

TOWN OF ULSTER PLANNING BOARD

The monthly meeting of the Town of Ulster Planning Board was held on Thursday August 16, 2007 at 7:00 p.m. at the Town Hall Lake Katrine, New York., The following members were present:

Acting Chairman Frank Almquist
 Renno Budziak
 George Lucente
Town Planner: Alan Sorensen

The Pledge to the flag was recited. The fire exits were designated

Anderson Subdivision Public Hearing

Chris Zell appeared on behalf of the application for a 3 lot subdivision. Mr. Zell reviewed the plan with the Board stating the applicant is waiting on final approval of the road from the fire department. The Board of Health has approved the site and will be sending a report to the Board shortly. Mr. Sorensen states that a road maintenance agreement will also be needed. There were no comments from the public. A motion to close the public hearing was made by Mr. Almquist and seconded by Mr. Lucente with all in favor. Mr. Almquist states a wavier will be need for the grade of the road as it is greater then 12% for 75feet. That vote will take place when the final plat is voted upon.

Action: A motion for sketch plan approval was made by Mr. Lucente and seconded by Mr. Budziak with all in favor.

Overbilt Lift Site Plan Revision

William Brinnier appeared on behalf of the application for an existing 2,700 sq ft steel building and 40' x 60' slab. This site was granted a used variance to operate a manufactured lift business. Mr. Brinnier states the county reviewed the site; the new plans reflect their comments. The applicant has added 7 more pine trees and extended the grassy area as per the County request. Lighting details have been submitted showing the approved sign will be the only thing on the site that is lit. the fencing will have brown privacy slats as requested. Mr. Zweben states he spoke with Dennis Doyle of the County Planning Board about this site. Mr. Doyle explained that there was confusion and the board thought the application was for a vacant site, therefore the request for architectural elevations and stormwater are not needed. The lighting, landscaping and outdoor storage comments should be deemed Required Modifications. Mr. Budziak states that he has concerns on the use of the site, requesting the plan states that the site is to be used only for the allowed use. Mr. Brinnier states the plans do have that comment. Mr. Sorensen states that the applicant has revised his plans to reflect the Boards request therefore he recommends approval of the site plan subject to the following conditions:

1. Outside storage of materials should be screened from public view.
2. No residential units shall be permitted above the Overbilt Lift business.

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Action: A motion to accept the application as complete. A motion to accept the planner's recommendation was made by Mr. Almquist and seconded by Mr. Lucente with all in favor

RESOLUTION TOWN OF ULSTER PLANNING BOARD

ISSUANCE OF SITE PLAN APPROVAL OVERBILT LIFT, INC. Section 39.7-1-7.3

WHEREAS, the Town of Ulster Planning Board received an application for Site Plan Approval from Overbilt Lift, Inc. (applicant) to allow for improvements to an existing commercial property including modification of the existing entrance from CR-31 (Old Kings Highway) per County Approved Plan & Permit Under Section 136 of Highway Law (Permit No. 4017 Ulster County Highway Department), installation of an opaque fence around an existing concrete pad to screen the outdoor storage of materials, designation of off-street parking areas, erection a monument sign and installation of landscaping materials; and

WHEREAS, the subject property is located on the westerly side of Old Kings Highway, as designated on the Tax Map of the Town of Ulster Section 39.7, Block 1, Lot 7.3 within an R-30-Residential Zoning District of the Town of Ulster; and

WHEREAS, materials submitted in support of the proposed action include:

- Narrative description of proposed action;
- Site plan showing building, parking, landscaping;
- Front, side, building elevations; and
- Detailed fence specification with a sample.

WHEREAS, the Town of Ulster Planning Board deemed the application complete and required the relevant recommendations of the County Planning Board be followed – that is, lighting, landscaping and outdoor storage.

WHEREAS, the proposed action will improve traffic safety and aesthetics; and

WHEREAS, the project will not have an adverse impact on the environment; and

WHEREAS, the Planning Board has considered the application materials submitted by the applicant in support of the proposed action, has considered the comments of the Board's consultants made via memoranda (which memoranda are incorporated herein by reference) and verbal commentary during the Planning Board's meetings.

NOW THEREFORE BE IT RESOLVED, that upon full consideration of the above, the Planning Board hereby finds that the application of Site Plan Approval for

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Overbilt Lift, Inc., as described above is consistent with the provisions of the Zoning Code of the Town of Ulster and said plan is hereby approved subject to the following conditions:

- a. Privacy slats are incorporated into the proposed chain link fence;
- b. Outside storage of materials shall be screened from public view;
- c. No residential units shall be permitted above the Overbilt Lift Business;
and
- d. The site shall be for the sole use of Overbilt, Lift, Inc., and no other business shall be conducted on the premises.

Citgo Gas Station Site Plan

Robert Schank appeared on behalf of the application to remove an existing 112 sq ft kiosk and replace it with an 800 sq ft convenience store. The applicant submitted a cut sheet for the lighting along with a photometric plan. A discussion of the County Planning Board's review followed. The county states in their review that the application should only be approved after a traffic control plan is submitted. The applicant is willing to submit a plan pertaining to their part of the site but does not feel that they should be responsible for the entire site. After a lengthy discussion the applicant agreed to contact the owners of the site to see if they have a plan that was discussed with the Planning Board earlier this year. The applicant will submit this plan for the next meeting. No action was taken.

David Letersky- Minor Subdivision

David Letersky appeared on behalf of the application for a minor subdivision. The subdivision consists of 10.392 acres that will be split into two lots of 6.62 acres and 1.546 acres the remaining 2.226 acres will be conveyed to a neighboring property owner. A small portion of the site is in the Town of Hurley; the Hurly Planning Board has already approved their portion of the site. Mr. Sorsenson reviews the plan with the board stating that wetland buffer needs to be shown on the map and a letter from the NYS Thruway Authority stating that all of their concerns have been satisfied needs to be submitted. Mr. Letersky states the Thruway is in the process of writing the letter, and he will submit it when it is received. Mr. Budziak questions if there are drainage issues with the property. Mr. Letersky states there is a stream that runs through the property but there are no drainage issues at this time. The Board requested the road maintenance be reviewed by the town's attorney. The planner recommends the board issues a negative declaration as per SEQRA and approves the plan with the revised final plat showing the 100 foot buffer around the wetlands and the approval of the storm water pipes from the NYS Thruway Authority.

Action: A motion to accept the planner's recommendation was made by Mr. Budziak and seconded by Mr. Lucente with all in favor.

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ISSUANCE OF MINOR SUBDIVISION APPROVAL LETERSKY SUBDIVISION Section 56.009-1-2 & 2.4

WHEREAS, the Town of Ulster Planning Board received an application for Minor Subdivision Approval from David A. Letersky (applicant) to permit a minor subdivision that will split an existing 10.392-acre site into two lots of 6.602 acres and 1.546 acres with the balance of 2.226 acres being conveyed to a neighboring property owner; and

WHEREAS, the subject property is located on the westerly side of the New York State Thruway and east of DeWitt Mills Road, as designated on the Tax Map of the Town of Ulster Section 56.009, Block 1, Lots 2 & 2.4 within an R-30-Residential Zoning District of the Town of Ulster; and

WHEREAS, a portion of said site abutting DeWitt Mills Road lies within the Town of Hurley and the Town of Hurley Planning Board has approved that portion of the proposed subdivision application; and

WHEREAS, materials submitted in support of the proposed action include:

- Narrative description of proposed action;
- Subdivision application;
- County Highway Permit for access to Dewitt Mills Road;
- Revised Subdivision Plat showing areas of disturbance, proposed access, proposed locations of houses, wells, and septic fields.

WHEREAS, the a public hearing was held on the proposed action; and

WHEREAS, the Planning Board found that proposed project will not have an adverse impact on the environment; made a determination of non-significance and issued a Negative Declaration pursuant to Part 617 of SEQRA; and

WHEREAS, the Planning Board has considered the application materials submitted by the applicant in support of the proposed action, has considered the comments of the Board's consultants made via memoranda (which memoranda are incorporated herein by reference) and verbal commentary during the Planning Board's meetings.

NOW THEREFORE BE IT RESOLVED, that upon full consideration of the above, the Planning Board hereby finds that the application of Minor Subdivision Approval for lands of David A. Letersky, as described above is consistent with the

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provisions of the Zoning Code of the Town of Ulster and said subdivision is hereby approved subject to the following conditions:

- e. The applicant provides the Planning Board with a revised Final Plat drawing to graphically show the 100-foot wetland buffer; and
- f. The applicant provides a letter from the New York State Thruway Authority that states that their concerns have been satisfactorily addressed.

Oxygen Day Spa- Site Plan

Rob Kristenson appeared on behalf of the application for a 2,924 sq ft Day Spa with an enclosed pool. Mr. Krisenson reviews the planner's comments with the Board stating the parking area for the existing structure will be upgraded. Mr. Budziak questioned if that parking area was acceptable; the Board members were given a letter of approval from the Highway Department. Mr. Budziak questioned how many people were living in the existing dwelling at this time; the applicant replied 6. Mr. Budziak goes on to express concerns about the way the property is maintained and the negative impact it could have on the residential neighborhood if not maintained. The Board requested the applicant move the signage to the Morton Blvd. Side of the site; the applicant agreed. The applicant states the light poles will be downgraded to 16 feet and the fence will be a white wooden privacy fence. The dumpster enclosure will have the same type of fence. Mr. Sorsensen states the water and sewer department comments need to be addressed on the plans. Sign detail needs to be submitted along with dumpster details. A lengthy discussion followed on the need for sidewalks at this site; it was decided a memorandum of understanding should be submitted to in regards to placing sidewalks at a later date. Mr. Sorsensen states the application needs to be referred to the county and the Town Board after planning approval. No action was taken.

Day Spa@ 721 Ulster Avenue- Site Plan

Mr. Sorensen reviewed his memo with the Board; stating this plan is for 2,268 sq. ft. of an existing building on Ulster Avenue. The other half of the building house Ray's Auto. The applicant has supplied a breakdown of parking, showing what spots will be for customers of the spa as well as the auto repair business. The applicant is not changing the lighting and will be using existing signage. The applicant should submit details of the existing signage. The sewer department has requested more information on the type of business. And what will be put in the sewer system. Mr. Sorensen explains to the applicant that the plans need to be sent to the County for review. The applicant will submit the requested information to the sewer department and signage information to the planning department. No action was taken.

UGARC Palmer Center- Site Plan

Scott Dutton and Allan Dumas appeared on behalf of the application of an Intermediate Care Facility on Route 32. The site is approximately 10 acres with a 2 acre portion containing the existing structure. The plan consist of construction 3 new residential

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structures and changing the existing structure into office/storage space. An additional building is used for the Day Hab program that is done on the site. The plans also include a courtyard area for the residents use. Mr. Dumas states the lighting and stormwater plans are not yet completed as the FAA need to be involved as the site is near the Ulster Airport. Mr. Sorsensen reviews his memo stating the stormwater and septic issues will have to be review by a consulting engineer. The application will need to be forwarded to the Town Board and the County Planning Board. No action was taken.

Ulster Realty/ Graylock Electronics- Site Plan

Bruce Utter appeared on behalf of the application for a change of use. The site is a ½ acre parcel with an existing building. The back part of the building was storage this plan would change it to a wrestling school. The parking requirements have been met. The applicant will be using existing signage. A lengthy discussion on wrestling exhibitions and if they are allowed on site followed; it was decided that only school-related events should be held in the building. Mr. Sorsensen states that the plan needs to be reviewed by the County and the plans will need to be revised as per sewer comments.

Action: Mr. Lucente motions to grant a negative declaration as per SEQRA and forward to the county. All were in favor.

Breathe Fitness- Site Plan

Rob Kristiansen and Ron Matthis appeared on behalf of the application for an addition to a fitness center. The applicant is proposing to enlarge the building by 15 feet to renovate the locker rooms. The plan does not effect the parking requirement and there are no other changes to the site. Mr. Sorsensen reviewed the plan with the Board stating the plan is straight forward the only issued is the approval of the water department. Mr. Sorsensen recommends the Board render a negative declaration as per SEQRA a d approve the plan with the following conditions;

1. That all conditions of the previously approved site plan are addressed; and
2. That the Town of Ulster Water Department reviews the proposed location of the building addition to ensure that it does not interfere with the existing water main.

Action: A motion to accept the planner's recommendation was made by Mr. Lucente and seconded by Mr. Almquist with all in favor.

RESOLUTION TOWN OF ULSTER PLANNING BOARD

ISSUANCE OF SITE PLAN APPROVAL BREATHE FITNESS Section 48.14-1-12.1

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WHEREAS, the Town of Ulster Planning Board received an application for site plan approval from BF Real Estate (applicant) to construct a 750 square-foot 2-story addition extending out 15 feet from the eastern side of the existing building; and

WHEREAS, the subject property is located on the westerly side of Old Sawkill Road, as designated on the Tax Map of the Town of Ulster Section 48.14, Block 1, Lot 12.1 within an R-30-Residential Zoning District of the Town of Ulster; and

WHEREAS, materials submitted in support of the proposed action include:

- An application Site Plan Review;
- A Sketch Plan prepared by Robert M Kristiansen, PE dated June 27, 2007; and
- A SEQRA Short Form EAF.

WHEREAS, the Planning Board found that proposed project will not have an adverse impact on the environment; made a determination of non-significance and issued a Negative Declaration pursuant to Part 617 of SEQRA; and

WHEREAS, the Planning Board has considered the application materials submitted by the applicant in support of the proposed action, has considered the comments of the Board's consultants made via memoranda (which memoranda are incorporated herein by reference) and verbal commentary during the Planning Board's meetings.

NOW THEREFORE BE IT RESOLVED, that upon full consideration of the above, the Planning Board hereby finds that the application of Site Plan Approval as described above is consistent with the provisions of the Zoning Code of the Town of Ulster and said site plan is hereby approved subject to the following conditions:

- g. That the applicant provides the Town of Ulster Water Department with any additional documentation deemed necessary by the Department to complete their review; and
- h. The applicant secures a letter from the Town of Ulster Water Department recommending approval of proposed action.

Boices Lane Ice Cream Shop

Christine from Andrew Wright Builders appeared on behalf of the application for a change of use/site plan. The applicant explains the owner would like to change the existing vacant building into an ice cream shop. The shop will have 32 seats inside and outdoors. The landscaping will be updated leaving the large mature trees. A monument sign is proposed facing Morton Boulevard. After a lengthy discussion on the handicap ramp the Board advised the applicant to apply to the ZBA for a variance as the ramp will encroach the front setback. Mr. Sorsenson reviews his memo with the Board stating the

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applicant needs to revise the plans to show the landscaping and lighting and wall signs. The applicant states there will be two wall signs along with the monument sign. The dumpster will be a roll out to the employee parking space. The applicant will resubmit plans next month. A motion to grant a Negative Declaration in accordance with SEQRA was made by Mr. Lucente and seconded by Mr. Almquist with all in favor.