

***-Town of Ulster Planning Board
November 20, 2012***

The monthly meeting of the Town of Ulster Planning Board was held on Tuesday November 20, 2012 at 7:00 p.m. at the Town Hall Lake Katrine New York. The following members were present:

Larry Decker Acting Chairman
Karl Allison
Anna Hayner

Alan Sorensen – Planner
Tim O’Brien
Frank Almquist

A motion to approve the minutes from the October was made by Mr. Almquist with a second from Mr. O’Brien.

A roll call was taken with Mr. Mulligan and De Forest absent.

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Landing Woods

Landing Woods received preliminary plat approval on May 15th; the applicant has requested a six month extension to finalize Health Department issues and complete a Draft of the Homeowner’s Association Plan.

Action: A motion to grant a six month extension of the preliminary plat approval was made by Mr. Allison with a second from Mrs. Hayner with all in favor.

Quick Check

Jeff Albanese appeared on behalf of the application for site plan approval and a lot line adjustment. Mr. Albanese reviewed the changes made to the plan stating NYS DOT has requested the sidewalk along Washington Avenue be built at the time of construction. The sidewalk joining the site and the adjoining property will not be built therefore will require a MOU. All variances have been granted by the Zoning Board of Appeals. Mr. Sorensen stated a SEQRA review has been completed. There are no adverse environmental impacts related to the project. Mr. Sorensen recommended the Board grant a Negative Declaration and forward the project on to the Town Board for approval at their December 20th meeting as the lot line adjustment will need to be granted prior to site plan approval.

Action: A motion to grant a Negative Declaration was made by Mr. Almquist with a second from Mr. O’Brien with all in favor.

Mr. Sorensen read the resolution.

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WHEREAS, the Town of Ulster Planning Board and its consultant planner, have reviewed an application by *QuickChek Corporation* seeking *Lot Line Adjustment* approval, which would combine S-B-L: 48.14-3-35 & 37.2 and apportion the 13,066 square foot *vacated* Old Sawkill Road right-of-way to adjoining S-B-L: 48.14-3-37.2 & 48.14-1-18; and

WHEREAS, the Proposed Action also involves *Site Plan approval* to *demolish* an existing 2-story block building, frame sheds, canopy with four (4) fuel dispensers and then construct a 6,584 square-foot Quick Chek Food Store with fueling canopy to host twelve (12) multi-product fuel dispensers on the site that is situated in the HC-Highway Commercial Zoning District; and

WHEREAS, pursuant to Chapter 161 of the Town Code, the *Lot Line Adjustment* is subject to the approval of the Town of Ulster Planning Board; and

WHEREAS, pursuant to Section 145-2 (A) (2) of the Town Code, the *Site Plan* is subject to the approval of the Town of Ulster Town Board; and

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

- *Site Plan Application* prepared by Chazen Engineering & Surveying, P.C, dated 9/12/11;
- *Cover Sheet* prepared by Bohler Engineering dated August 17, 2012;
- *Application for Sketch Plan Review* prepared by Bohler Engineering dated August 17, 2012;
- *Site Plan Consent Forms for lots 35 and 37.5* prepared by Bohler Engineering dated 8/17/12;
- *Full EAF Part 1 and Supplemental (Floodplain)* prepared by Bohler Engineering dated 8/16/12;
- *Aerial Exhibit* showing proximity to municipal boundaries by Bohler Engineering dated 8/16/12;
- *Metes and Bounds Description* prepared by Control Point Associates, Inc. dated April 16, 2007;
- *Land Title Survey* prepared by Control Point Associates, Inc. dated 8/25/05, revised 7-3-12;
- *Site Plan (Color)* prepared by Bohler Engineering dated August 16, 2012;
- *Site Plan (B&W)* prepared by Bohler Engineering dated August 16, 2012;
- *Proposed Floor Plan* prepared by gk+a Architects, PC, dated August 16, 2012;
- *Proposed Building Elevations* prepared by gk+a Architects, PC, dated August 16, 2012;
- *Rendered Elevations* prepared by gk+a Architects, PC, dated August 16, 2012; and
- *Tax, Aerial, Road, USGS, NYSDEC Wetlands, Streams, FEMA Flood and Rare Plants Maps.*
- *Cover Letter* prepared by Tung-To-Lam of Bohler Engineering dated September 14, 2012;
- *Traffic Assessment Letter Report* by Stonefield Engineering & Design dated September 13, 2012;
- *Stormwater Management Report* prepared by Bohler Engineering dated September 13, 2012
- *Cover Sheet* prepared by Bohler Engineering revised September 13, 2012;
- *Demolition Plan* prepared by Bohler Engineering revised September 13, 2012;
- *Overall Site Plan* prepared by Bohler Engineering revised August 23, 2012; revised 9/13/12;
- *Site Plan (B&W)* prepared by Bohler Engineering revised August 23, 2012; revised 9/13/12;
- *Grading Plan* prepared by Bohler Engineering revised August 23, 2012; revised 9/13/12;
- *Drainage & Utilities Plan* by Bohler Engineering revised August 23, 2012; revised 9/13/12;
- *Landscape Plan* prepared by Bohler Engineering revised August 23, 2012; revised 9/13/12;
- *Lighting Plan* prepared by Bohler Engineering revised August 23, 2012; revised 9/13/12;
- *Soil Erosion & Sediment Control Plan* by Bohler Engineering August 23, 2012; revised 9/13/12;

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- *Detail Sheets (A-I)* prepared by Bohler Engineering revised August 23, 2012; revised 9/13/12; and
- *Land Title Survey* prepared by Control Point Associates, Inc. dated 8/25/05, revised 9/12/2012.
- *Cover Letter* prepared by Tung-To-Lam of Bohler Engineering dated November 19, 2012;
- *Traffic Assessment Letter Report* by Stonefield Engineering & Design revised November 19, 2012;
- Stormwater Management Report prepared by Bohler Engineering revised November 19, 2012;
- *Cover Sheet* prepared by Bohler Engineering revised November 19, 2012;
- *Demolition Plan* prepared by Bohler Engineering revised November 19, 2012;
- *Overall Site Plan* prepared by Bohler Engineering revised August 23, 2012; revised 11/19/12;
- *Site Plan (B&W)* prepared by Bohler Engineering revised August 23, 2012; revised 11/19/12;
- *Grading Plan* prepared by Bohler Engineering revised August 23, 2012; revised 11/19/12;
- *Security Cameras Location Plan* prepared by Bohler Engineering; dated 11/19/12;
- *Drainage & Utilities Plan* by Bohler Engineering revised August 23, 2012; revised 11/19/12;
- *Landscape Plan* prepared by Bohler Engineering revised August 23, 2012; revised 11/19/12;
- *Lighting Plan* prepared by Bohler Engineering revised August 23, 2012; revised 11/19/12;
- *Soil Erosion & Sediment Control Plan* by Bohler Engineering August 23, 2012; revised 11/19/12;
- *Detail Sheets (A-I)* prepared by Bohler Engineering revised August 23, 2012; revised 11/19/12; and
- *Cut/Fill Analysis Exhibit* prepared by Bohler Engineering; dated 11/19/12;
- *Sight Distance Profile Exhibit* prepared by Bohler Engineering; dated 11/19/12;
- *Truck Turning Exhibit* prepared by Bohler Engineering; dated 11/19/12; and
- *Alta/ASCM Land Title Survey (By Others)* dated 11/19/12.

WHEREAS, the Town of Ulster Planning Board was designated Lead Agency following Lead Agency Coordination commenced on August 21, 2012; and

WHEREAS, the Proposed Action is an *Unlisted Action* pursuant to NYCRR Part 617 of the SEQR regulations; and

WHEREAS, the applicant provided a Full EAF Part 1 with Visual EAF Addendum which assessed the build-out of the subject site; and

WHEREAS, the Town of Ulster Planning Board completed a Full EAF Part 2, which was used to identify potentially significant adverse impacts and required studies; and

WHEREAS, the applicant provided detailed studies based upon the Proposed Action including a Traffic Impact Study, Stormwater Pollution Prevention Plan, Building Elevations, Visual EAF Addendum along with a 15-set of Plans as listed in detail above; 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 written comments from the UCPB were provided on October 3, 2012; and

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WHEREAS, the Town of Ulster Planning Board agrees with the UCPB Required Modifications to require both NYSDOT and Ulster County DPW approval of access, which would be a condition of approval; and

WHEREAS, the Town of Ulster Planning Board finds the UCPB Required Modifications to include traffic analysis and queuing data for the left-hand turn movement from Sawkill Road into the site was provided in the revised Traffic Impact Study and the requirements for a sidewalk Memorandum of Understanding (MOU) should also be a condition of Site Plan Approval; and

WHEREAS, upon review of the UCPB Required Modifications, the Town of Ulster Planning Board concluded the Town Board should *override the required modification to require the use of architectural elements and materials consistent with a gateway location and which include stonework, window treatments and other architectural treatments as provided in the 2007 submission*; and

WHEREAS, the Town of Ulster Planning Board has received its consulting planners draft SEQR Negative Declaration statement along with comments of the Town Engineer, Highway, Water and Sewer Departments and finds the 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 development and technical revisions to these detailed studies*; and

WHEREAS, the NYSDOT and Ulster County DPW have conceptually accepted the proposed driveway entrance to the project site, which includes entrances from Washington Avenue and Sawkill Road; and

NOW THEREFORE BE IT RESOLVED the Town of Ulster Planning Board refers this matter to the Town Board after making a SEQR Determination of Non-Significance (Negative Declaration); and

FURTHER BE IT RESOLVED, the Town of Ulster Planning Board hereby recommends the Town Board override of the UCPB required modification to require the use of architectural elements and materials consistent with a gateway location and which include stonework, window treatments and other architectural treatments as provided in the 2007 submission; and

FURTHER BE IT RESOLVED, the Town of Ulster Planning Board hereby recommends the Town Board grant Site Plan Approval to *QuickChek Corporation* to *demolish* an existing 2- story block building, frame sheds, canopy with four (4) fuel dispensers and then construct a 6,584 square-foot Quick Chek Food Store with fueling canopy to host

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twelve (12) multi-product fuel dispensers 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. Approval of the Traffic Impact Analysis by Town Transportation Engineer (CME);
3. Final approval of the Highway Work Permit for access to and from Washington Avenue by the NYSDOT and Sawkill Road by Ulster County DPW;
4. Final review and comments of revised Site Plan set dated 11/19/2012 by the Town's consulting Planner;
5. Applicant shall enter into a sidewalk Memorandum of Understanding (MOU) with the Town of Ulster Town Board; and
6. All fees, including consultant fees, shall be paid.

Action: A motion to forward to the Town Board was made by Mrs. Hayner with a second from Mr. Almquist with all in favor.

New L&J Corp.

Bill Brinnier appeared on behalf of the application for a site plan revision. The applicant is proposing a 2,000 sq ft addition for an auto repair shop and retail/office space. The Health Department has been contacted and a SWPP will be submitted in December. The site will continue to have one way in and out. Lighting and dumpster detail will be submitted next month. The church on the adjoining property requested plantings along the property line. Building elevations were reviewed by the Board. Mr. Sorensen stated the proposed layout will work well; the Board agreed. Mr. Sorensen recommended the Board declare intent to be Lead Agency as the addition is less than 2,500 square feet. The applicant will return next month.

Action: A motion to declare intent to be Lead Agency was made by Mr. Allison with a second from Mr. Almquist. All were in favor.

Kenco

Bill Kennedy appeared on behalf of the application for a site plan revision. The applicant is proposing an addition for indoor archery. Mr. Sorensen stated this is a straight forward application; a variance would be required as the building will be in the front setback. The Health Department has approved the project. Mr. Sorensen reviewed his memo with the Board; some minor information needs to be added to the plan; lighting details need to be submitted as well as any signage that will be changed. The project will need to be referred to the Ulster County Planning Board. A short discussion on the building elevations followed. Mr. Sorensen recommended the Board declare intent to be Lead Agency. The applicant will return next month.

Action: A motion to declare Lead Agency was made by Mr. Almquist with a second from Mr. Allison. All were in favor.

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Gill Farms

Chris Zell appeared on behalf of the application for a 2 lot minor subdivision. The applicant would like to divide a 4.4 acre parcel off of 31 acres. The smaller parcel has the State Police Barracks on it; at this time it is a separate parcel for tax purposes. Mr. Sorensen stated the application needs to be forwarded to the Ulster County Planning Board. The Board should waive the preliminary plat public hearing and schedule a public hearing for December 18th.

Action: A motion to forward to the Ulster County Planning Board was made by Mr. O'Brien with a second from Mr. Almquist with all in favor. A motion to waive the preliminary plat public hearing and schedule a public hearing for December 18th was made by Mrs. Hayner with a second from Mr. O'Brien with all in favor.

Lands of Maggiore

Michael Vetere appeared on behalf of the application for a 2 lot resubdivision. The applicant would like to divide a 3.912 acre parcel into 2 lots; one having 3.07 acres and the remaining lot would have .0835 acres. There are plans in the future to place a fire house on the 3.07 acre parcel. Mr. O'Brien questioned if there would be a buffer zone placed on the map as with the prior subdivision. A line of trees that buffer the residents from the developed lot should be required. Mr. Sorensen asked if Ulster Hose would plant a row of Pine Trees now so when the fire house was constructed they would be a significant size. Fire Chief Appa replied they could not answer that question at this time as development of the site was 3 to 5 years away. Mr. Sorensen recommended the Board refer the project to the Ulster County Planning Board and waive the preliminary plat public hearing and schedule a public hearing for December 18th 2012.

Action: A motion to forward to the Ulster County Planning Board was made by Mr. Almquist with a second from Mr. Allison with all in favor. A motion to waive the preliminary plat public hearing and schedule a public hearing for December 18th was made by Mrs. Hayner with a second from Mr. Almquist with all in favor.

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

Respectfully Submitted,

Mary Secreto
Planning Secretary