

*TOWN OF ULSTER  
PLANNING BOARD  
November 15, 2016*

The monthly meeting of the Town of Ulster Planning Board was held on Tuesday November 15, 2016 at 7:00 p.m. at the Town Hall Lake Katrine, New York. The following members were present:

Gary Mulligan-Chairman  
Anna Hayner  
Karl Allison  
Andrew Stavropoulos

Larry Decker  
Frank Almquist  
  
Alan Sorensen – Planner

A motion to approve the minutes from the October meeting was made by Mr. Almquist with a second from Mrs. Hayner with all in favor.

**Safeshoot LLC**

Dennis Larios appeared on behalf of the application for a change of use. Mr. Larios stated the applicant is proposing a retail establishment (firearm and firearm accessories) with an indoor shooting range and classroom. The landscaping & lighting plans have been updated; the new plans show the reconfiguration of the access drives. Mr. Sorensen stated the applicant has revised the plans as requested. A resolution granting a Negative Declaration as per SEQRA has been drafted. Mr. Sorensen recommended the Board grant a Negative Declaration as per SEQRA and grant conditional site plan approval.

**Action:** A motion to grant a Negative Declaration as per SEQRA was made by Mr. Decker with a second from Mr. Allison; all were in favor

Mr. Sorensen read the resolution.

**Action:** A motion to grant conditional site plan approval was made by Mrs. Hayner with a second from Mr. Almquist with all in favor.

**Lands of Christiana/ Heartwood LLC**

Michael Vetere Jr appeared on behalf of the applications for a minor subdivision and site plan approval. Mr. Vetere stated the applicant is proposing a 2 lot subdivision; lot #1 will encompass an existing single family dwelling, lot# 2 will encompass an existing structure that will house a wood/furniture shop; this lot is a flag lot. The applicant has requested a variance for the front setback of lot #2. The second part of the project is site plan approval for the furniture shop. A use variance has been granted for the proposed use. Mr. Sorensen stated the request for the subdivision requires a Public Hearing; minor revisions have been requested on the plat. The site plan should also be revised to show parking spaces and any lighting details should be submitted to the Board. Mr. Sorensen recommended the Board declare intent to be Lead Agency and schedule a Public Hearing for the subdivision.

**Action:** A motion to declare intent to be Lead Agency and schedule a public hearing was made by Mr. Almquist with a second from Mr. Decker with all in favor.

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**Thomas Hricisak/Kingston Roll Offs**

Michael Vetere Jr appeared on behalf of the application for site plan. The applicant is proposing a storage site for sixteen roll off containers and two trucks, the property has a six foot fence around it at this time. Mr. Sorensen stated a special use Permit will be required for this use. Mr. Sorensen recommended the fencing in the front be eight feet high with screening in the fence. A variance will be required for the fence height. Due to the elevation of the site Mr. Sorensen requested the plans be forwarded to the Town Engineer to review runoff. Mr. Vetere will speak to his client about the variance. A motion to forward to the Town Board to grant a special use permit was made by Mr. Decker with a second from Mr. Almquist with all in favor.

**Hughes**

Michael Vetere Jr. appeared on behalf of the application for site plan approval for 2530 Rt 9W. Mr. Vetere stated the applicant is looking for approval of an existing auction house with an outdoor flea market. A section of the site is also being used as contractor's storage yard. Mr. Vetere reviewed the site with the Board. NYS DOT has requested the entrance at the southern end of the site be one way; concrete curbing needs to be installed. Mr. Sorensen stated a Special Use Permit will be required for the Auction House and Flea Market. A parking schedule should be placed on the plans and sign details need to be submitted. Mr. Sorensen also suggested the applicant add a cross access to the neighboring property. A long discussion of the site and what will be required prior to approval followed. Mr. Sorensen recommended the Board declare intent to be Lead Agency for the Unlisted Action.

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

**Begnal Motors**

Dennis Larios appeared on behalf of Begnal Motors. The applicant is proposing two additional freestanding signs and a directional sign be added to the site plan. They would also like to enlarge and move the location of the dumpster. Mr. Larios stated the applicant has been granted area variance for all signage on site. Mr. Sorenson stated the plans have been revised; he recommended the Board grant sign and site plan amendment.

**Action:** A motion to grant a SEQRA Negative Declaration was made by Mr. Almquist with a second from Mrs. Hayner with all in favor. A motion to accept the Planner's recommendation was made by Mr. Decker with a second from Mrs. Hayner with all in favor.

**WHEREAS**, the Town of Ulster Planning Board and its consultant planner have reviewed an application by Five Star Realty, LLC seeking an amendment to the Begnal Motors Car Dealership Site Plan that was conditionally approved by the Town of Ulster Town Board on June 18, 2015; and

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**WHEREAS**, the proposed amendment involves the relocation of a dumpster enclosure and approval of the freestanding and wall signs for the Begnal Motors Car Dealership; and

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

- *Site Plan Amendment Narrative* by Brinnier & Larios, Eng. & Land Surveying, P.C. via-email 8/26/16;
- *Phase 1 Site Plan* by Brinnier & Larios, Engineering & Land Surveying, P.C. dated 8/26/16;
- *Elevations Showing Wall Signs* prepared by Scott Dutton Associates - dated 6/17/16; and
- *Building & Ground Sign Details* by Brinnier & Larios, Eng. & Land Surveying, P.C. dated 9/13/16.
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**WHEREAS**, the Town of Ulster Planning Board has the authority to approve the Proposed Action since the applicant is seeking approval of the wall and freestanding signs and no additional construction is proposed; and

**WHEREAS**, the applicant's requested signs for the subject site required several area variances, which were granted by the Town of Ulster Zoning Board of Appeals at its November 2, 2016 meeting following the close of its public hearing; and

**WHEREAS**, in June 2015, the Town of Ulster Town Board – as Lead Agency – adopted a *SEQR Negative Declaration* and granted Site Plan Approval for the construction of a 29,600 sf building on this site, along with the provision of 250 vehicle display spaces and off-street parking for customers/employees, accessible parking spaces and stormwater management; and

**WHEREAS**, the Town of Ulster Planning Board has not identified any significant adverse environmental effects associated with the proposed Site Plan Amendment and proposed signs for Bengal Motors that would warrant a supplemental SEQR review; and

**WHEREAS**, the Proposed Action was referred to the Ulster County Planning Board pursuant to Section 239 l and m of NYS General Municipal Law and the UCPB made a determination that the Proposed Action had No County Impacts; and

**WHEREAS**, the Planning Board considered of the application materials submitted by the applicant in support of the Proposed Action, along with the comments of its consultants made via memoranda (which memoranda are incorporated herein by reference); and

**NOW THEREFORE BE IT RESOLVED**, the Planning Board has determined it has complied fully with the procedural requirements of Part 617 of the State Environmental Quality Review (SEQR) Law and hereby and hereby reaffirms the Town Board's SEQR Negative Declaration for the Begnal Motors Car Dealership development; and

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**FURTHER BE IT RESOLVED**, the Town of Ulster Planning Board hereby grants approval to **Five Star Realty, LLC dba Begnal Motors, LLC** to amend the Site Plan and allow signs as described above 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 final site plan, design plans and all details as cited herein;
4. 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
5. All fees, including consultant fees, shall be paid.

**LVH Precast**

Paul Jankovitz appeared on behalf of the application for a 14,400 square foot addition to the existing precast plant. Mr. Jankovitz reviewed the revisions made to the plan. Mr. Sorensen stated that all of his outstanding issues have been satisfied but here are still some outstanding issues with the consulting engineer. Mr. Sorensen recommended the Board forward to the Town Board with the recommendation of issuing a Negative Declaration and granting conditional site plan approval with the condition that the final plans are approved by the consulting town engineer.

**Action:** A motion to accept the planner's recommendation was made by Mr. Decker with a second from Mr. Almquist with all in favor.

**WHEREAS**, the applicant – *LHV Precast* – is seeking Site Plan Amendment approval to construct a 14,400 square foot (sf) addition to their existing 14,400 sf manufacturing building so they can expand their manufacturing operation at 540 Ulster Landing Road; and

**WHEREAS**, pursuant to Chapter 145 of the Town Code, the Town Board has the authority to approve the Site Plan; and

**WHEREAS**, the application materials in support of the Proposed Action includes:

- *Project Narrative* prepared by James R. Willis of LHV Precast Incorporated;
- *Historical Traffic Generation from Subject Site* provided by LHV Precast Incorporated
- *Site Plan Consent Form* signed by James R. Willis –property owner agent - dated July 26, 2016;
- *Site Plan Application* prepared by Paul B. Jankovitz, RA, Architects/Planners dated 7/26/2016;
- *SEQR Short EAF* prepared by Paul B. Jankovitz, RA, Architects/Planners not dated;
- *Title Sheet* prepared by Paul B. Jankovitz, RA, Architects/Planners not dated;
- *Site Plan* prepared by Paul B. Jankovitz, RA, Architects/Planners not dated;
- *Site Plan Enlarged* prepared by Paul B. Jankovitz, RA, Architects/Planners not dated;

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- *Existing Pre-cast Facility* prepared by Paul B. Jankovitz, RA, Architects/Planners not dated;
- *Proposed Addition* prepared by Paul B. Jankovitz, RA, Architects/Planners not dated;
- *Site Details* prepared by Paul B. Jankovitz, RA, Architects/Planners not dated;
- *Site Signs* prepared by Paul B. Jankovitz, RA, Architects/Planners not dated; and
- *Lighting Fixtures* prepared by Paul B. Jankovitz, RA, Architects/Planners not dated.
  
- *Title Sheet* prepared by Paul B. Jankovitz, RA, Architects/Planners dated 9/15/16;
- *Site Plan* prepared by Paul B. Jankovitz, RA, Architects/Planners dated 9/15/16;
- *Pre-cast Facility Existing* by Paul B. Jankovitz, RA, Architects/Planners dated 9/15/16;
- *Pre-cast Facility-Proposed Floor Plan* by Paul B. Jankovitz, RA, Arch./Planners dated 9/15/16;
- *Site Details* prepared by Paul B. Jankovitz, RA, Architects/Planners dated 9/15/16;
- *Site Signs* prepared by Paul B. Jankovitz, RA, Architects/Planners dated 9/15/16; and
- *Lighting Fixtures* prepared by Paul B. Jankovitz, RA, Architects/Planners dated 9/15/16.
  
- *Title Sheet* prepared by Paul B. Jankovitz, RA, Architects/Planners dated 11/1/16;
- *Site Plan* prepared by Paul B. Jankovitz, RA, Architects/Planners dated 11/1/16;
- *Pre-cast Facility Existing* by Paul B. Jankovitz, RA, Architects/Planners dated 11/1/16;
- *Pre-cast Facility-Proposed Floor Plan* by Paul B. Jankovitz, RA, Arch./Planners dated 11/1/16;
- *Site Details* prepared by Paul B. Jankovitz, RA, Architects/Planners dated 11/1/16;
- *Site Signs* prepared by Paul B. Jankovitz, RA, Architects/Planners dated 11/1/16; and
- *Lighting Fixtures* prepared by Paul B. Jankovitz, RA, Architects/Planners dated 11/1/16.

**WHEREAS**, referral to the Ulster County Planning Board was required pursuant to the UCPB Land Use Referral Guide, and the Ulster County Planning Board determined the Proposed Action had No County Impacts; and

**WHEREAS**, the Planning Board considered of the application materials submitted by the applicant in support of the Proposed Action, along with the comments of its consultants made via memoranda (which memoranda are incorporated herein by reference); and

**WHEREAS**, the Planning Board, as an Interested Agency, upon review of the entire record (including SEQR Short EAF Part 1 & 2) found the Proposed Action did not pose any potentially significant adverse environmental impact; and

**NOW THEREFORE BE IT RESOLVED**, the Town of Ulster Planning Board has determined it has complied fully with the procedural requirements of Part 617 of the State Environmental Quality Review (SEQR) Law and hereby recommends the Town Board as Lead Agency issue a SEQR Determination of non-significance and grant a *SEQR Negative Declaration* for the Proposed Action; and

**FURTHER BE IT RESOLVED**, the Town of Ulster Planning Board hereby refers this matter to the Town Board with a recommendation that it grant Conditional Site Plan

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approval to *LHV Precast* to amend the Site Plan as described above on the above referenced site subject to the conditions, limitations and restrictions set forth below.

6. Compliance with applicable zoning and building laws, rules and regulations;
7. Compliance with all representations made by the applicant;
8. Compliance with final site plan, design plans and all details as cited herein;
9. Applicant addresses all technical comments by the Alternate Town Designated Engineers (TDE) Praetorius & Conrad, PC;
10. Compliance with Ulster County Health Department required conditions;
11. 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
12. All fees, including consultant fees, shall be paid.

**Kingswood Park Plaza**

Paul appeared on behalf of the application for Kingswood Plaza. Mr. Jankovitz reviewed the exterior colors with the Board showing samples. They are not proposing and freestanding or monument signs at this time; all signage will be wall signs. Mr. Sorensen reviewed his memo with Mr. Jankovitz and the Board. It was decided the applicant would schedule a workshop meeting to go over outstanding issues. No action was taken.

**Shop Rite**

A motion to refer the shop Rite project to the Town Board to issue a Negative Declaration was made by Mrs. Hayner with a second from Mr. Decker with all in favor.

A motion to adjourn was made by Mrs. Hayner with a second from Mr. Decker with all in favor.

Respectfully Submitted,  
Mary Secreto, Planning Secretary