

TOWN OF ULSTER PLANNING BOARD

The monthly meeting of the Town of Ulster Planning Board was held on Tuesday November 15, 2011 at 7:00 p.m. at the Town Hall Lake Katrine New York. The following members were present:

Renno Budziak –Chairman
Ozzie Beichert
Larry Decker
Gary Mulligan
Scott Ricketson
Alan Sorensen – Planner

A motion to approve the minutes of the October meeting was made by Mr. Beichert with a second from Mr. Mulligan with all in favor.

Mr. .Budziak announced Panera Bread would not be presenting this month.

Cobey – Subdivision

Bruce Utter appeared on behalf of the application for a 2 lot subdivision; lot one will be a little over 40,000 sq ft and lot two will be over 20 acres. The parcel is on the corner of Kukuk Lane and Ulster Landing Road. There are no plans to build on lot two at this time; the owner would like to sell the existing house that is on lot one. The changes to the plat that were requested by the Board have been completed. A dye test was preformed and a letter has been submitted to the Board. The Ulster County Highway Department is reviewing the request for a driveway cut on Ulster Landing Road as requested at the last meeting. A short discussion on if Ulster County Health Department approval is required for the 20 acre lot followed. As there are no plans for construction at this time the Board did not feel Health Department approval would be required. Mr. Sorensen recommended the Board schedule a Public Hearing for December 20th.
Action: A motion to schedule a Public Hearing was made by Mr. Decker with a second from Mr. Mulligan. All were in favor.

Habitat For Humanity – Site Plan

Bill Nowark and Robin Andrade appeared on behalf of the application for a change of use. Mr. Nowark stated the plan was referred to the Ulster County Planning Board. The County Planning Board did not have a quorum therefore there were no comments. The Zoning Board of Appeals granted an area variance to reduce the number of required parking spaces to 31. The sediment and grading plan was submitted and approved by the Town Engineer and all changes that were requested by the Board have been placed on the plan. A short discussion on adding an area for a reserve septic system on the plan; it was decided that the reserve area does not need to be on the plans. Mr. Beichert questioned if

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the handicap parking spaces on the plan met the current building code; the Board requested the applicant research the current code. Mr. Sorenson recommended the Board grant a negative declaration and approve the plan with the condition the handicap parking meets the current building code.

Action: A motion to grant a negative declaration as per SEQRA was made by Mr. Mulligan with a second from Mr. Beichert. A motion to approve with the condition that the handicap parking is verified by the building department was made by Mr. Mulligan with a second from Mr. Decker; all were in favor.

WHEREAS, the Town of Ulster Planning Board and its consultant planner and engineers have reviewed an application by *Habitat for Humanity* seeking Site Plan Amendment approval for a change in use to establish a *Habitat for Humanity Restore Center* on the east side of the NYS Route 28; and

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

- *Site Plan Application* by Robin Andrade, AIA, Andrade Architecture, PLLC dated 9/6/11;
- *SEQRA Short EAF* by Robin Andrade, AIA, Andrade Architecture, PLLC dated 9/6/11;
- *Written Narrative* by Robin Andrade, AIA, Andrade Architecture, PLLC dated 9/6/11;
- *Proposed Site Plan* by Robin Andrade, AIA, Andrade Architecture, PLLC dated 9/6/11;
- *Site Lighting Plan* by Robin Andrade, AIA, Andrade Architecture, PLLC dated 9/6/11;
- *Existing Conditions Floor Plan* by Andrade Architecture, PLLC dated 9/6/11;
- *Basement Floor Plan* by Robin Andrade, AIA, Andrade Architecture, PLLC dated 9/6/11;
- *First Floor Plan* by Robin Andrade, AIA, Andrade Architecture, PLLC dated 9/6/11;
- *Proposed Elevations* by Robin Andrade, AIA, Andrade Architecture, PLLC dated 9/6/11;
- *Written Narrative* by Robin Andrade, AIA, Andrade Architecture, PLLC dated 9/23/11;
- *Site Plan* by Robin Andrade, AIA, Andrade Architecture, PLLC dated 9/22/2011
- *Proposed Elevations* by Robin Andrade, AIA, Andrade Architecture, PLLC dated 11/15/2011; and
- *Site Plan* by Robin Andrade, AIA, Andrade Architecture, PLLC dated 11/15/2011.

WHEREAS, the subject site is located within the HC-Highway Commercial Zoning District and the proposed use is permitted as-of-right subject to Site Plan Approval by the Planning Board; and

WHEREAS, the Proposed Action was referred to the Ulster County Planning Board pursuant to NYS General Municipal Law Section 239 l & n; and

WHEREAS, the Ulster County Planning Board was unable to achieve a quorum for the vote regarding the application and no action was taken at its October 5, 2011 meeting; and

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WHEREAS, the UCPB advised that upon the elapse of UUCP’s 30-day statutory comment period (i.e. October 21, 2011) the Town Planning Board could take final action on the application; and

WHEREAS, the Proposed Action was referred to the Town of Ulster Zoning Board of Appeals (ZBA) for an area variance to permit a reduction in the number of off-street parking spaces required; and

WHEREAS, the Town ZBA duly advertised for a Public Hearing, which was held on November 2, 2011; and

WHEREAS, there were no public objections to granting the area variance, which was granted by the Zoning Board of Appeals on November 2, 2011; 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 consultant planner and engineers, along with comments of its Highway Superintendent made via memoranda (which memoranda are incorporated herein by reference); and

WHEREAS, the Town of Ulster Planning Board determined the applicant submitted a complete application; and

WHEREAS, the Planning Board upon review of the entire record (including SEQRA Short Environmental Assessment Form (EAF)) found that the Proposed Action was an Unlisted Action pursuant to Part 617 of State Environmental Quality Review Act (SEQRA).

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 Act (SEQRA); and

FURTHER BE IT RESOLVED, the Town of Ulster Planning Board hereby grants Site Plan Amendment Approval to *Habitat for Humanity* for a change in use to establish a *Habitat for Humanity Restore Center* on the east side of the NYS Route 28 subject to the conditions, limitations and restrictions set forth below.

1. Code Enforcement Officer verifies dimension of HC accessible spaces comply with *Building Code of New York State Section 1106*;
2. Compliance with applicable zoning and building laws, rules and regulations;
3. Compliance with all representations made by the applicant; and
4. All fees, including consultant fees, shall be paid.

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MHMG-KM Kingston – Site Plan

Larry Boudreau appeared on behalf of the application for a medical building; this building is phase 1 of a 2 phase project. The applicant submitted the SWPPP for the site as well as a site plan for phase 1 of the project. The SEQRA will be for the entire site. There have been changes to the plans that were reviewed; the sidewalk and lighting has been extended and the 2nd entrance to 9W has been eliminated. There are 0.207 acres of wetlands on site; an application to the Army Corp. of Engineers is being completed. The applicant would like all utilities placed underground. Revised plans will be submitted for the December meeting. Building elevations were submitted and reviewed by the Board. A short discussion on the concerns of the Grant Avenue followed; the intersection will be reviewed by Creighton Manning. Mr. Sorensen recommended the Board refer the project to the Ulster County Planning Board for review.

Action: A motion to refer the project to the Ulster County Planning Board was made by Mr. Mulligan with a second from Mr. Ricketson with all in favor.

Lands of KOMM Corp. –Subdivision

Michael Vetere appeared on behalf of the application for a minor 2 lot subdivision. Mr. Vetere reviewed the subdivision with the Board. Lot one has an existing 2 story house and will be 10,032 sq ft, lot two will be a vacant lot with 22,953 sq ft. Mr. Vetere stated in the future there may be a medical office on lot two. Mr. Vetere has advised the owner of the property that a site plan should be submitted to the Board if an office on lot two is a possibility. A short discussion on driveway concerns followed. Mr. Sorensen stated that because of SEQRA a site plan for the medical building should be submitted before the Board reviews the subdivision request. Mr. Vetere will speak to the owner and return to the Board at a later date.

Emergency Animal Clinic – Change of Use

Paul Hakim appeared on behalf of the application for a change of use; Mr. Hakim explained that the emergency animal would like to expand into the space next door; this space is empty now but was previously a retail space. There are no changes on the site; the only change on the facade will be a new 6' x6' window. Mr. Hakim requested the Board grant a broad approval so if the space goes back to retail he will not have to return to the Planning Board. Mr. Sorensen stated this will be a less intrusive use and recommended the Board grant the site plan revision. Mr. Beichert objected to the term "change of use" as the animal hospital was already a use in the building and they are just expanding their space. A discussion on how to handle this type of project followed; Mr. Kovacs stated the Town Board would look into revising the Site Plan Code for matters of this kind.

Action: A motion to grant approval was made by Mr. Mulligan with a second from Mr. Beichert with all in favor

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Redevelopment Overlay District for Tech City

Mr. Sorensen reviewed the memo on the overlay district that was sent to board members earlier in the week. The overlay district is a change to the Zoning therefore the Planning Board is required to review the code and refer it to the Town Board for final approval.

Action: A motion to refer the change to the Town Board was made by Mr. Ricketson with a second from Beichert with all in favor..

The Board reviewed the Environmental Assessment Form for Ulster MHMG Medical Building; a motion to refer it to the Town board was made by Mr. Beichert with all in favor.

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

Respectfully submitted,

Mary Secreto
Planning Secretary