

TOWN OF ULSTER  
PLANNING BOARD  
September 12, 2017

The monthly meeting of the Town of Ulster Planning Board was held on Tuesday, September 12, 2017 at 7:00 p.m. at the Town Hall Lake Katrine, New York. The following members were present:

Gary Mulligan-Chairman  
Karl Allison  
Larry Decker  
Alan Sorensen – Planner

Anna Hayner  
Frank Almquist  
Andrew Stravropoulos

Absent:  
Troy Ashdown

Roll call was taken.

A motion to approve the minutes from the August meeting was made by Mr. Almquist with a second from Mr. Allison; all in favor.

**Lands of Lawrence Decker (Amended Minor Subdivision) - Public Hearing**

Mike Vetere III, representative of Lawrence Decker, appeared on behalf of the application of an amended minor subdivision to split a piece of land Mr. Decker owns and dividing it amongst two plats Mr. Decker owns on Van Etten Lane, 29 and 35 Van Etten, giving both parcels access to both lots onto Van Etten Lane. Mr. Sorensen stated that under the Town Law, one Public Hearing is required, and that Mr. Decker already had waived the Preliminary Public Hearing. Mr. Sorensen stated as there are no adverse impacts, this would be considered a SEQRA Negative Declaration. A motion to open the Public Hearing was made by Ms. Hayner with a second from Mr. Almquist; all in favor. There were no comments from the public. A motion to close the Public Hearing was made by Mr. Almquist with a second from Ms. Hayner; all in favor. Mr. Sorensen read the resolution. Mr. Decker is recused from this approval.

**Action:** A motion to approve the amended minor subdivision was made by Mr. Allison, with a second from Mr. Almquist; all in favor.

WHEREAS, Lawrence E. and Ann Decker are seeking Minor Resubdivision approval involving Town of Ulster Tax Parcels SBL 39.15-2-8 & 9 and portion of abandoned right-of-way; and

WHEREAS, pursuant to Section 161-9 of the Town Code, the Proposed Action is a Minor Resubdivision, which is subject to the approval of the Town of Ulster Planning Board; and

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

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- Application for Lot Line Revision signed by Lawrence E. and Ann Decker dated July 18, 2017;
- SEQR Short EAF prepared and signed by Lawrence Decker dated July 18, 2017; and
- Map Showing Lot Line Revision/Subdivision Michael Vetere, Jr., P.L.S, dated April 18, 2017.

WHEREAS, the proposed lots comply with the bulk requirements of the R-30 Residential Zoning District; and

WHEREAS, referral to the Ulster County Planning Board was not required pursuant to the UCPB Land Use Referral Guide, since the Proposed Action involves fewer than 5 lots and access roads and structures are not situated within the 100-year floodplain; and

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, a Map Showing Lot Line Revision/Subdivision was prepared by Michael Vetere, P.L.S. dated April 18, 2017 and submitted for review to the Planning Board with a recommendation by its consulting planner to accept the Map of Lot Line Revision with a minor revision; and

WHEREAS, a minor subdivision requires two (2) public hearings, but the Planning Board may waive the requirement for a preliminary public hearing in accordance with Section 161-10 B of the Town Code; and

WHEREAS, at its August 8, 2017 meeting, the Planning Board waived the requirement for a preliminary public hearing in accordance with Section 161-10 B of the Town Code; and

WHEREAS, the Planning Board upon review of the entire record (including SEQR Short EAF Part 1 & 2) found the Proposed Action did not pose a potentially significant adverse environmental impact.

NOW THEREFORE BE IT RESOLVED, the Planning Board has determined they have complied fully with the procedural requirements of Part 617 of the State Environmental Quality Review (SEQR) Law and hereby issues a SEQR Negative Declaration for the Proposed Action; and

FURTHER BE IT RESOLVED, the Town of Ulster Planning Board hereby grants Minor Resubdivision approval as described above to Lawrence E. and Ann Decker subject to the conditions, limitations and restrictions set forth below.

1. Plat may be filed with Office of County Clerk after signed by the Chairman of the Planning Board.

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2. No changes, erasures, modifications or revisions shall be made to any plat after approval by the Planning Board and endorsed in writing on the plat; and
3. All fees, including consultant fees, shall be paid.

**Lands of Wiedy/Charmello (Amended Minor Subdivision) – Public Hearing**

Christopher Zell, representative of Mary Wiedy, appeared on behalf of the application of an amended minor subdivision to split a piece of land owned by Datum Developers, to which Ms. Wiedy is the principle, and dividing it amongst an adjacent piece of land she owns and the neighboring lands of Catskill Mountain Real Estate Holding property. Mr. Sorensen stated that under the Town Law, one Public Hearing is required, and that Mr. Zell already had waived the Preliminary Public Hearing. Mr. Sorensen stated as there are no adverse impacts, this would be considered a SEQRA Negative Declaration. A motion to open the Public Hearing was made by Mr. Almquist with a second from Mr. Decker; all in favor. There were no comments from the public. A motion to close the Public Hearing was made by Mr. Almquist with a second from Ms. Hayner; all in favor. Mr. Sorensen read the resolution.

**Action:** A motion to approve the amended minor subdivision was made by Mr. Decker with a second from Mr. Almquist; all in favor.

WHEREAS, the applicant – Mary Wiedy with Joseph Charmello (Datum Dev. & Catskill Mtn. Real Est.) – is seeking Minor Resubdivision approval involving Town of Ulster Tax Parcels SBL 47.2-4-1.100, 15, & 16; and

WHEREAS, pursuant to Section 161-9 of the Town Code, the Proposed Action is a Lot Line Revision (Minor Resubdivision), which is subject to the approval of the Town of Ulster Planning Board; and

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

- Written Narrative prepared by Brinner & Larios, PC dated July 27, 2017;
- Cover Letter prepared by Chris Zell, P.L.S, with Brinner & Larios, PC dated July 27, 2017;
- Application for Lot Line Revision signed by Mary Wiedy and Joseph Charmello dated July 27, 2017;
- SEQR Short EAF prepared and signed by Mary Wiedy dated July 27, 2017; and
- Map of Lot Line Revision prepared by Christopher J. Zell, P.L.S., dated July 25, 2017.

WHEREAS, the proposed lots comply with the bulk requirements of the HC-Highway Commercial Zoning District; and

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WHEREAS, referral to the Ulster County Planning Board was not required pursuant to the UCPB Land Use Referral Guide, since the Proposed Action involves fewer than 5 lots and access roads and structures are not situated within the 100-year floodplain; and

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, a Map of Lot Line Revision was prepared by Christopher J. Zell, P.L.S. dated July 25, 2017 and submitted for review to the Planning Board with a recommendation by its consulting planner to accept the Map of Lot Line Revision; and

WHEREAS, a minor subdivision requires two (2) public hearings, but the Planning Board may waive the requirement for a preliminary public hearing in accordance with Section 161-10 B of the Town Code; and

WHEREAS, at its August 8, 2017 meeting, the Planning Board waived the requirement for a preliminary public hearing in accordance with Section 161-10 B of the Town Code; and

WHEREAS, the Planning Board upon review of the entire record (including SEQR Short EAF Part 1 & 2) found the Proposed Action did not pose a potentially significant adverse environmental impact.

NOW THEREFORE BE IT RESOLVED, the Planning Board has determined they have complied fully with the procedural requirements of Part 617 of the State Environmental Quality Review (SEQR) Law and hereby issues a SEQR Negative Declaration for the Proposed Action; and

FURTHER BE IT RESOLVED, the Town of Ulster Planning Board hereby grants Minor Resubdivision approval as described above to Mary Wiedy with Joseph Charmello subject to the conditions, limitations and restrictions set forth below.

1. Plat may be filed with Office of County Clerk after signed by the Chairman of the Planning Board;
2. No changes, erasures, modifications or revisions shall be made to any plat after approval by the Planning Board and endorsed in writing on the plat; and
3. All fees, including consultant fees, shall be paid.

**Lia Honda – Site Plan Review**

Joe Mihm, Brinnier and Larios, and Eric Masterson, BBL Construction, appeared on behalf of the application for site plan approval for an automobile dealership that will be located at 727-747 East Chester Street Bypass. Mr. Mihm stated that there was no new information submitted since the last site plan dated August 3, 2017, but that they had

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received comments from New York State Department of Transportation regarding the entrances on 9W that were minor in nature. NYSDOT is requesting some profiles and site distance for the two entrances. Brinnier and Larios will be meeting with David Corrigan, NYSDOT, the next day to review all the revisions, to which Mr. Mihm expects no issues. Mr. Sorensen stated that they had recently received comments from the Ulster County Planning Board that need to be reviewed. There was a brief discussion. Mr. Sorensen stated that prior to the Planning Board meeting he spoke with Bruce Utter, Praetorius and Conrad, and stated Mr. Utter told him that they would be signing off on their Stormwater. There were very few minor technical comments regarding Stormwater and the site plan, to which Mr. Utter recommends conditional approval subject to addressing those comments. Mr. Sorensen stated at this time, it is his recommendation that the Planning Board refer this project to the Town of Ulster Town Board for site plan approval. A brief discussion followed.

Mr. Masterson stated that he spoke with Thomas Murphy, Colonial Subaru, at length regarding “joint space” that shows Stormwater piping on the property line that would serve both properties, but in an effort to minimize the impact of a large retention wall at that location, they’d like to install the Stormwater pipe as identified on the plan and grade both properties down to that pipe. Mr. Ericson stated that Colonial is fully aware and they believe it will be beneficial to both parties. Mr. Ericson stated that if a letter is needed, Colonial Subaru is open to submitting same. A brief discussion followed.

**Action:** A motion to forward to the Town of Ulster Town Board was made by Ms. Hayner, with a second from Mr. Almquist; all in favor.

WHEREAS, the applicant – Lia Kingston Realty, LLC dba Lia Honda of Kingston – submitted an application for Site Plan Amendment to allow the demolition of the existing Mac Fitness buildings and construction in its place a new 36,000 square foot (sf) automotive sales and service building with a show room and a carwash along with associated parking, access drives, landscaped areas and utility infrastructure; and

WHEREAS, the Proposed Action also involved an application for Lot Line Adjustment approval to consolidate the above listed tax lots; and

WHEREAS, the Town of Ulster Planning Board had the authority to approve the Lot Line Adjustment and the Ulster Town Board the authority to approve the Site Plan Amendment; and

WHEREAS, the Town of Ulster Planning Board was designated Lead Agency for this Unlisted Action – Coordinated Review; and

WHEREAS, at its August 8, 2017 Planning Board meeting, the Planning Board as Lead Agency issued a SEQRA Conditioned Negative Declaration and granted Lot Line Adjustment approval to allow the consolidation of the tax lots; and

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

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- Site Plan Narrative by Brinnier & Larios, Engineering & Land Surveying, P.C. dated May 25, 2017;
- Site Plan Application by Brinnier & Larios, Engineering & Land Surveying, P.C. dated May 25, 2017;
- Consent Form signed by Vincent Lia dated May 15, 2017;
- SEQR Full EAF Part 1 prepared by Joe E. Mihm, PE, B&L Eng. & Land Surveying, dated 5/25/2017;
- Site Photographs by Brinnier & Larios, Engineering & Land Surveying, P.C. dated 3/30/2017;
- Existing Conditions Plan by Brinnier & Larios, Engineering & Land Surveying, P.C. dated May 2017;
- Demolition Plan prepared by Brinnier & Larios, Engineering & Land Surveying, P.C. dated May 2017;
- Site Plan prepared by Brinnier & Larios, Engineering & Land Surveying, P.C. dated May 2017;
- Grading Plan prepared by Brinnier & Larios, Engineering & Land Surveying, P.C. dated May 2017;
- Site Utilities prepared by Brinnier & Larios, Engineering & Land Surveying, P.C. dated May 2017;
- Fire Apparatus Fire Plan by Brinnier & Larios, Engineering & Land Surveying, P.C. dated May 2017;
- Details prepared by Brinnier & Larios, Engineering & Land Surveying, P.C. dated May 2017;
- Lia of Honda Floor Plan prepared by BBL Construction Services dated May 25, 2017
- Lighting Plan by Brinnier & Larios and Exterior Perspective by Stuart Romm Architecture 5/25/17; and
- Lia of Honda Building Elevations prepared by BBL Construction Services dated May 25, 2017.
- Site Plan Narrative by Brinnier & Larios, Engineering & Land Surveying, P.C. dated June 29, 2017;
- Site Plan Application supplement by Brinnier & Larios, Eng. & Land Surveying, P.C. dated 6/27/17;
- Site Plan Application supplement by Brinnier & Larios, Eng. & Land Surveying, P.C. dated 6/29/17;
- SEQR Full EAF Part 1 prepared by Joe E. Mihm, PE, B&L Eng. & Land Surveying, revised 6/14/2017;
- Property Access Agreement Documentation by B&L Eng. & Land Surveying, revised 6/14/2017;
- Commercial Access Highway Work Permit Application and Checklist by B&L dated July 7, 2017;
- Town of Ulster Sign Permit Application prepared by B&L Eng. & Land Surveying, dated 6/27/2017;
- Application for Area Variance - ZBA prepared by B&L Eng. & Land Surveying, dated 6/27/2017;

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- Cover Sheet prepared by Brinnier & Larios, Engineering & Land Surveying, P.C. dated July 10, 2017;
- Existing Conditions Plan by Brinnier & Larios, Eng. & Land Surveying, P.C. revised July 10, 2017;
- Site Plan prepared by Brinnier & Larios, Engineering & Land Surveying, P.C. revised July 10, 2017;
- Demolition Plan by Brinnier & Larios, Engineering & Land Surveying, P.C. revised July 10, 2017;
- Grading Plan by Brinnier & Larios, Engineering & Land Surveying, P.C. revised July 10, 2017;
- Site Utilities prepared by Brinnier & Larios, Engineering & Land Surveying, P.C. revised July 10, 2017;
- Exterior Lighting/Photometric Plan by Brinnier & Larios, Eng. & Land Surveying, P.C. revised 7/10/17;
- Landscaping Plan by Brinnier & Larios, Engineering & Land Surveying, P.C. revised July 10, 2017;
- Fire Apparatus Fire Plan by Brinnier & Larios, Eng. & Land Surveying, P.C. revised July 10, 2017;
- Details prepared by Brinnier & Larios, Engineering & Land Surveying, P.C. revised July 10, 2017;
- Site Sign Details by Brinnier & Larios, Engineering & Land Surveying, P.C. dated July 10, 2017;
- Exterior Perspective Sheet A-1 prepared by BBL Construction Services dated June 7, 2017;
- Main Level Floor Plan Sheet A-2 prepared by BBL Construction Services dated May 25, 2017;
- Lower Level Floor Plan Sheet A-2 prepared by BBL Construction Services dated May 25, 2017; and
- Exterior Elevations prepared by BBL Construction Services dated June 27, 2017.
- Project Narrative by Brinnier & Larios, Engineering & Land Surveying, P.C. dated July 24, 2017;
- Lot Line Adjustment Application by Brinnier & Larios, Eng. & Land Surveying, P.C. dated 7/24/17; and
- Lot Line Deletion Map by Brinnier & Larios, Engineering & Land Surveying, P.C. dated July 24, 2017;
- SEQR Full EAF Part 1 prepared by Joe E. Mihm, PE, B&L Eng. & Land Surveying, revised 6/14/2017;
- Cover Sheet prepared by Brinnier & Larios, Engineering & Land Surveying, P.C. dated August 3, 2017;
- Existing Conditions Plan by Brinnier & Larios, Eng. & Land Surveying, P.C. revised August 3, 2017;
- Site Plan prepared by Brinnier & Larios, Engineering & Land Surveying, P.C. revised August 3, 2017;
- Demolition Plan by Brinnier & Larios, Engineering & Land Surveying, P.C. revised August 3, 2017;

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- Grading Plan by Brinnier & Larios, Engineering & Land Surveying, P.C. revised August 3, 2017;
- Site Utilities by Brinnier & Larios, Engineering & Land Surveying, P.C. revised August 3, 2017;
- Stormwater Management by Brinnier & Larios, Eng. & Land Surveying, P.C. revised August 3, 2017;
- Erosion & Sediment Control by Brinnier & Larios, Eng. & Land Surveying, P.C. dated August 3, 2017;
- Site Lighting/Photometric Plan by Brinnier & Larios, Eng. & Land Surveying, P.C. revised 8/3/17;
- Site Landscaping by Brinnier & Larios, Engineering & Land Surveying, P.C. revised August 3, 2017;
- Fire Apparatus Fire Plan by Brinnier & Larios, Eng. & Land Surveying, P.C. revised August 3, 2017;
- Details prepared by Brinnier & Larios, Engineering & Land Surveying, P.C. revised August 3, 2017;
- Site Sign Details by Brinnier & Larios, Engineering & Land Surveying, P.C. dated August 3, 2017;
- Segmental Retaining Wall Profile by Brinnier & Larios, Eng. & Land Surveying, P.C. dated 8/3/17;
- Architectural Rendering Sheet A-1 prepared by BBL Construction Services dated August 3, 2017;
- Main Level Floor Plan Sheet A-2 prepared by BBL Construction Services dated August 3, 2017;
- Lower Level Floor Plan Sheet A-2 prepared by BBL Construction Services dated August 3, 2017;
- Exterior Elevations prepared by BBL Construction Services dated August 3, 2017; and
- Draft Stormwater Management Pollution Prevention Plan by Brinnier & Larios, dated July 2017.

WHEREAS, the Conditioned Negative Declaration required the applicant to revise their draft SWPPP to address the comments of the Alternate Town Designated Engineers (TDE) Praetorius & Conrad to ensure compliance with the requirements of the New York State Stormwater Management Design Manual (NYSDEC 2015) for both construction conditions and permanent post-development conditions; and

WHEREAS, the applicant submitted a revised Stormwater Pollution Prevention Plan (SWPPP), which was reviewed by the Alternate Town Designated Engineers (TDE) Praetorius & Conrad, who have found the SWPPP in compliance with NYSDEC regulations and recommended it be accepted by the Planning Board and Town Board subject to minor technical revisions as cited in their September 12, 2017 letter to the Planning Board; and



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WHEREAS, the Town Board considered of the application materials submitted by the applicant in support of the Proposed Action, along with the comments of its consultants and planner made via memoranda (which memoranda are incorporated herein by reference); and

WHEREAS, the Town Board, as Lead Agency, upon review of the entire record (including SEQR Short EAF Part 1, 2 and 3), Planning Board Conditioned Negative Declaration, revised SWPPP and revised Site Plan set found the Proposed Action did not pose any potentially significant adverse environmental impact; and

WHEREAS, the Town Board determined the Town had complied fully with the procedural requirements of Part 617 of the State Environmental Quality Review (SEQR) Law and thereby reaffirms the SEQRA Negative Declaration granted by the Planning Board on August 8, 2017; and

WHEREAS, this matter was referred to the Ulster County Planning Board, who issued required modifications in their response letter dated August 2, 2017, but also requested this matter be re-referred to them upon completion of the SWPPP; and

WHEREAS, this matter was referred back to the UCPB following the Planning Board meeting of August 8, 2017, but no additional comments were received by the September 12, 2017 Town Planning Board meeting; and

WHEREAS, Upon review of the UCPB Required Modifications in the August 2, 2017 UCPB letter, the Town Planning Board recommended and the Town Board agreed to override certain required modifications or to place conditions on the approval to address the UCPB's required modifications as follows: 1) SWPPP – (Complies) - The applicant prepared a SWPPP to ensure compliance with the requirements of the New York State Stormwater Management Design Manual (NYSDEC 2015) for both construction conditions and permanent post-development conditions and Praetorius & Conrad (Town Designated Engineer for review) has reviewed and found SWPPP in compliance with State requirements subject to a few minor technical revisions; 2) Signs – (Override County Required Modification) - The applicant's request for sign area variance was referred to the UCPB and the Zoning Board of Appeals granted the applicant's request for a sign variance; 3) Landscaping (Override County Required Modification) – The Landscaping Plan provides for plantings including ground cover and shrubs along the frontage of the site, but car dealers requested not to have trees; 4) Sidewalk Construction – (Condition of Approval) The applicant was required to submit a Site Plan showing the location and grading for a future sidewalk, but the Town Board feels having the applicant sign the Town's Sidewalk MOU agreement is sufficient at this time and that construction should be postponed until sidewalks are planned on the adjoining property to the north; 5) Access (Complies) – NYSDOT has approved the proposed Site Access, 6) Lighting – (Complies) The Proposed Lighting Plan complies with the Town's Zoning Statute.

WHEREAS, the Town of Ulster Planning Board has recommended the Town Board approve the applicant's request for Site Plan approval.

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NOW THEREFORE BE IT RESOLVED, The Town Board hereby overrides the UCPB required modifications as cited above; and

FURTHER BE IT RESOLVED, the Town Board hereby grants conditional Site Plan approval to Lia Honda 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 final site plan, design plans and all details as cited herein;
4. The applicant addresses all technical comments by the Alternate Town Designated Engineers (ATDE) Praetorius & Conrad, PC;

FURTHER BE IT RESOLVED, the Town Board hereby grants conditional Site Plan approval to Lia Honda on the above referenced site subject to the conditions, limitations and restrictions set forth below.

5. Commercial driveway permits from NYSDOT will be required prior to construction of permanent commercial driveways;
6. To avoid impacting the Northern Long Eared Bat summer roosting, the applicant will perform any tree removal associated with the proposed project between November 1st and March 31st;
7. A Cross Access Easement shall be provided between the subject site and Colonial Subaru site that abuts it to the north;
8. The Town's consulting planner, Alternate Town Designated Engineers (ATDE), 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
9. All fees, including consultant fees, shall be paid.

### **Cypress Creek – Site Plan Review**

Ann Waling, Zoning Manager for Cypress Creek in New York State, appeared on behalf of the application to construct a solar farm. Ms. Waling stated that she had a team come out from California that did a drone flight over both possible sites, and that they will make a 3D simulation out of the sites that will show the proposed facilities located on said properties. Ms. Whaling stated that in the beginning of the application process she only submitted for one site, when the company had three projects in mind. She stated that the two other parcels would need to be subdivided according to the Public Service Commissions Regulations, which states that each 2mW project must be on separate parcels. Ms. Whaling stated that the elevation is significant, so we cannot see one side,

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and the other side of the parcel will be well screened. Mr. Sorensen informed Ms. Whaling that each parcel must have road frontage. A brief discussion followed. Mr. Sorensen recommends that Cypress Creek has a conversation with the Town Board, since the Planning Board has an advisory role.

**Action:** A motion to refer to the Town Board was made last month by Mr. Decker, with a second from Mr. Almquist; all in favor. They are on September 21, 2017 agenda for SEQR review and

**Joseph Emanuele – Site Plan Review**

Michael Vetere and Joseph Emanuele appeared on behalf of the application to construct a 60' by 70' building attached to the existing building on the northeast corner of the property located at 2310-2332 Route 9W to be used as a storage warehouse. There was a discussion regarding elevations, square footage and whether it would meet the zoning setbacks. Mr. Sorensen stated that the off-street parking needs to be addressed on the site plan. There are currently 28 parking spaces present, and the requirement would be to have 76 total. Mr. Mulligan and Mr. Sorensen agreed that 20 more spaced would be sufficient, as the building is being used for storage and to place any more spaces, would be an overkill. Mr. Sorensen stated that the road for fire emergency vehicles should also be on his site plan, as well as the existing storage trailers. Mr. Sorensen also stated that there is a well on the property that needs to be marked so no vehicles will be parked near it. Mr. Sorensen stated that the project must be forwarded to the Ulster County Planning Board as it is more than 2,500 sq. ft. of new building once the plans are revised. The project will also be referred to the Town Board to initiate SEQR Review. Mr. Sorensen stated that if there is going to be additional parking added to make sure there is sufficient lighting, and to add that to the site plan, as well.

**Action:** A motion to refer this project to the Town of Ulster Town Board for their intent to be Lead Agency and initiate a SEQR Unlisted Action Coordinated Review was made by Mr. Almquist with a second from Mr. Allison; all in favor.

**Frank Tiano –Change of Use**

Michael Vetere appeared on behalf of the applicant to have a wedding venue located at 248-252 Old Stage Road. The property is a 33 acre site that is a wide open space with an existing road and parking. Mr. Sorensen stated that it has sufficient space with good access. Mr. Sorensen stated that the project needs to be referred to the Zoning Board of Appeals for a Use Variance. Mr. Vetere stated that there are three different locations that have electric on the site where the bride and groom may choose to have their wedding. Mr. Vetere went on to explain lighting, restrooms and air-conditioning. Mr. Sorensen

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stated that to have a complete application to the ZBA, they will need a brief narrative as well as an application. Mr. Vetere stated that the neighbors are at every event and they had already spoken to them regarding this project. There are 109 parking spaces on site, which is plenty for wedding attendees, as well as vendors.

**Action:** Pending submittal of a revised site plan, this project will be forwarded to the Town of Ulster Zoning Board of Appeals.

### **Northeast Data Destruction – Special Use Permit**

Mark Wachtell appeared on behalf of the application to open a Data Destruction company at 68 Leggs Mills Road, which happens to be in two zones; Local Commercial and Office and Manufacturing. Mr. Wachtell stated that they have been in Kingston since 1994 on Route 28, but they have grown out of their building. The company shreds documents for State, County, Hospitals and Schools. Mr. Wachtell explained that they keep everything within the building. The hours of operation for this business are 7am-4pm, Monday-Friday, and Saturdays if demands require. They currently have four employees, and may go up to a maximum of twelve employees. The company reconstitutes the shredded paper by baling the shredded paper and shipping it to businesses that turn it into toilet paper and such products; all the white paper gets reprocessed and turned back into high-quality copy paper. Mr. Wachtell stated that there will be no signage as of now, and all they will be doing to the building is cleaning it up, fixing a few things, and paint. Mr. Sorensen stated that it is not necessary to rezone the location at this point since it was previously used a manufacturing business. There is sufficient parking and loading docks for what is required. Mr. Sorensen stated that this project will be listed as a SEQR Type II action and recommends a submittal of an updated site plan that reflects the proposed use. Said site plan will be forwarded to Ulster Hose #5 and Town of Ulster Water and Sewer Departments. A brief discussion followed. Mr. Sorensen read the resolution.

**Action:** A motion to grant Conditional Site Plan Amendment Approval was made by Mr. Allison, with a second from Mr. Almquist; all in favor.

WHEREAS, the Town of Ulster Planning Board and its consultant planner have reviewed an application by National Waste Management Holdings (dba Northeast Data Destruction) with the consent of Kristina Leiching (Executrix) – is seeking Site Plan Amendment approval for a change-in-use within an existing 16,180 square-foot (sf) building to establish paper recycling and data destruction business; and

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

- Site Plan Consent Form signed by Kristina Leiching (Executrix), dated September 1, 2017;
- Site Plan Application signed by Kristina Pavlov-Leiching dated September 1, 2017;

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- SEQR Short EAF Part 1 prepared by Kristina Pavlov-Leiching dated September 1, 2017; and
- Site Plan for Cobra Manufacturing Corporation by Ciro Interrante, Architect dated April 3, 2003.

WHEREAS, the Town of Ulster Planning Board retains the authority to approve the site plan amendment for this Proposed Action since the proposed modifications to the existing Site Plan does not result in new gross floor area; and

WHEREAS, the Site Plan provides for sufficient off-street parking and loading spaces for the intended manufacturing use on the Subject Site; 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 sufficient parking spaces are provided on the site to accommodate the amended Site Plan and change in use; and

WHEREAS, the Town of Ulster Planning Board, as Lead Agency, upon review of the entire record determined the Proposed Action is a 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.

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 Conditional Site Plan Amendment Approval to National Waste Management Holdings 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 cited herein and update thereof;
4. Compliance with Town Water and Sewer Departments and Ulster Hose No. 5 requirements;
5. Compliance with State and federal requirements for operation of manufacturing facility;
6. 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
7. All fees, including consultant fees, shall be paid.

A motion to adjourn was made by Ms. Hayner, with a second from Mr. Almquist; with all in favor.

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Respectfully Submitted,  
Gabrielle Perea  
Planning Secretary