

TOWN OF ULSTER PLANNING BOARD

The monthly meeting of the Town of Ulster Planning Board was held on Thursday July 19 , 2007 at 7:00 p.m. at the Town Hall Lake Katrine, New York., The following members were present:

Chairman Gerard Beichert
 Larry Decker
 Frank Almquist
 Renno Budziak
Town Planner: Alan Sorensen

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

A motion to approve the minutes of the June meeting was made by Mr. Budziak and seconded by Mr. Almquist.

Bastista Public Hearing

Rodney Bastista appeared on behalf of the application for a 3 lot subdivision of an 8.1 acre parcel. Lot 1# will be 1.81 acre, lot #2 will be 3.38 acres and lot #3 will be 2.86 acres. Mr. Bastista states that his engineer is currently working on revising his plans to address the last comments from the Town's Engineer. Mr. Bastista states he has a road maintaince agreement to submit to the Town. Mr. Sorensen reviewed the subdivision with the Board stating the applicant has complied with all the request of the Board, the applicant needs to address the comments from the July 6, 2007 letter from Brinnier & Larios in regards to the driveway. Mr. Bastista states the engineers are working on the issue. A motion to close the hearing is made by Mr. Almquist and seconded by Mr. Decker with all in favor.

Action:

A motion to declare a negative declaration in accordance to SEQRA is made by Mr. Almquist and seconded by Mr. Lucente with all in favor. A motion to approve the subdivision with Town Engineer approval was made by Mr. Almquist and seconded by Mr. Lucente with all in favor.

RESOLUTION TOWN OF ULSTER PLANNING BOARD

3-LOT MINOR SUBDIVISION APPROVAL Rodney & JoAnne Batista Section 48.13, Block 3, Lot 10 & 38

WHEREAS, the Town of Ulster Planning Board received an application from Rodney & JoAnne Batista (applicant) to delete the lot line between SBL 48.13-3-10 and SBL 48.13-3-38 and to subsequently subdivide the resulting 8.1-acre site into three (3) single-family lots.

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WHEREAS, the subject property is located on the northerly side of Skytop Drive within an R-30-Residential Zoning District of the Town of Ulster; and

WHEREAS, the three (3) lots that are proposed meet the required dimensional requirements of the R-30 Zoning District; and

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

- Short Form Environmental Assessment Form;
- Sediment & Erosion Control Plan prepared by Roth Engineering 7/2/07; and
- Revised Subdivision Map prepared by Donald S. Brewer, P.L.S 7/29/2007

WHEREAS, the required notice of public hearing was published in the official newspaper and public hearing held on July 19, 2007; and

WHEREAS, at the public hearing there were no objections to the proposed 3-lot minor subdivision; and

WHEREAS, the Planning Board has considered the application materials submitted in support of the proposed action (including SEQRA Environmental Assessment Form), 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.

WHEREAS, the Planning Board has determined that they have complied fully with the procedural requirements of Part 617 of the State Environmental Quality Review Act (SEQRA) and that the proposed action will not have an adverse impact on the environment.

NOW THEREFORE BE IT RESOLVED, that upon full consideration of the above, the Planning Board hereby finds that the application by Ronald & JoAnne Batista to allow the lot line deletion and subsequent 3-lot subdivision of the 8.1-acre site is hereby approved subject to the following conditions:

1. The new four-hundred (400) foot long cul-de-sac must be paved with a minimum 2.5 inches of NYSDOT binder course; and
2. All other technical concerns raised by Brinnier and Larios, P.C. must be satisfactorily addressed by the applicant prior to the signing of the final subdivision plat by the Planning Board Chairman.

Central Hudson Public Hearing

Patrick Roberts and Jim Lovette and Jeff Clock appeared on behalf of the application for a change of use. Mr. Roberts reviewed the plan with the Board. This site the former Miron Home Center it consist of 18.3 acres, the proposed plan involves alterations to the

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74,580 square foot retail building creating office space the 100,505 square foot warehouse in the rear of the site will be a garage and material storage. Mr. Roberts states that following DOT suggestions the applicant will be moving and reinstalling curbing on the site. Additional landscaping has been added to the site and a decorative fence will replace the chain link fence that is now on site. Mr. Sorensen reviewed his memo with the Board stating the applicant has addressed all previous comments of the board. The proposed project will be a nice improvement on the site. Mr. Sorensen recommends approval of the proposed site plan and reuse conditioned upon approval of the DOT and Ulster County Health Department. With no one else wishing to be heard a motion to close the hearing was made by Mr. Decker and seconded by Mr. Almquist with all in favor.

Action:

Mr. Beichert states that this is a Type II action under SEQRA and no further action is necessary. A motion to accept the planner's recommendation is made by Mr. Almquist and seconded by Mr. Budziak with all in favor.

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SITE PLAN APPROVAL AND CHANGE IN USE Central Hudson Corporation Section 39.15, Block 4, Lot 17, 19.1

WHEREAS, the Planning Board, its Consultant Planner and Engineer's have reviewed the site plan and change in use application submitted by Central Hudson Corporation to reuse the former Miron Lumber property, and

WHEREAS, Central Hudson proposes to make alterations to the existing 74,580 square-foot office/retail building in order to create office space along with renovations to the 100,505 square-foot warehouse in order to create a garage complex for truck and material storage.

WHEREAS, based upon Planning Board's review and comments, the applicant has made revisions to the proposed site plan that have addressed the technical issues raised through the site plan review process to the satisfaction of the Planning Board; and

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

- Short Form Environmental Assessment Form; and
- Revised site plan, and NYSDOT Layout Plan & Details prepared by *Optimus Architecture* dated July 5, 2007 along with landscape plan, fence details, and lighting photometric plan.

WHEREAS, the required notice of public hearing was published in the official newspaper and public hearing held on July 19th for the proposed project, and

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WHEREAS, there at the public hearing there were no comments against the proposed reuse of the former Miron Lumber site, and

WHEREAS, that the Planning Board has determined the proposed action is a Type II Action and that no further review was required pursuant to Part 617 of the State Environmental Quality Review Act (SEQRA).

NOW THEREFORE BE IT RESOLVED, that upon full consideration of the above, the Planning Board hereby recommends approval of the site plan and change in use application by Central Hudson Corporation subject to the following conditions:

- 1) That the applicant obtain the necessary approvals from the NYSDOT for the proposed modifications to the curb cuts onto State Highway 9W, and
- 2) That they receive the necessary approvals from the Ulster County Department of Health for the reuse of the existing septic fields on the subject site for the proposed change in use.

Rabasco/Thornton Subdivision

Louisa Rabasco appeared on behalf of the re-approval of a 1 lot subdivision. The subdivision was approved in January of 2007, but the maps were never filed. The maps now have to be re certified. A motion to approve was made by Mr. Almquist and seconded by Mr. Lucente with all in favor.

San Eldorado Site Plan

Steve Kalka and Clayton Van Kleeck appeared on behalf of the application of a site plan for a 3,600 square foot convenience store with fuel pumps and canopy. Mr. Kalka states that the stormwater management system needs to be revised as per comments from the Town Engineer; the applicant will resubmit plans. Mr. Kalka requests the Board refer the project to the Town Board for a public hearing. Mr. Sorenson reviewed his memo with the Board stating the applicant still needs to apply to NYSDOT for the proposed curb cuts onto 9W. The applicant has revised the landscaping plan as requested by the Board. Signage details for the monument sign have been submitted and also meet the requirements of the Board. Mr. Sorenson states the applicant needs to revise the stormwater management plan. The applicant needs to obtain an approval of the Board of Health for a wastewater system or petition the Town Board for approval to join the Sewer District. The County will also have to review the plans before any Town Board approval is made. Mr. Kalka shows the Board samples of the brick to be used and the ivory and blue colors that will be used. After a long discussion on the stormwater management plan and the procedure of petitioning the Town Board Mr. Kalka requested the board schedule a public hearing.

Action:

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After a discussion on the remaining issues Mr. Lucente made a motion to forward the project to the Town Board with the following conditions:

1. Approval of the Ulster County Planning Board.
2. Approval of the stormwater and sanitary sewer system. (Brinnier & Larios and Ulster County Health Department.
3. Approval of NYS DOT for curb cuts

A second was made by Mr. Decker and a roll call vote was taken.

Mr. Lucente, yes

Mr. Decker, yes

Mr. Budziak, no

Mr. Beichert, yes

Mr. Almquist, yes

Richard Anderson-Minor Subdivision

Nadine Carey appeared on behalf of the application for a minor subdivision. Ms. Carney states that she has reviewed the comments and has resubmitted plans. The remaining issue is the width of the road. A discussion on if the Board can grant a waiver on the width of the road follows. Mr. Budziak and Mr. Beichert state they are comfortable with the 16 foot width if the fire department approves it. Ms. Carey request the Board grant a waiver on a 75ft section of the road that has more than a 12% grade. The applicant is waiting on approval from the fire department and will address the comments of Praetorius & Conrad in the next submission. Mr. Budziak questioned the setbacks of proposed buildings. Ms. Carney states there is a comment from Praetorius & Conrad about the setback in one lot, she will verify the setback for the next submission.

Action:

A motion to schedule a public hearing was made by Mr. Decker with a second by Mr. Almquist with all in favor.

Ms. Carney questions what the SEQRA determination is going to be. Mr. Sorenson states it will be an uncoordinated review.

Kings Valley Diner- Sign Site Plan

Mr. Beichert states that the proposed sign is replacing the existing free standing pole sign on the site. Mr. Sorensen states the sign is more within the town requirements and recommends approval.

Action:

Mr. Almquist motions to approve the sign with an addition of a street number with a second by Mr. Decker. A roll call vote was taken all were in favor with Mr. Beichert recusing.

Citgo Gas Station @ Burlington Plaza

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Mr. Robert Schanck appeared on behalf on the application for the demolition of an existing 112 square foot convenience kiosk with an 800 square foot convenience kiosk. Mr. Schnack states the existing kiosk will be removed and replaced with a larger kiosk. All outside vending machines on the site will be removed. They are basically enclosing what they have now. The colors will be blue and red as they are the standard Citgo colors. The bottom of the building will be stone. The dumpster will be removed form the site and the trash will be stored in a storage closet. A service will pick the trash up once or twice a week. Mr. Decker questions the baby barn on the site; Mr. Schanck explains that it is a mediation building that is required by the DEC. A lengthy discussion on the signage followed with the applicant stating they will ask permission to replace the portable sign with a monument sign. This needs to be approved by NYS DOT. Mr. Sorensen reviewed his memo with the Board stating this project needs to be forwarded to the Ulster County Planning Board and lighting cut sheets need to be submitted. A motion to forward to the County Planning Board was made by Mr. Almquist and seconded by Mr. Decker with all in favor. An escrow account in the amount of \$1000 will be submitted to the Town Bookkeeper.

Overbilt Lift- Site Plan

Bill Brinner appeared on behalf on the application for a site plan of an existing building. Mr. Brinner states the owner received a use variance to manufacture and install metal lifts. The owner has County approval for a driveway that will be on the north entrance of the property replacing the current entrance to the site. An earth barrier will replace the current entrance. A chainlink fence with screening will be place around the storage area adjacent to the building with a rollaway gate along the front. The applicant is proposing a small monument sign with two spotlights. Mr. Brinner states he is working with the Building Department on upgrading the structure so it will be code compliant. Mr. Lucente question the grade between the two parking areas on the site stating he would like to see a bulkhead placed between the two areas. Mr. Sorensen reviewed his memo with the Board stating the applicant has provided the requested information on the fencing, and it will meet the requirements of the Board. The applicant will need to submit sign plans and the painting of the exterior of the building should be a condition of the approval. The plan needs to be referred to the Ulster County Planning Department. Mr. Budziak states he has concerns about how the site will evolve, will the storage pad become an extension of the building. Mr. Budziak also questioned the driveway cut. Mr. Brinner states originally the owner had wanted to expand but at this time the business has declined and the pad will be used for storage only. If the applicant wants to change or expand his business he will have to resubmit to the Planning Board and possibly the Zoning Board. After a long discussion about the oil trucks parked on the site the Board requested the applicant to remove the trucks from the site and the site plan. Mr. Sorensen request a note be placed on the plan stating those uses only related to the use variance will be conducted on the site. Mr. Budziak requested to review the County Highway Permit. Mr. Zweben will review what uses are allowed as per the use variance. The revised plans will be submitted to the County Planning Department. An escrow account of \$500 was requested by the Board. No action was taken.

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Bobby's Hobby's -Site Plan

Robert Wren appeared on behalf of the application to re-approve a site plan for a used car dealership. The original site plan was approved with conditions April 17, 1995. The owner at that time never completed the site therefore the plan is expired. Mr. Wern states that he has been working to improve the site. Mr. Wern states that the handicapped parking and the landscaping still needs to be completed. Mr. Sorensen states that the time period from the last approval is longer than the board would normally the plan has not change and the Board could approve with the same conditions of the original plan. The Board also requested all site violations be cleared on the property.

Action:

A motion was made Mr. Decker to approve the plan with the conditions set forth in April of 1995 and all violations on the site cleared. Mr. Almquist seconded the motion with all in favor.

A motion to adjourn the meeting was made by Mr. Decker and seconded by Mr. Lucente with all in favor.

Respectfully submitted

Mary Secreto