

*TOWN OF ULSTER  
PLANNING BOARD  
OCTOBER 15, 2013*

The monthly meeting of the Town of Ulster Planning Board was held on Tuesday October 15, 2013 at 7:00 p.m. at the Town Hall Lake Katrine, New York. The following members were present:

Alan DeForest-Chairman–  
Larry Decker  
Anna Hayner -  
Alan Sorensen - Planner

Karl Allison  
Gary Mulligan

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

**Catskill Tennis Club- Site Plan Revision**

Matthew Canzonetti appeared on behalf of the request to modify his site plan. Mr. Canzonetti stated the original approval showed the driveway and entire parking area paved. The area near the entrance with the handicapped parking has been paved but the rest of the site is not. There is a concern that if the area is paved it may create a water issue as the site is pitched toward the clubhouse. The soil is very perkable and there should not be any drainage issues on the site if it is not paved. Mr. Sorensen stated the Board can wave the requirement of a paved parking area; he did a site visit and does not see any problems with the request. Mr. Sorensen recommended the Board grant the site plan amendment.

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

**Dallas Hot Weiner- Site Plan**

Evan Pappas appeared on behalf of the application for a change of use. Mr. Sorensen reviewed his memo with the Board. The site plan has been revised to address the handicapped parking issues. The Highway Superintendent has requested a stop sign be placed on the plan; this can be a condition of approval. NYS DOT has approved the plan as well as the Sewer Superintendent. The applicant has submitted cut sheets for the lighting; a condition should be the dark sky lighting that is shown. Erosion and Sediment Control notes have been added. There is an existing dumpster enclosure on site. Mr. Pappas reviewed paint samples with the Board; the stone will remain on the building windows will be added. The color will be Blue. Mr. Sorensen recommended the Board approve the plan with conditions. Mr. Sorensen read the resolution.

**WHEREAS**, the Town of Ulster Planning Board and its consultant planner have reviewed a Site Plan application by Evan Pappas dba Dallas Hot Wieners to establish a *Dallas Hot Wieners* restaurant establishment on the subject site, which is located at 1706 Ulster Avenue (U.S. Route 9W); and

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**WHEREAS**, the subject site is situated within the HC-Highway Commercial District in the Town of Ulster where restaurants are permitted subject to Site Plan Approval by the Planning Board; and

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

- *Site Plan Application* by Evan Pappas dated September 9, 2013;
- *SEQR Short EAF* by Edward C. Pine, P.E. dated September 9, 2013;
- *Proposed Façade & Sign Details* by Edward C. Pine, P.E. dated August 30, 2013;
- *Preliminary Floor Plan* by Edward C. Pine, P.E. dated August 29, 2013;
- *Proposed Site Plan* by Edward C. Pine, P.E. dated August 30, 2013;
- *Proposed Site Plan* by Edward C. Pine, P.E. revised October 14, 2013; and
- *Soil & Erosion Control Details* by Edward C. Pine, P.E. revised October 14, 2013.

**WHEREAS**, the Town of Ulster Planning Board has the authority to approve the Site Plan for the proposed Change in Use from retail to restaurant; 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 *subject to submission of revised plans to address minor technical revisions*; and

**WHEREAS**, the Proposed Action was referred to the Ulster County Planning Board pursuant to their referral agreement with the Town of Ulster; and

**WHEREAS**, the Ulster County Planning Board decided the Proposed Action was a matter for local determination; 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

**WHEREAS**, prior to issuing a Building Permit, the applicant must provide the Town's Sewer Department with details for a grease trap, which meet the Department's approval; 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 Dallas Hot Wieners on the above referenced site subject to the conditions, limitations and restrictions set forth below:

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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 revised and cited herein;
4. Submission of details for the *dumpster enclosure and the timber rail*, which shall be subject to review and approval by the Town's consulting planner and Building Inspector;
5. Lighting fixtures for exterior parking areas to consist of "*Cutoff Rectangular*" unit as specified on Central Hudson's Area Lighting specification sheet 7/30/13;
6. Provision of a revised Site Plan showing all modifications required by Town of Ulster *Highway Superintendent*, Frank Petramale as cited in his September 17<sup>th</sup> memorandum;
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.

**Action:** A motion to grant site plan approval as per the resolution was made by Mr. Mulligan with a second from Mrs. Hayner with all in favor.

**DiBella's Pizza – Site Plan**

Mike Vetere and Rinato DiBella appeared on behalf of the application to convert office space to a pizzeria/restaurant. Mr. Vetere stated revisions have been added to the plan; the dumpster enclosure is now shown. Details of the handicapped signage and monument sign are now on the plan. Mr. Sorensen stated consent to file site plan needs to be submitted for the land the parking area is on. The Board should refer the plans to the Ulster County Planning Board for review. Outstanding issues are lighting and landscaping plans. A short discussion on lighting followed.

**Action:** A motion to forward the plans to the Ulster County Planning Board was made by Mrs. Hayner with a second from Mr. Allison with all in favor.

**Saumik Kingston/ Wolberg Electric**

Nick Sadler and Jay Modhwadiya appeared on behalf of the application of a change of use. The applicant is proposing to use the rear warehouse space as an electric supply warehouse and retail store. Mr. Sadler reviews the minor parking changes and signage with the Board. The ZBA is currently reviewing a request for an additional sign panel in the existing freestanding sign. A short discussion on the dumpster enclosure followed. The Board agreed the enclosure should be chain link with landscaping around it. Mr. Sorensen read the resolution of approval.

**WHEREAS**, the Town of Ulster Planning Board and its consultant planner have reviewed an application by Saumik Kingston, LLC c/o Jay Modhwadiya on behalf of Wolberg Electric seeking Site Plan Amendment Approval to *change the use* of existing

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vacant space within the rear of the Beer World building from warehouse to warehouse and retail (Wolberg Electric); and

**WHEREAS**, the subject site is situated within the RC-Regional Commercial District in the Town of Ulster where such uses are permitted subject to Site Plan Approval by the Planning Board; and

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

- *Cover Letter* by Medenbach & Eggers Civil Engineering and LS, dated October 1, 2013;
- *Site Plan for Wolberg Electric* by Medenbach & Eggers Civil Engineering and LS, 9/23/13;
- *Short EAF prepared by Medenbach & Eggers Civil Engineering and LS*, 10/15/13; and
- *Sign Specifications for Wolberg Electric* by Timely Signs – Brittney Scott, dated 9/30/2013.

**WHEREAS**, the Town of Ulster Planning Board has the authority to approve the Site Plan for the proposed Change in Use from warehouse to warehouse and retail; 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 *subject to minor technical revisions and submission of a revised Site Plan*; and

**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 *Saumik Kingston, LLC* 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 revised and cited herein;
4. Submission of details for a *landscaping along side dumpster enclosure*, which shall be subject to review and approval by the Town’s consulting planner and Building Inspector;
5. 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
6. All fees, including consultant fees, shall be paid.

**Action:** A motion to grant Site Plan approval was made by Mr. Decker with a second from Mr. Allison with all in favor.

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**Lands of Kolts – Minor Subdivision**

Jason Kolts appeared on behalf of a 2 lot subdivision. Mr. Kolts stated he has submitted an email from Brinnier & Larios stating the property is not in the flood zone. The property is 9' above water level and gradual rises another 10'. He has applied to the Health Department for Septic approval. Mr. Sorensen stated the Board could waive the preliminary plat Public Hearing and schedule a Public hearing for the next meeting. The Board will check with the Ulster County Planning Board on if a referral will be required.

**Action:** A motion to waive the Preliminary Plat Public Hearing and schedule a Public Hearing for the November meeting was made by Mr. Mulligan with a second from Mrs. Hayner. All were in favor.

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

Respectfully Submitted,  
Mary Secreto  
Planning Secretary