,940 square foot climate controlled, storage facility with approximately 650 storage units; 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 Jason Sommer, Diamond Point Development, LLC with Lambros Prop Inc. (owner), dated 4/25/22
SEQRA Full Environmental Assessment Form Part 1 prepared by Caren LoBrutto, Chazen Companies, dated 4/26/22
Narrative Full Environmental Assessment Form Washington Avenue Storage Facility, prepared by LaBella Associates, dated 4/26, 2022 revised 6/22/2022, and consisting of ten (10) pages (two blank), eight (8) figures, a completed Full Environmental Assessment

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Form Part 1, and one attachment being correspondence with NYSDEC providing a resource list of species and habitat.

Letter memo (2 pages) to Geoffrey Ring, Town of Ulster Planning Board Chairman, from Christopher Lapine, PE, LaBella, dated 4/26/22 describing project proposed and documents submitted.

Untitled color rendering (front elevation) of proposed self-storage building.

A-201 Exterior Building Elevations, Kingston, NY Storage, prepared by SAA architects, dated 5/18/2022

Map of Survey (Prepared for Preliminary Topography) – based on 10/23/95 “Map of Lands to be Conveyed to Photios Georgakopoulos A/K/A Frank Georgakopoulos and Evan Panagoulas” prepared by Brinnier & Larios, P.C.

Set of eight (8) Sheets for Washington Avenue Storage Facility prepared by LaBella and dated 4/26/22 as follows:

Sheet G001 – Cover Sheet

Sheet G002 – Notes

Sheet C120 – Demolition Plan

Sheet C130 – Site Plan

Sheet C140 – Grading & Drainage and Utility Plan

Sheet C150 – Erosion & Sediment Control Plan

Sheet C180 – Landscaping Plan

Sheet C190 – Photometric

Stormwater Pollution Prevention Plan prepared for Diamond Point Development, submitted by Chris Lapine, PE, LaBella Associates, dated June 2022 and consisting of thirty-four (34) pages.

Floodplain Assessment for 620 Washington Avenue, prepared by LaBella Associates, dated 6/22/2022 and consisting of two (2) page narrative with two (2) figures and forty-two (42) data sheets and graphs.

Ulster County Planning Board Referral Recommendation Memo No. 2022-131, dated 7/6/2022 and consisting of seven (7) comments.

Project Application Review memo from David Church, AICP, dated 5/7/2022.

Memo from Christopher Lapine, PE, LaBella Associates, to Geoffrey Ring, Town of Ulster Planning Board Chairman, dated 6/22/2022 as a cover letter to providing additional documentation and providing five (5) pages of responses to prior project comments.

Memo from Christopher Lapine, PE, LaBella Associates, to Geoffrey Ring, Town of Ulster Planning Board Chairman, dated 6/22/2022 titled Diamond Point Development ... Parking Review, and consisting of five (5) pages (hereafter referred to as Parking Report).

One page cover Memo from Joshua D. Blake, EIT, and Mathew A. Korn, PE, LaBella Associates, to Diamond Point Development LLC, dated June 24, 2022 along with Geotechnical Subsurface Investigation and Report prepared by LaBella Associates, dated 6/24/2022 and consisting of eleven (11) pages, one figure titled Exploration Location Plan, and an Appendix with Exploration Logs.

Two (2) color renderings of proposed building with signage as seen from Washington

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Avenue – undated. Additional renderings or proposed building as seen from further west along as presented at the August 8, 2022 Town Planning Board meeting.

Memo from Vincent Maggiore, Town of Ulster Sewer Superintendent requesting the following: 1. Submit plans for review. 2. Cap sewer line connection to Town sewer before DEMO. 3. Removal and proper termination of all existing sewer system components. 4. Install and test new approved sewers on the property.

Project Review Memo from Bruce D. Utter, PE, Praetorius and Conrad, P.C. (town engineers) dated 8/7/2022 providing review comments on stormwater, management, water, sewer and town highway for Washington Avenue Storage Facility – Diamond Point Development.

Supplemental email Project Review Memo from Bruce D. Utter, PE, providing four (4) updated comments, dated 8/9/2022.

Memo to James Quigley, Supervisor Town of Ulster, from Suzanne Cahill, Planning Director and Wayne Platte, Planning Board Chairman, City of Kingston, dated June 27, 2022 and making six (6) comments.

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, noting the following mitigation measures: 1. retaining as undeveloped the lands east of Sandy Road along the Esopus Creek to mitigate potential environmental impacts associated with the creek and it's border lands, and 2. Provision of visual simulations as well as adjustments to proposed building façade materials and color, and the addition of vegetative screening near and along the western site boundary to mitigate minor visual impacts; 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 Vincent Maggiore, Town of Ulster Sewer Superintendent, as cited above.
2. Compliance, as shown on signed plans, with all project review memos provided by Praetorius and Conrad, P.C. (town engineer) including the 8/7/2022 and 8/9/2022 memos cited above from Bruce D. Utter, PE, as well as with any additional comments as may be provided from the Town Engineer and the Town of Ulster superintendents of Highways, Water, and Sewer.
3. Provision of a twenty (20) foot wide sewer easement to the benefit of the Town of Ulster to be located approximately along the northwest and northern borders of the SBL 48.18-

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- 1-18 and compliant with any requirements of the Town of Ulster, to be shown on the final site plan.
4. Compliance with any 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.
5. Compliance with comments from the Ulster County Planning Board via review memo Referral No. 2022-131.
6. Granting of a reduction of parking requirements consistent with Town of Ulster Code §190-29.1 based on documentation received from LaBella Associates for the applicant (as noted above) and as shown on Sheet C-130 Site Plan as provided.
7. Dedication of a conservation easement to the Town of Ulster or to another qualified organization consistent with New York Environmental Conservation Law §49-0303 for only those lands located on SBL 48.18-1-18 exclusively southeast of Sandy Road along the Esopus Creek. Such easement to allow Town of Ulster drainage, road and utility improvements and maintenance.
8. Removal of the pre-existing pole sign located east of Sandy Road near the road and Esopus Creek intersection with Washington Avenue.
9. Provision of additional visual simulations showing the proposed project as seen from further west along Washington Avenue, to be reviewed by the Planning Board and approved by the Town Board for additional vegetative screening if recommended by the Planning Board.
10. Compliance with applicable zoning and building laws, rules and regulations;
11. Compliance with all representations made by the applicant;
12. Compliance with documentation, site plan, design plans and all details as cited herein;
13. 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
14. All fees, including consultant fees, shall be paid.

MOTION – MR. LEE

SECOND – MR. ALMQUIST

ALL IN FAVOR

PROJECT WILL BE PLACED ON THE AUGUST 18TH TOWN BOARD AGENDA

RUPCO – P-873

114 ROUTE 28

SBL# 48.14-1-24 & 27

ZONE : HC

SITE PLAN

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DENNIS LARIOS APPEARED FOR THE APPLICANT

- REVIEWED THE LATEST SITE PLAN WITH THE BOARD.
- DISCUSSION ON RESIDENTS WALKING ON RT 28 AND DOT REQUIREMENTS.
- MICHAEL BERG FROM FAMILY OF WOODSTOCK SPOKE ON GRANTS.
- DISCUSSION ON CROSS WALKS AND SAFER WAYS TO TRANSPORTATE TO PLACES FOR THE PEOPLE LIVING IN THE HOUSING.
- MOST OF THE TENANTS WILL HAVE THEIR OWN VEHICLES.
- THIS IS DIFFERENT FROM THE LOW BUDGET MOTELS IN AREA.
- WILL DISCOURAGE PEOPLE FROM WALKING EVERYWHERE BECAUSE IT IS UNSAFE
- POSSIBILITY OF GETTING A BUS TO STOP AT THE TWO SHELTERS FOR SAFER TRAVEL FOR THEM.
- SUPERVISOR WILL BE COPIED ON ALL EMAILS BETWEEN RUPCO AND DOT.

DAVID READ A RESOLUTION:

WHEREAS, the applicant – RUPCO – seeks site plan approval for adaptive reuse of an existing motel complex for supportive housing apartments with related services; and

WHEREAS, the Town of Ulster, in consideration of the application, has previously determined that the proposal is a permitted use as an eleemosynary use (aka use by charitable organization) and has also determined that the use will be reviewed by the Town of Ulster using the dwelling multi-family standards within the Town of Ulster zoning and site plan codes; and,

WHEREAS, the applicant has submitted a 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 a Type II action requiring no further review under the New York State Environmental Quality Review Act (SEQRA) as per 6 NYCRR Parts 617.5 (c) (3)(9), and (18), being reuse of an existing commercial structure where use is permitted, and that such reuse will incorporate green infrastructure; and,

WHEREAS, this application was referred under New York State General Municipal Law 239-m to the Ulster County Planning Board who returned comments as described in Referral No. 2022-122 referenced below; and,

WHEREAS, this application was referred by Ulster Town Board resolution, on the recommendation of the Town of Ulster Planning Board, to the New York State Department of Transportation for review who returned comments via email from David Corrigan, Acting Resident Engineer, dated July 12, 2022, as described and referenced below; and,

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

- Complete application for site plan signed by Emily Hamilton, Real Estate Development Project Manager, RUPCO, dated 2/18/2022
- Signed Owner Consent Forms for Filing signed by Bipin Patel, GOKUL Inc of NY, dated 2/18/2022
- Signed Escrow Agreement by Emily Hamilton, dated 2/18/2022
- Completed Short Environmental Assessment Form Parts 1 & 2, signed by Emily Hamilton, dated 2/18/2022

- Application Addendum, Adaptive Re-Use of the Quality Inn Motel for Charitable Use for Formerly Homeless Housing, submitted by Michael A. Moriello (3 pages undated)
- One page Overview prepared by RUPCO (no date) titled 114 Route 28 Hotel Conversion Project Description
- Preliminary ALTA/NSPS Land Title Survey of Lands to be Conveyed to RUPCO, Inc., 114 Route 28, prepared by Christopher J. Zell, Licensed Land Survey, Brinnier & Larios, P.C., dated January 11, 2022
- Site Plan for RUPCO Quality Inn Conversion prepared by MASS. (Model of Architecture Serving Society, LLC) and Brinnier & Larios, P.C. dated 02/21/2022 and consisting of twelve (12) sheets:
 - G-000 Title Sheet
 - G-101 Aerial View
 - G-102 Perspective View
 - L-100 Existing Conditions Map
 - L-101 Site Plan
 - L-104 Landscape Plan
 - A-101 Level One Plan
 - A-102 Level Two Plan
 - A-201 North Elevation
 - A-202 South Elevation
 - A-203 East Elevation
 - A-204 West Elevation
- Email memo from Geoffrey Ring, Chairman of the Town of Ulster Planning Board, dated April 4, 2022 and outlining nine (9) issues he recommends requires additional information from applicant; and,

Plus, additional and updated documentation as follows:

- Ulster County Planning Board Referral No. 2022-122, Adaptive Reuse of Quality Inn – Site Plan Review, 7/6/2022.
- Email memo from David Corrigan, NYSDOT Acting Resident Engineer to Town of Ulster Supervisor and others, regarding Town of Ulster – RUPCO, dated July

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12, 2022 advising contact with John Reilly, NYSDOT Permit Engineer and providing two (2) substantive comments.

- Updated and modified Site Plan for Quality Inn Conversion, prepared by SWBR Architects as prepared for RUPCO, dated 7/12/2022 and consisting of:

L-101 Overall Site Plan, Quality Inn Conversion

L-401 Landscape Plan, Quality Inn Conversion

- RUPCO Kingston Quality Inn Conversion Illustrative Site Plan
Isometric – New Massing
Elevation Perspective
Site Plan – New Construction
Quality Inn Conversion – View from I-87 (Dusk)
Quality Inn Conversion – View from I-87 (Day)
Program Layout Level 1, Level 2, First Floor Plan, Second Floor Plan, & Unit Layouts.

Exterior Lighting specifications and technical sheets: McGraw-Edison, Impact Elite LED (four (4) sheets & McGraw-Edison, GALN Galleon II Area/Site Luminaire (eleven (11) sheets, provided by RUPCO, July 9, 2022. Memo (one page) with eleven (11) pages of attachments regarding 114 Rt. 28 Redevelopment Anticipated Sustainability Measures, sent to Geoffrey Ring from Charles R. Snyder, Asst. V.P. of Real Estate Development, RUPCO, dated June 21, 2022 (hereafter referred to as Sustainability Plan).

- Memo (three (3) pages) prepared by RUPCO, titled Safety Plan for 114 Route 28, submitted to Town of Ulster Planning Board on May 9, 2022 (hereafter referred to as Safety Plan).
- Memo (four (4) pages prepared by RUPCO, to David Church, Planner, Town of Ulster, titled Transportation Plan for the Quality Inn Redevelopment Project, dated June 28, 2022 (hereafter referred to as the Transportation Plan).
- Preliminary Capacity Analysis, Annual Production Report (four (4) sheets, for proposed solar installation, RUPCO – Quality Inn, prepared by Bryan McGurn, no date (also included as attachment to Sustainability Plan).
- Milestone 1, Mobilization and Community Engagement Structure (Agreement 182200 Purchase Order 177678 prepared by 6-Nines Power, for New York State Energy Research and Development Authority (NYSERDA) and for RUPCO, dated June 2022 (also submitted as attachment to Sustainability Plan).
- Letter of project support from Patrick K. Ryan to Geoffrey Ring, date May 6, 2022.
- RUPCO Inc.: Memorandum in Response to Several Town of Ulster Planning Board Review Issues (four (4) pages), to Town of Ulster Town Board, prepared by Michael A. Moriello, Riseley & Moriello Attorneys at Law, June 14, 2022.
- RUPCO Inc: Attorney Apology for Inaccurate Submittal (one (1) page), to Town of

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Ulster Town Board, prepared by Michael A. Moriello, Riseley & Moriello Attorneys-at-Law, June 27, 2022.

- Resolution Town of Ulster Town Board, RUPCO Site Plan declaring Lead Agency and action as Type II under SEQRA and referring application to NYSDOT for comment, June 16, 2022.
- Memo from Town of Ulster Highway Department, comments on RUPCO Rt 28 Quality Inn Project (one page), prepared by Frank C. Petramale, Superintendent of Highways, dated 06/09/2022.
- Project Application Review, RUPCO Site Plan, submitted by David Church, AICP, dated 4/17/2022.

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, comments from NYS Department of Transportation, as well as Town consultants and staff; and,

WHEREAS, the Planning Board, in its sole discretion, finds that the Applicant's land is not suitable to meet the needs of the development for recreational facilities, and the Planning Board shall require the applicant to pay the sum determined by the Town Board in lieu of such land as a condition precedent to the Chairman signing the subdivision plat, site plan or special permit authorization, pursuant to the Parkland and Recreation Fees Local Law; and

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Planning Board recommends the Ulster Town Board determines that environmental review is not necessary, as the proposal is a Type II action under SEQRA; 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. Address of all comments via email memo provided by David Corrigan, NYS Department of Transportation, dated 07/12/22 in relation to Modica Lane, unless Modica Lane is abandoned by the Town of Ulster Town Board.
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, Water, and Sewer.
3. Compliance with required modifications from the Ulster County Planning Board via review memo Referral No. 2022-122.
4. Compliance with the RUPCO Transportation Plan, Safety Plan, and Sustainability Plan referenced above as provided by the applicant and attached by reference to be made a part of this resolution.

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- 5.** As per the above referenced RUPCO Transportation Plan, a RUPCO van service shall be provided and operational serving the uses on land parcels SBL 48.14-1-24 and 27 (project site) upon and throughout residential occupancy of these subject parcels.
- 6.** The applicant will use their best efforts to ensure that bus stop(s) serving the project site, suitable and approved for both Ulster County Area Transit (UCAT) and for Kingston City School District (KCSD) services, shall be operational prior to occupancy of the subject applicant property, and said bus stop(s) shall be constructed and maintained as required by UCAT and KCSD.
- 7.** The existing, abandoned driveway connecting the southwest corner of the project site to Modica Lane, at a position off of Route 28 shall be closed for vehicle use using bollards or similar structural features along the project site southern boundary. Such features shall be shown on the approved, signed site plan. Such features will allow for the repurposing of the driveway for pedestrian and bicycle uses only.
- 8.** The applicant will use its best efforts to partner with the NYS Department of Transportation, with the Ulster County Transportation Council, and with any other agencies necessary to provide for improved pedestrian access to the Route 28 corridor at Modica Lane serving proposed and future activities on the project site.
- 9.** Any design of cladding / siding of buildings shall be reviewed and approved by the Town of Ulster Planning Board or by the Town of Ulster Code Enforcement Officer.
- 10.** Compliance with applicable zoning and building laws, rules and regulations.
- 11.** Compliance with all representations made by the applicant.
- 12.** Compliance with documentation, site plan, design plans and all details as cited herein.
- 13.** Prior to issuance of any building permit arising from this site plan, any and all building, landscaping or other project site physical improvements necessary to comply with this resolution, including all Exterior Lighting consistent with the specifications and technical sheets cited above, and with all conditions of this resolution, shall be shown on a site plan meeting all documentation requirements for Site Plan Review as per Town of Ulster Code §145-6(B).
- 14.** The Town's consulting planner and Building Inspector/ Code Enforcement Officer 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.
- 15.** Compliance with Town of Ulster Parkland and Recreation Fee Local Law, which requires payment of a recreation fee in lieu of facilities.
- 16.** All fees, including consultant fees, shall be paid.
- 17.** Applicant shall enter into an Easement Agreement with the Town of Ulster, in a form prepared by the Town Attorney, for extension of water & sewer lines across Applicant's property that are being extended under the New York State Thruway for the benefit of the Applicant.
- 18.** Applicant shall enter into an out-of-district water and sewer use agreement in a form prepared by the Town Attorney.
- 19.** Applicant shall enter into a PILOT Agreement with the Town of Ulster Town Board.
- 20.** The Applicant shall proceed for review before the Town of Ulster Town Board upon the

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Site Plan and all proceedings associated therewith.

APPROVAL OF RESOLUTION

MOTION – MR. STAVROPOULOS

SECOND – MR. LEE

ALL IN FAVOR BY ROLL CALL VOTE

ADJOURN MEETING

MOTION- MR. DECKER

SECOND- MR. ALMQUIST

ALL IN FAVOR

Respectfully submitted,
Megan Hay