

Town of Ulster Planning Board Agenda
Town Hall
1 Town Hall Drive
Lake Katrine, NY 12449
May 14, 2024
7:00 PM

Pledge of Allegiance was recited.
Emergency Exits were noted.

Action: Approval of April minutes
Motioned by: Mr. Almquist
Seconded by: Mr. Stowell
All in favor

Roll call

Mr. Almquist
Mr. Decker
Mr. Stowell
Mr. Crispell – Excused
Chairman Lee

Public Hearing

Jacobsen Subdivision – P-935
1081 Pine Place
SBL: 48.42-7-1
Zone: R10
Major (6) lot Subdivision

Action: Open public hearing
Motioned by: Mr. Decker
Seconded by: Mr. Almquist
All in favor

Robert Jacobsen appeared to explain the proposed major subdivision. The planning board is still waiting for comments from both Sewer and Highway departments.

Daniel Rafkin from 1083 Decker street appeared with a questioning if the development is claiming property rights up the fence line? There are (2) 70-foot oak trees leaning towards his home. The former property owner was willing to remove the trees. He wanted to know if the new owners would be willing to carry on that

Action: Close public hearing
Motioned by: Mr. Decker

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Seconded by: Mr. Almquist
All in favor

David Church read a resolution.

WHEREAS the applicant and owner – Robert R. Jacobsen and Cindy R. Jacobsen, seek approval for a major subdivision in accordance with Town of Ulster code titled Subdivision of Land Section 161-10; and

WHEREAS the applicant proposes to create six (6) residential lots from an existing lot, all access by the existing Pine Place with an extension of Pine Place, a Town road; and,

WHEREAS the proposed lots as presented appear to comply with the minimum lot size and dimensions of the R10 Zoning District; and

WHEREAS, pursuant to Section 161-9 of the Town Code, the Proposed Action is classified as a Major 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 by Robert R. Jacobsen, dated 02/26/2024
Signed Owner Consent Form

Completed Short Environmental Assessment Form, Part 1, with EAF Mapper Summary Report, prepared by Robert R. Jacobsen, dated 02/26/2024.

Sketch plan Map of Proposed Subdivision of Lands of Robert R. Jacobsen & Carly R. Jacobsen, prepared by Brinnier & Larios, PC, dated 02/18/2024; 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 within 500 feet of certain features as per the Ulster County Land Use Referral Guide; 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 public hearings described below; and,

WHEREAS, in accordance with Town of Ulster Subdivision of Land Chapter 161, Section 161-9 the Proposed Action is a Major Subdivision, and the Planning Board must hold a preliminary public hearing and a final public hearing before it can take final action; and

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WHEREAS, consistent with same Chapter 161, Section 161-10C the Planning Board held such Preliminary Public Hearing on April 9, 2024, and no comments were made at such Public Hearing. Then on May 14, 2024, the Planning Board held the Final Public Hearing; and,

WHEREAS the Planning Board declared its intent to be Lead Agency and classified the Proposed Action as a SEQRA Unlisted Action at its April 2023 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 after referral to the Town of Ulster Highway Superintendent as well as the Town of Ulster Superintendents of Water and Sewer.
3. Prior to said Plat signature by the Chairman of the Planning Board, said Plat will be updated to reflect all comments from the Town of Ulster Highway, Water, and/or Sewer Superintendents.
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.

Motioned by: Mr. Almquist

Seconded by: Mr. Stowell

DATE: May 14, 2024

Action: approval of resolution

Motioned by: Mr. Almquist

Seconded by: Mr. Decker

All in favor

Warcholak Subdivision P-936

247 Potter Hill Rd

SBL: 39.8-2-10.110

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Zone: R60
Minor Subdivision

Action: Open public hearing
Motioned by: Mr. Decker
Seconded by: Mr. Almquist
All in favor

No one from the public appeared for this subdivision.

Action: Close public hearing
Motioned by: Mr. Almquist
Seconded by: Mr. Decker
All in favor

David Church read a resolution.

Resolution:

WHEREAS Applicant and owner – Mary Rose and Gary Warcholak, propose a two (2) lot subdivision fronting Potter Hill Road; 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 by Mary Rose and Gary Warcholak, dated 03/24/2024

Signed Owner Consent Form, by Mary Rose Warcholak, dated 03/25/2024.

Sketch Plan, Proposed Two Lot Subdivision, MaryRose & Gary Warcholak, prepared by Praetorius and Conrad, PC, dated 03/25/2024 and consisting of three (3) sheets as follows:

Sheet 1 of 3, Proposed Subdivision Map

Sheet 2 of 3, Proposed Grading Plan

Sheet 3 of 3, Detail Sheet

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Completed Short Environmental Assessment Form including EAF Mapper Summary, prepared by Bruce D. Utter, PE, dated 03/24/2024; 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 May 14, 2024, and considered all comments made at such Public Hearing; and,

WHEREAS, the Planning Board has declared its intent to be Lead Agency and classified the Proposed Action as a SEQRA Unlisted Action; 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:

7. The Plat may be filed with the office of County Clerk after signing by the Chairman of the Planning Board.
8. Compliance with any comments after referral to the Town of Ulster Highway Superintendent.
9. Prior to said Plat signature by the Chairman of the Planning Board, said Plat will be updated to reflect all comments from the Town of Ulster Highway Superintendent. Such locations will comply with Town of Ulster zoning setback requirements as well as County of Ulster Health Department requirements.
10. 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
11. 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

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

Motioned by: Mr. Almquist

Seconded by: Mr. Stowell

DATE: May 14,2024

Action: Approval of Resolution

Motioned by: Mr. Almquist

Seconded by: Mr. Stowell

All in favo

New Business

Sage Cannabis – P-938

268 Forest Hill Drive

SBL: 48.13-3-16.100

Zone: HC

Site Plan/ Special Use Permit – Presentation only

To hear presentation please listen to recording.

Stowell Site Modifications – P-939

1776 Route 9W

SBL :39.20-2-27

Zone : HC

Site plan modifications

John Stowell recused himself from voting on anything due to it being his project. They are looking to change the use back to Food services (what it previously was). There was a small discussion on the parking spaces and where they will be. They would like to put a small concrete pad to put some picnic tables for people to sit down and eat outside.

David Church read a resolution.

Resolution:

WHEREAS the applicant – William Hughes, and owner – John Stowell, seek a site plan amendment for a change of use in an existing, one-story commercial building. Anticipated use is food service;

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

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Application for Site Plan submitted by William Hughes (applicant), and signed by John Stowell (owner), dated 04/29/2024

Completed Short Environmental Assessment Form, Part 1, prepared and signed by William Hughes, dated 04/29/2024

Copy of one-page Site Plan & Details, titled Enterprise Rent-a-Car, Lake Katrine Shopping Center Route 9W (note – same site as application), prepared by Robert Young Associates & Architects, dated 02/07/1992, revised 02/20/1992, approved by the Ulster Town Board 04/16/1992, & stamped as received by the Town of Ulster Building, Planning, Zoning office 04/29/2024; 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.

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. Site Plan map provided shall be updated to show proposed parking spaces and parking lot design acceptable to the Town Building Inspector.
5. Parking spaces shall be marked and stripped prior to opening and operation of this action, including at least two ADA compliant parking spaces; and,
6. A rendering of the new, exterior sign shall be provided to the Town Building Inspector prior to opening.
7. Compliance with any comments from the Town of Ulster Water or Sewer Superintendents.
8. 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
9. All fees, including consultant fees, shall be paid.

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Motioned by: Mr. Almquist
Seconded by: Mr. Decker
Rory Lee, Chair
Frank Almquist, Vice Chair
DATE: May 14, 2024

Dick's Sporting Goods – P-940
705 Frank Sottile Blvd
SBL : 48.8-1-34.210
Zone : RC
Site plan modifications

Planning a facade change and minor cosmetic changes to the establishment.

David Church read a resolution

Resolution:

WHEREAS the Applicant – Dick's Sporting Goods (aka Stacy Andrick, MJM Architects), and owner – The Hampshire Companies, LLC), seek a site plan amendment to convert the vacant, former Gander Mountain retail space for Dick's Sporting Goods relocation.

Exterior improvements and changes to the façade and signage are proposed in keeping with the Dick's Sporting Goods brand. Existing sidewalks, parking, loading and other exterior features will not change; and,

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

Completed Application for Site Plan submitted by Stacy Andrick, MJM Architects, dated 04/29/2024

Completed Short Environmental Assessment Form, Part 1, prepared by Stacy Andrick, dated 04/25/2024

One-page application narrative, signed by Stacy Andrick, dated 03/30/2024

Affidavit for Third Party Authorization, from The Hampshire Companies, LLC (Ray Ayers), authorizing MJM Architects (Stacy Andrick), dated 04/26/2024

Two (2) sheets, Dick's Sporting Goods, Hudson Valley Mall, prepared by MJM Architects, undated, as follows:

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Sheet A6.0, Existing Elevations

Sheet A6.1, Building Elevations (note – as proposed with colors); 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 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.

10. Compliance with applicable zoning and building laws, rules and regulations;
11. Compliance with all representations made by the applicant.
12. Compliance with 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.

Motioned by: Mr. Decker

Seconded by: Mr. Almquist

Rory Lee, Chair

Frank Almquist, Vice Chair

DATE: May 14, 2024

Old Business

Venue on the Hill – P-930

261 Sawkill Rd

SBL: 48.10-1-17.100

Zone: R30

Special Use Permit

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Joshua Ortman, owner, appeared to represent for the project to answer all questions from the planning board.

Resolution:

WHEREAS the applicant – Venue on the Hill, and owner – King’s Fire International of Kingston, Inc., proposes hosting limited outdoor events sponsored by, or functionally part of King’s Fire International as a religious organization; and,

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

Application for Site Plan Amendment, prepared International of Kingston, Inc., dated 01/22/2024

Two-page Project Description for Venue on the Hill, prepared by Joshua Ortman, dated 01/22/2024

Completed Short Environmental Assessment Form Part 1 with EAF Mapper Summary Report, signed by Joshua Ortman dated 01/22/2024

Map of the Lands of Kings Fire International of Kingston, Inc., dated 01/22/2024

Site Plan map, titled Kings Fire International of Kingston, Inc. Plot Plan, Sheet No. SP-01, prepared by Graydon S. Yearick, RA, dated 02/07/2024; and,

WHEREAS the Town of Ulster Planning Board retains the authority to approve the Site Plan 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. In response via memo Referral No. 2024-037 & 038, dated 03/06/2024, the UCPB returned one (1) recommended modification. Recommended are setting the maximum number of events annually as well as the maximum number of attendees and parking. Also recommended is filing of a traffic and emergency access plan to include secondary access from Sawkill Road capable of supporting emergency vehicle access; and,

WHEREAS, the Town of Ulster Planning Board, upon review of the entire record determines the Proposed Action is a Type II Action under SEQRA and no further environmental assessment is required; 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.

15. Compliance with applicable zoning and building laws, rules and regulations;

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16. Compliance with all representations made by the applicant;
17. Compliance with site plan, design plans and all details as cited herein;
18. The Town of Ulster Planning Board concurs with the UCPB review comments as noted above and in the conditions below.
19. Outdoor events authorized as a part of this approval shall be always limited to 400 maximum attendees, ten (10) maximum events annually Friday thru Sunday with an additional two (2) maximum events Monday thru Thursday, with maximum hours of operation 9am to 10pm on any day.
20. A narrative traffic management and emergency access plan will be filed with the Town Building Inspector prior to the first new event on site, with a map showing primary access and a second, emergency access, both onto Sawkill Road.
21. The access to the property shall be reviewed by Ulster Fire District. Both the primary and second, emergency access to the subject property shall be clear and accessible for emergency service access, and such access shall be improved to meet all comments provided by said Fire District.
22. Compliance with all comments, as shown on signed plans, cited above.
23. 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
24. All fees, including consultant fees, shall be paid.

Motioned by: Mr. Almquist

Seconded by: Mr. Stowell

Rory Lee, Chair

Frank Almquist, Vice Chair

DATE: May 14, 2024

Uncle B's Warehouse – P-880 – Vote for re-approval

Action: Re-approval of Warehouse

Motioned by: Mr. Stowell

Seconded by: Mr. Decker

All in favor

Action: Adjourn the meeting

Motioned by: Mr. Decker

Seconded by: Mr. Almquist

All in favor