

*TOWN OF ULSTER
PLANNING BOARD
MAY 20, 2014*

The monthly meeting of the Town of Ulster Planning Board was held on Tuesday May 20, 2014 at 7:00 p.m. at the Town Hall Lake Katrine, New York. The following members were present:

Alan DeForest-Chairman–
Gary Mulligan
Karl Allison
Larry Decker
Tim O’Brien -Alternate
Alan Sorensen - Planner

A motion to approve the minutes from the April meeting was made by Mr. Allison with a second from Mr. Decker. All were in favor.

Bread Alone- Site Plan Amendment

Scott Dutton Appeared on behalf of a request for site plan amendment for Bread Alone. Mr. Dutton stated his firm is designing the Cafe’ for Bread Alone. The original site plan had windows across the facade of the building; the new plan has them grouped in one area. There are no other changes at this time. Mr. Sorensen stated the request was straight forward and recommended the Board approve the request. Mr. Sorensen read the resolution.

WHEREAS, a Special Permit and Site Plan Approval was granted for Bread Alone by the Town of Ulster Town Board in 2012, which included the allowance for a restaurant – café; and

WHEREAS, the Town of Ulster Planning Board and its consultant planner have reviewed an application by *Bread Alone* seeking site plan amendment approval to allow the modification of the outdoor seating area for the café to provide more privacy (e.g. planters and wood fence north of seating area) along with a modification to the café façade to provide for greater transparency into the café by providing more window space; and

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

- *Concept Sketch* prepared by Scott Dutton Associates, Inc. dated March 29, 2014.

WHEREAS, the Town of Ulster Planning Board retains the authority to approve the site plan amendment for this Proposed Action since the proposed modifications to the approved Site Plan involves less than 2,500 SF of new gross floor area; and

WHEREAS, the applicant provided revised plans for the Proposed Action, which were reviewed by the Town’s planner with a recommendation to the Town of Ulster Planning Board to accept the revised plans; and

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WHEREAS, The Proposed Action did not require further referral to the Ulster County Planning Board pursuant to their referral agreement with the Town of Ulster

since the site has channelized access and an increase in parking spaces on the site was not required to accommodate the amended Site Plan; and

WHEREAS, the Town of Ulster Planning Board, as Lead Agency, upon review of the entire record determined the Proposed Action is an *Type II Action* pursuant to 6NYCRR Part 617 of State Environmental Quality Review (SEQR) Law and found no further action pursuant to SEQR is required; and

NOW THEREFORE BE IT RESOLVED, the Town of Ulster 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 Site Plan Amendment Approval to Bread Alone on the above referenced site 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. 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.

Action: A motion to grant approval as per the resolution as read was made by Mr. O'Brien with a second from Mr. Mulligan with all in favor.

Stage One/Excel Glass Expansion – Site Plan Revision

Edward Fetzer appeared on behalf of the application for a gravel parking area to display used cars. Mr. Fetzer stated the plans will be updated to show the realignment of the parking area as per NYS DOT comments; this will include bumpers /guardrails. The comments from Brinnier and Larios have been forwarded to the applicants engineer for review. A short discussion on cross easements and sidewalks followed. Mr. Sorensen recommended the Board grant approval of the project with the condition of final approve by the Town Engineer on technical comments sited in the May 16th letter. Mr. Sorensen read the resolution to the Board making modifications.

WHEREAS, the Town of Ulster Planning Board and its consultant planner have reviewed an application by Stage One Automotive to establish a new outdoor display area for auto sales on the subject site, which is located at 1789 U.S. Route 9W; and

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

- *Site Plan Application* by Edward Fetzer dated March 25, 2014;
 - *Site Plan Consent Form* by Edward Fetzer – Property Owner – dated March 25, 2014;
 - *SEQR Short EAF* prepared by Edward Fetzer dated March 25, 2014; and
 - *Site Plan for Stage One Automotive* by David Rider, P.E. dated February 12, 2012.
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- *Site Plan Application* by Edward Fetzer dated March 25, 2014;
 - *SEQR Short EAF* prepared by Edward Fetzer dated March 25, 2014;
 - *Correspondence* by David Corrigan, Permit Engineer for the NYSDOT; and
 - *Site Plan for Stage One Automotive* by David Rider, P.E. revised April 21, 2014.

WHEREAS, the Town of Ulster Planning Board retains the authority to approve the site plan amendment for this Proposed Action since the proposed modifications to the approved Site Plan involves less than 2,500 SF of new gross floor area; and

WHEREAS, the applicant provided revised plans for the Proposed Action, which were reviewed by the Town’s planner with a recommendation to the Town of Ulster Planning Board to accept the revised plans; and

WHEREAS, the Proposed Action was referred to the Ulster County Planning Board pursuant to their referral agreement with the Town of Ulster, *and their required modifications will be addressed through project design and the conditions, limitations and restrictions, set forth herein; and*

WHEREAS, the Town of Ulster Planning Board, as Lead Agency, upon review of the entire record determined the Proposed Action is an *Type II Action* pursuant to 6NYCRR Part 617 of State Environmental Quality Review (SEQR) Law and found no further action pursuant to SEQR is required; and

NOW THEREFORE BE IT RESOLVED, the Town of Ulster 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 Site Plan Amendment Approval to Stage One Automotive on the above referenced site 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;

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4. *Prior to Chairman signing the Site Plan, the applicant shall provide a revised Site Plan and supporting documentation, which addresses all required technical revisions cited in the Town Engineer's letter dated May 16, 2014;*
5. *The applicant shall submit a cross access easement for review and approval by the Town Attorney;*
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.

Action: A motion to accept the Planner's recommendation was made by Mr. Allison with a second from Mr. Mulligan with all in favor. A motion to approve the amendments to the resolution was made by Mr. Decker with a second from Mr. Mulligan with all in favor.

MHMG- KM Kingston LLC –Site Plan Revision

Larry Boudreau appeared on behalf of the application for site plan revision. Mr. Boudreau stated the applicant is working on the new site entrance at Grant Avenue. They are still working on some issues with the new entrance; but should have a revised plan shortly. The owner of the property has requested additional wayfinding signs (members were given copies of the revised plan). Mr. Sorensen stated that the plan required technical review by the Town Engineer he recommended the Board grant Conditional Approval with one of the conditions being final approval of the Town Engineer. The resolution was read by Mr. Sorensen.

WHEREAS, the Town of Ulster Planning Board and its consultant planner, Town Engineer (Brinnier & Larios, PC), Water, Sewer, Highway Departments have reviewed an application by *MHMG – KM Kingston, LLC* – seeking *Site Plan Amendment approval* to establish a new access driveway from Grant Avenue by tying into the existing Hudson Valley Federal Credit Union (HVFCU) driveway along with other minor site plan changes; and

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

- *Phase 1 Site Plan* prepared by Chazen Engineering & Surveying, P.C, revised 3/31/14;
- *Grading Plan* prepared by Chazen Engineering & Surveying, P.C, revised 3/31/14;
- *Utility Plan* prepared by Chazen Engineering & Surveying, P.C, revised 3/31/14;
- *Landscaping Plan* prepared by Chazen Engineering & Surveying, P.C, revised 3/31/14; and
- *Lighting Plan* prepared by Chazen Engineering & Surveying, P.C, revised 3/31/14.

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- *Cover Letter* by Larry Boudreau, RLA, Chazen Engineering & Surveying, P.C, revised 5/6/14;
- *Correspondence* from Wm. Brian Yates, M.S., RPA New York State OPR&HP dated May 2, 2014;
- *Title Sheet* for Amended Site Plan by Chazen Engineering & Surveying, P.C, revised 5/6/14
- *Phase One Site Plan* prepared by Chazen Engineering & Surveying, P.C, revised 5/6/14;
- *Grading Plan* prepared by Chazen Engineering & Surveying, P.C, revised 5/6/14;
- *Utility Plan* prepared by Chazen Engineering & Surveying, P.C, revised 5/6/14;
- and
- *Traffic Impact Study* by Maser Consulting, P.A, dated April 24, 2014.

WHEREAS, the Town of Ulster Planning Board has reviewed its original SEQR Negative Declaration statement along with comments of the its consulting planner and engineers, along with the comments of its Highway, Water and Sewer Departments and finds the Current Proposed Action would not pose any potentially significant environmental impacts *based upon detailed studies provided and the mitigation measures being employed in the design of the proposed site plan amendments; and*

WHEREAS, the Town of Ulster Planning Board finds the Current Proposed Action does not exceed any of the thresholds established under the original SEQR Negative Declaration, thus no further SEQR review is required; and

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Planning Board hereby reaffirms its SEQR Determination of Non-Significance (Negative Declaration); and

FURTHER BE IT RESOLVED, the Town of Ulster Planning Board hereby grants Site Plan Amendment Approval to *MHMG – KM Kingston, LLC* for the actions described above and shown on the amended Site Plan 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. Final technical approval of access, drainage, water or sewer plans by the Town Engineer and the Town's Water, Sewer and Highway Departments;
5. Final technical approval of Lighting Plan and sign details by the Town Planner;
6. Approval of cross access agreements by the Town Attorney;
7. There are no required modifications by the Town's consulting traffic engineers Creighton Manning Engineering, which would be unacceptable to the applicant and thereby require the applicant to reappear before the Town of Ulster Planning Board.

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8. The Town's consulting planner, engineer 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.

Action: A motion to accept the Planner's recommendation was made by Mr. Allison with a second from Mr. O'Brien with all in favor.

Aldi's – Site Plan Amendment

Ben Vesper appeared on behalf of the application for a facade change for 785 East Chester Street Bypass. Mr. Vesper stated the applicant is would like to upgrade the facade of the building and repair and re-strip the parking area. Mr. Sorensen reviewed his memo suggesting additional landscaping be added to the islands in the parking area; Mr. Vesper agreed. The lighting will be full cut-off, details will be submitted. A short discussion on the pole sign followed; Mr. Vesper stated replacing the sign would be expensive and require new lease agreements with the tenants. Mr. Vesper will see if the applicant can upgrade the existing signage and stay within their budget. Mr. Sorensen stated a dumpster enclosure should be erected made out of materials that will be used in the facade; Mr. Vesper stated that the access lane would be blocked but will work with his design team to come up with some type on screening. The Family Dollar sign will remain the same; a short discussion on the Family Dollar sign followed with Mr. Sorensen suggesting the sign be changed to an externally lit sign. Other Board members questioned what was approved on the Prestige site stating they could not impose different standards on applicants. The applicant will resubmit plans and details for the next meeting.

Holiday Inn Express – Site Plan

Dennis Larios appeared on behalf of the application for a 4-story Holiday Inn Express with 103 rooms. Mr. Larios stated he has not submitted a full site plan just a preliminary plan with some grading and a sketch of the subdivision. The applicant is proposing a 4-story hotel with 103 rooms. The applicant will be subdividing the parcel keeping the existing single family dwelling on a .507 acre parcel. There are no plans at this time for a second use on the property. After a short discussion it was decided that an Archeological Investigation will not be required. Mr. Sorensen stated that the applicant should provide perspective drawings for the site; he also stated the sidewalks should be constructed during the construction of the building. Mr. Sorensen recommended the Planning Board declare intent to be Lead Agency as they will be approving the subdivision.

Action: A motion to declare intent to be Lead Agency was made by Mr. O'Brien with a second from Mr. Mulligan with all in favor.

A motion to adjourn was made by Mr. Mulligan with a second from Mr. Allison with all in favor.

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Respectfully Submitted,
Mary Secreto
Planning Secretary