

*TOWN OF ULSTER
PLANNING BOARD
November 17 2015*

The monthly meeting of the Town of Ulster Planning Board was held on Tuesday November 17, 2015 at 7:00 p.m. at the Town Hall Lake Katrine, New York. The following members were present:

Gary Mulligan-Chairman
Larry Decker
Frank Almquist
Alan Sorensen - Planner

Anna Hayner
Andrew Stavropoulos

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

The Vitamin Shoppe

Mark Kellogg and Barry Mendenbach appeared on behalf of the application for a 3,000 sq ft retail store. Mr. Medenbach stated DOT has granted approval of the entrance plan. Additional landscaping has been added to the plan. The Ulster County Planning Board had three required modifications, “no left hand turn signs”, reduced lighting to conform with the zoning code and extension of the pavement so a potential cross access could be developed. The signage and lighting have been addressed in the revised plans. After a short discussion the applicant agreed to extending the pavement. Mr. Medenbach will continue to work with the Water & Sewer Department. Mr. Sorensen recommended the Board forward the project to the Town Board for approval with conditions. Mr. Sorensen read the resolution.

WHEREAS, the applicant – *Skyline Development and Management Co., LLC with the consent of Dennis DiDonna (Owner)* – is seeking *site plan approval* for construction of 3,000 square foot (sf) Vitamin Shoppe retail store on the subject site, which is located at 1273 Ulster Avenue (U.S. Route 9W); and

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

- *Application for Site Plan Review* by Skyline Development and Management Co., LLC, dated 10/6/2015;
- *Site Plan Consent Form* signed by Dennis DiDonna, property owner dated 10/3/15;
- *SEQR SHORT Environmental Assessment Form* prepared by Barry Meddanbach, P.E. dated 9/30/15;
- *Site Plan* prepared by Medenbach & Eggers, Civil Engineering and Land Surveying, dated 10/07/15;
- *Grading & Utility Plan* by Medenbach & Eggers, Civil Eng. and Land Surveying, dated 10/07/15;
- *Landscaping-Lighting Plan* by Medenbach & Eggers, Civil Eng. and Land Surveying, dated 10/07/15;
- *Site Details* prepared by Medenbach & Eggers, Civil Eng. and Land Surveying, dated 10/07/15;
- *Sign Details* for the Vitamin Shoppe prepared by Access – Your Sign Department – dated 10-/02/15;

- *Exterior Elevations for The Vitamin Shoppe* dated 9/25/2015.
- *Stormwater Mngt. Report* by Medenbach & Eggers, Civil Eng. and Land Surveying, dated 11/03/15;
- *Site Plan* prepared by Medenbach & Eggers, Civil Engineering and Land Surveying, dated 11/02/15;
- *Grading & Utility Plan* by Medenbach & Eggers, Civil Eng. and Land Surveying, dated 11/02/15;

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- *Landscaping-Lighting Plan* by Medenbach & Eggers, Civil Eng. and Land Surveying, dated 11/02/15;
- *Site Details (2)* prepared by Medenbach & Eggers, Civil Eng. and Land Surveying, dated 11/02/15;
- *NYS DOT Details (2)* by Medenbach & Eggers, Civil Eng. and Land Surveying, dated 11/02/15; and
- *Soil & Sediment Control Plan* by Medenbach & Eggers, Civil Eng. and Land Surveying, dated 11/02/15.

WHEREAS, pursuant to 6NYCRR Part 617 of the SEQR Law, Involved Agencies included the Ulster Town Board and the New York State Department of Transportation (for road access); and

WHEREAS, the NYSDOT consented to the Town of Ulster Town Board being the Lead Agency in a letter dated November 3, 2015; and

WHEREAS, the Town of Ulster Town Board, as Lead Agency, determined the Proposed Action was a Type II Action pursuant to 6NYCRR Part 617 Section 617.5 (c) (7) of the SEQRA regulations for which no further review pursuant to 6NYCRR Part 617 was required; and

WHEREAS, pursuant to Section 161-9 of the Town of Ulster Town Code, the Town Board has the authority to approve the Site Plan application, upon a favorable recommendation from the Town of Ulster Planning Board, since more than 2,500 SF of new gross floor area is proposed with this application; and

WHEREAS, the Proposed Action was referred to the Ulster County Planning Board by the Town of Ulster Planning Board pursuant to Section 239 l and m of NYS General Municipal Law and written comments were received, which included required modifications; and

WHEREAS, the the Ulster County Planning Board's required modifications were addressed through revisions to the Site Plan as agreed to by the applicant; and

WHEREAS, the Town's Water and Sewer Departments have asked for some minor revisions, which would be addressed through conditions of this resolution; 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 Town of Ulster Planning Board hereby refers this matter to the Town of Ulster Town Board with a recommendation to grant Conditional Site Plan approval 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. Submission of revised Plan Set to address technical revisions as may be requested by the Town's consulting engineer's Brinnier & Larios;
5. Submission of revised Plan Set to address technical revisions as may be requested by the Town of Ulster Water and Sewer Departments;
6. Submission of a revised Site Plan showing cross-access consistent with Ulster County Planning Board's required modification and revised landscaping plan in response to Planning Board request.
7. 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
8. All fees, including consultant fees, shall be paid.

A motion to accept the Planners recommendation was made by Mr. Stavropoulos with a second from Mrs. Hayner with all in favor.

Leggs Mills Apartments

Mr. Sorensen review the project with the Board stating Mr. Dutton submitted revised plans addressing his comments. The garage in the rear of the site will be demolished to accommodate four parking spaces. The ZBA has approved the parking variance. Mr. Sorensen recommended the Board forward the project to the Town Board for approval of a Special Use Permit. Mr. Sorensen read the resolution.

WHEREAS, the applicants – *Thomas Rice and Robert Rice* – are seeking *Special Use* approval to convert an existing building into a multi-family residence along with *Site Plan Amendment* approval to modify their off-street parking on the subject site to accommodate parking for 10 motor vehicles; and

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

- *Site Plan Application* prepared by Thomas and Robert Rice *undated*;
- *SEQR Short EAF* prepared by Scott Dutton, Architect dated 9/23/2015;
- *Site Plan* prepared by Scott Dutton, Architect dated 10/27/2015;
- *Site Details* prepared by Scott Dutton, Architect dated 10/27/2015;
- *Existing Floor Plans* prepared by Scott Dutton, Architect dated 10/27/2015;
- *Existing Elevations* prepared by Scott Dutton, Architect dated 10/27/2015; and
- *Proposed Floor Plans* prepared by Scott Dutton, Architect dated 10/27/2015; and

WHEREAS, pursuant to Section 161-9 of the Town of Ulster Town Code, the Town of Ulster *Planning Board* has the authority to approve the Site Plan application, since less than 2,500 SF of new gross floor area is proposed with this application; and

WHEREAS, pursuant to Chapter 190-69 of the Town of Ulster Town Code, the Town of Ulster *Town Board* has the authority to approve the *Special Permit* application and must hold a public hearing on the applicant's request; and

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WHEREAS, pursuant to 6NYCRR Part 617 of the SEQR Law, Involved Agencies included the Town of Ulster Town Board, Town of Ulster Planning Board, and the Ulster County Highway Department (for road access); and

WHEREAS, the Town of Ulster Planning Board, as an Involved Agency and upon review of the Short EAF Part 1, determined the Proposed Action was a Type II Action pursuant to 6NYCRR Part 617 Section 617.5 (c) (7) of the SEQRA regulations for which no further review pursuant to 6NYCRR Part 617 was required; and

WHEREAS, the Proposed Action was referred to the Ulster County Planning Board by the Town of Ulster Planning Board pursuant to Section 239 l and m of NYS General Municipal Law and the UCPB determined there were 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 found the application sufficiently complete for the Town Board to hold its public hearing; and

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Planning Board hereby refers this matter to the Town of Ulster Town Board with a recommendation to set a public hearing on the applicant's request to convert the existing building to a multi-family residence.

A motion to accept the Planners recommendation was made b Mrs. Hayner with a second from Mr. Stavropoulos with all in favor

After a short discussion the Board agreed to move the meeting night to the second Tuesday of the month starting January of 2016.

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

Respectfully Submitted,
Mary Secreto, Planning Secretary