

## *TOWN OF ULSTER PLANNING BOARD*

The monthly meeting of the Town of Ulster Planning Board was held on Thursday August 20, 2008 7:00 p.m. at the Town Hall Lake Katrine, New York., The following members were present:

Chairman	Ozzie Beichert Frank Almquist Larry Decker Renno Budziak George Lucente
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. Lucente and seconded by Mr. Decker.

### **Heritage Oil Building**

Nadine Carey appeared on behalf of the application for site plan approval of a 45' x 50' building addition at the Heritage Oil building on Sawkill Road. Ms. Carney states the plan has been revised to show the correct parking and a new floor plan has been submitted. Ms. Carney states she has included on the plan the lighting fixtures that will be full-cut off as recommended by the UCPB. The site has existing Maple trees along the frontage on Sawkill Road. After a short discussion on a drainage swale on the road frontage it was decided that additional landscaping would not be practical. Mr. Sorensen states all issues have been addressed; The Board could issue a Negative Declaration and approve the plan overriding the UCPB recommendation for additional landscaping.

**Action:** A motion to declare Lead Agency and issue a Negative Declaration was made by Mr. Almquist with a second from Mr. Decker with all in favor. A motion to approve the project overriding the Ulster County Planning Board recommendation for additional landscaping was made by Mr. Lucente with a second from Mr. Almquist. All were in favor.

### **Sawkill Meadows Apartments**

John Davidson appeared on behalf of the application for re-approval of a site plan for an apartment complex. Mr. Davidson states the project was granted conditional approval on April 18, 2005. Since approval was granted that applicant has been addressing the conditions of approval. The applicant has received a SPDES and is prepared to submit the final plans to the UCHD for review. The applicant is proposing a slight change in the auxiliary access road; this road is intended to be use for an alternative access into the complex and will include a "chain gate" for emergency access. The Archeology study work plan has been approved. The sewer treatment plant will need to be raised as it is in the floodplain. The access to Sawkill Road has been approved by the County Highway Department. Mr. Sorensen states that the Town Board approved the project with

## *TOWN OF ULSTER PLANNING BOARD*

conditions; the review is limited to the conditions placed on the prior approval. Mr. Sorensen recommends referral to the Town Board with conditional site plan approval subject to the Ulster County Health Department, Town Water Department and Fire District review and approval.

**Action:** A motion to accept the planner's recommendations was made by Mr. Lucente with a second by Mr. Almquist with all in favor.

### **Shop Rite Plaza**

Joe Minuta, Samantha Schoenberger appeared on behalf of the application for a site plan amendment. Mr. Minuta submitted a signage package to the board and stated the applicant has revised the plan to address comments from the Ulster county Planning Board and Mr. Sorenson's memo. The applicant has added more sidewalk area in front of the retail building along with additional landscaping, benches and bike racks. A raised crosswalk was added to the plan near the eastern end of the retail building. The applicant spoke to the Fire Inspector and the turning radius for a new 95 ft ladder truck has been checked and approved. Mr. Sorensen reviewed his memo with the Board stating most of the issues have been addressed. The signage has been provided and sidewalks added. The Water Department and Sewer Department will need to sign off on the project as well as the County Highway Department on traffic volume, signalization and the pedestrian crosswalk. The Towns Consulting Engineer will need to approve the stormwater plan. A discussion followed on the lighting comment of the Ulster County Planning Board. The Board agreed the recommendation to reduce the height of the not necessary. The Board agreed to refer the project to the Town Board for approval with the following conditions; County Highway approval, Water and Sewer Department, Town Engineer approval on the stormwater plan.

**Action:** Mr. Budziak motioned to override the UCPB recommendation to lower the existing light pole and refer the plan to the Town Board with the of approval by County Highway, Water & Sewer Departments and the Town Engineer in regard to the stormwater management plan. A second was made by Mr. Almquist with all in favor.

### **Mid Hudson Valley Federal Credit Union**

Michael Moriello appeared on behalf of the application for site plan approval for a parking lot that will require a zoning change. Mr. Moriello states that the site plan has not changed since the last time the applicant appeared before the Planning Board. The Ulster County Planning Board reviewed the Zoning Map Amendment and will review the site plan next month. The applicant is continuing to work on the stormwater plan and will submit for review as soon as it is completed. The applicant has agreed to restrict the aces to Stoll Court and parking will be limited to 6AM to 11PM. A discussion on the County's comment that the applicant has not demonstrated a need for additional parking followed. Mr. Moreillo states that it is his opinion that the request for more parking is a method or matter of business not a zoning issue; Mr. Moriello goes to say that this opinion has been upheld in the Court of Appeals. After a long discussion on the need for

## *TOWN OF ULSTER PLANNING BOARD*

additional parking none of the voting members felt the applicant needed to provide additional information on the need for more parking. Mr. Budziak states he has been asked to reclude himself but would like to speak as a private citizen. Mr. Budziak states he is concerned with the impact on the adjoining neighborhood; he requested the applicant reduce the number of parking spaces and add additional landscaping to buffer the neighborhood. Mr. Lucente states if a house was proposed on the lot the house would be closer to the neighbor's property line; the closest parking space in 35 feet from the property line. Mr. Moriello states the original plan has been reduced; the first plan called for 95 parking spaces. Mr. Sorensen reviewed the completed EAF with the Board. Mr. Moriello states the applicant will return to the Planning Board after the Ulster County Planning Board reviews the site plan and the NYS office of Parks, Recreation and Historic Preservation reviews the Archaeological Study. No action was taken by the Board.

### **Buoncore**

Mr. Joseph Pisani appeared on behalf of the application for a change of use/site plan approval. Mr. Pisani states the applicant will revise the site plan showing the items addressed in Mr. Sorensen's memo. Mr. Pisani states the applicant will comply with the site plan once approved. The applicant has revised the site plan to show a storage area behind the garage. Mr. Sorensen states he is concern with the change as it affects the parking configuration. Mr. Pasini request the Board allow the applicant to add a storage area somewhere on the site as there is a need to store gardening equipment. Mr. Pisani goes on the say the applicant is working with the Building Department and will demo the proposed office building if it is found unsafe and not repairable. Mr. Beichert states the applicant also needs to show the mobile home is structurally sound. Mr. Pisani states all apartments will be empty and the Building Inspector will be completing an inspection on each apartment. Mr. Pisani also states the applicant's engineer is working with the NYS DOT on the ingress. A discussion followed on the request for a storage area and where it should be located on the site. It was decided the storage area should be in the Northwest corner of the site. The area will need to be enclosed with a stockade fence. No action was taken by the Board.

### **Caswell**

Ms. Susan Caswell appeared on behalf of the application of a site plan. Ms. Caswell states that she would like to build a second dwelling on her property for her parents. She does not wish to subdivide the land at this time. Ms. Caswell submitted new maps illustrating the required setbacks for each of the houses on the lot. Ms. Caswell also submitted a letter from the Health Department and one from the Ruby Fire Department. Mr. Sorensen reviewed the project with the Board stating it is a straight forward request; the applicant has submitted all required materials; Mr. Sorensen states the Board should declare lead agency and render a determination of Non-Significance and grant site plan approval.

# TOWN OF ULSTER PLANNING BOARD

**Action:** 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 TOWN BOARD

Site Plan for a Second Home on Single Lot  
S-B-L: 39.1-1-5.7

WHEREAS, the Planning Board and its consultant planner have reviewed an application by Susan Caswell to construct a second home on her property;

WHEREAS, Section 190-19 (B) of the Town Code allows more than one (1) single-family home on a lot so long as each residence is located so that it would conform to all area and setback requirements of the district if a separate lot were created for each residence.

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

- *Application for Site Plan* prepared by Susan Caswell dated July 28, 2008;
- *Short EAF* prepared by Susan Caswell dated July 28, 2008;
- *Survey Map* prepared by Carl A. Zoccola, P.E. dated April 17, 2006; and
- *Revised Survey map* prepared by Carl A. Zoccola dated August 21, 2008

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 proposed location of the house is situated in a manner that would allow a future subdivision to occur so that the new home would comply with all the area and setback requirements of the district; and

WHEREAS, the applicant has secured Ulster County Health Department approval for the proposed septic system design for the proposed residence; and

WHEREAS, the Ruby Fire District has stated that the access to the proposed residence is satisfactory for emergency vehicle access; and

WHEREAS, the Planning Board upon review of the entire record (including SEQRA Short EAF) found that construction of a single-family home (is a Type II Action) thus requiring no further review pursuant to Part 617 of SEQRA.

FURTHER BE IT RESOLVED, that upon full consideration of the above, the Planning Board hereby grants site plan approval to Susan Caswell to allow the construction of a 2<sup>nd</sup> home on her 7.952-acre lot.

# TOWN OF ULSTER PLANNING BOARD

Motioned by: Mr. Almquist

Seconded by: Mr. Lucente

All in Favor:           Ozzie Beichert, Chairman     Frank Almquist, Vice Chairman  
                              Renno Budzia                     Larry Decker  
                              George Lucente

## **Brink**

Mr. Joel Brink appeared on behalf of an application for a Lot Line Adjustment; Mr. Brink states he would like to sell the southern end of his property to Stage I Auto; his property is vacant land that has access on Leggs Mills Road, 9W and Seremma Court. Mr. Brink states that he has provided a 30-foot wide sewer easement in the rear of the Stage I property to ensure future access. Mr. Sorensen state the applicant has provided the appropriate maps and the Lot Line Adjustment should be approved.

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

## RESOLUTION TOWN OF ULSTER TOWN BOARD

Lot Line Adjustment  
S-B-L: 39.19-3-15 & 38

WHEREAS, the Planning Board and its consultant planner have reviewed an application by Jane G. Brink & Lisa & Brandon Cohen along with Stage I Automotive, Inc. for a 'Lot Line Adjustment' to allow the transfer of 3.68 acres from S-B-L 39.19-3-38 to S-B-L 39.19-3-15 within the HC-Highway Commercial and OM-Office Manufacturing Zoning Districts; and

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

- Application for Lot Line revision dated August 13, 2008;
- Short EAF *prepared by* Donald L. Brewer P.L.S dated August 13, 2008; and
- *Map of Boundary Lot Line Adjustment* prepared by Donald L. Brewer P.L.S dated August 12, 2008.

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, proposed action meets the Town Code definition of a Lot Line Adjustment; and

## *TOWN OF ULSTER PLANNING BOARD*

WHEREAS, the Planning Board upon review of the entire record (including SEQRA Short EAF) found that the lot line adjustment (an Unlisted Action) 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.

NOW THEREFORE BE IT RESOLVED that 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

FURTHER BE IT RESOLVED, that upon full consideration of the above, the Planning Board hereby grants approval of the proposed Lot Line Adjustment by G. Brink & Lisa & Brandon Cohen along with Stage I Automotive, Inc.

Motioned by: Mr. Lucente

Seconded by: Mr. Almquist

All in Favor:	Ozzie Beichert, Chairman	Frank Almquist, Vice Chairman
	Renno Budzia	Larry Decker
	George Lucente	

Noone appeared for Overbuilt Lift ; the Board denied an extension of site plan.

A motion to adjourn Mr. Decker was made by and seconded by Mr. Beichert all were in favor

Respectfully Submitted

Mary Secreto  
Planning Secretary