

TOWN OF ULSTER
PLANNING BOARD
April 10, 2018

The monthly meeting of the Town of Ulster Planning Board was held on Tuesday, April 10, 2018 at 7:00 p.m. at the Town Hall Lake Katrine, New York. The following members were present:

Present:

Anna Hayner

Frank Almquist

Lawrence Decker

Gary Mulligan-Chairman

Karl Allison

Troy Ashdown

Andrew Stravropoulos

Alan Sorensen – Planner

Roll call was taken.

A motion to approve the minutes from the March 2018 meeting was made by Mr. Almquist with a second from Mr. Decker; all in favor.

Wiltwyck Golf Club - Amended Site Plan Review

Scott Dutton, Dutton Architects, appeared on behalf of the application to construct a covered outdoor bar for Wiltwyck Golf Club's new restaurant, Capital Tavern, located at 404 Steward Lane in Kingston, New York. Mr. Dutton explained that the new bar will be placed where the restaurant currently places their outside tent for events, making the bar a permanent, more elegant structure. The bar will be utilized three seasons out of the year. Mr. Stravropoulos asked if there was a current hardscape surface present, to which Mr. Dutton stated that there is, but that they will be remove the pavers, place a concrete slab under the wet bar portion and reset the pavers around it. This will make the hardscape three (3) feet closer to the practice green.

Mr. Sorensen stated that the plan and placement of the bar is acceptable, that it is an ancillary structure to the primary use, and that the project will be declared a SEQR Type II action, which requires no further review under SEQR.

Action: A motion to classify this project a SEQR Type II action was made by Ms. Hayner, with a second from Mr. Almquist; all in favor. A motion to accept the amended site plan was made by Mr. Almquist, with a second from Mr. Decker; all in favor.

WHEREAS, the Town of Ulster Planning Board and its consultant planner have reviewed an application by– Scott Dutton c/o/ WGC Holdings, LLC – seeking Site Plan Amendment approval to construct a covered outdoor bar in front of the existing Clubhouse; and

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

- Consent Form signed by Alan DeForest for WGC Holdings, LLC dated April 6, 2018;
- Application for Site Plan Amendment signed by Scott Dutton, R.A. dated April 6, 2018;
- SEQR Short EAF Part 1 prepared by Scott Dutton, R.A. dated April 9, 2018;
- Map of Lands of WGC, Inc., prepared by Brinnier & Larios, PC dated August 19, 1994;
- Hybrid Site Plan prepared by Scott Dutton, R.A. dated April 4, 2018; and
- Photo Simulations of Outdoor Bar prepared by Scott Dutton, R.A. dated April 4, 2018

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 of more than 2,500 square feet; and

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WHEREAS, the Proposed Action does not require 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 intended uses; and

WHEREAS, the Town of Ulster Planning Board, as Lead Agency (only Involved Agency for Site Plan), 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 Site Plan Amendment approval to Scott Dutton c/o/ WGC Holdings, 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 sign plans and all details as cited herein;
4. 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
5. All fees, including consultant fees, shall be paid.

Planet Fitness - Sign Site Plan Amendment

Maria Rotundo, Lite Bright Signs, appeared on behalf of the application to change the pylon signage and reskin the awnings for Planet Fitness, located at 810 Miron Lane. Ms. Rotundo explained that Planet Fitness would like to change the awnings from the existing burgundy to magenta, and add the tire logo to their pylon signs.

Mr. Sorensen stated that this application is straightforward and he recommends that the Board classify it as a SEQR Type II action and grant approval for the awning installations and the signs.

Action: A motion classify this project as a SEQR Type II action was made by Ms. Hayner, with a second from Mr. Almquist; all in favor. A motion to approve the sign site plan amendment was made by Mr. Allison, with a second from Mr. Decker; all in favor.

WHEREAS, the Town of Ulster Planning Board and its consultant planner have reviewed an application by – Maria Rotundo c/o/ Lite Brite Signs –seeking Site Plan Amendment approval to refurbish the awnings and replace the signs at the Planet Fitness establishment at 810 Miron Lane; and

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

- Consent Form signed by David Kaplan (owner) [Pending];
- Application for Site Plan Amendment signed by Maria Rotundo dated March 20, 2018;

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- SEQR Short EAF Part 1 prepared by Maria Rotundo dated March 20, 2018;
- Existing Awning New Fabric Drawing by Pride Signs dated November 20, 2017;
- Existing Awning New Fabric Drawing by Pride Signs dated December 20, 2017;
- Front and Halo Lit Channel Logo Sign detail by Pride Signs dated September 16, 2016;
- Front and Halo Lit Channel Letters detail by Pride Signs dated November 20, 2017; and
- Replacement Faces Existing Pylon Signs detail by Pride Signs dated November 20, 2017.

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 Proposed Action does not require referral to the Ulster County Planning Board pursuant to their referral agreement with the Town of Ulster since the site has channelized access, sufficient parking spaces are provided on the site to accommodate existing uses and the proposed signs would comply with the local zoning law; and

WHEREAS, the Town of Ulster Planning Board, as Lead Agency (only Involved Agency for Site Plan), 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 Site Plan Amendment approval to Maria Rotundo c/o Lite Brite Signs 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 sign plans and all details as cited herein;
4. 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
5. All fees, including consultant fees, shall be paid.

Kingston Block - Amended Site Plan Review

Khatar Elmassalemah, Praetorius & Conrad, appeared on behalf of the application for building additions and modifications to Kingston Block, located at 19 Kieffer Lane in Kingston, New York. Mr. Elmassalemah stated that the new owners of Kingston Block, who purchased the company about a year ago, would like to construct a four thousand (4,000) square foot addition to the garage area, a six thousand one hundred and twenty-five (6,125) square foot addition of automated block production area, a new seventy-five hundred (7,500) storage shed, and a four thousand three hundred and seventy-five (4,375) square foot addition to enhance building main elevation. Mr. Elmassalemah stated that the owners would like to modify the building so that they may clean up the site and make it easier to work. Currently, the front elevation large letters with the business name, and in the proposed project the letters will be removed and the building will be extended thirteen (13) feet and have transient windows at the top (no sign) which will adhere

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to the 9W Corridor Enhancement Plan. The loading docks currently present on the 9W elevation will be removed and there will be one (1) main door and one (1) garage door in place. The shed and building elevations will all be the same green color. There will be no new lighting to the sight.

Mr. Elmassalemah stated that he did reach out to Town of Ulster Water and Sewer Department. The Sewer Department had no issues, but the Water Department did not want any encroachment issues on any water lines or water mains, as there are already issues present on-site. The Water Department is also having an issue locating a valve as it was built over, and Mr. Sorensen would like the applicant to resolve that issue as this project moves forward.

Mr. Sorensen stated that the proposed project is an allowed use. Since the project is more than twenty five hundred (2,500) square feet, the Planning Board will be an advisory Board and the Town Board will have the authority to approve the project. Mr. Sorensen requested that Mr. Elmassalemah provide a parking table on updated plans, as well as clarify drainage easements as there are existing issues that can be clarified through this project review and review of the Stormwater Pollution Prevention Plan (SWPPP.)

Action: A motion to forward this project to the Ulster County Planning Board was made by Mr. Almquist, with a second from Mr. Decker; all in favor. A motion to accept the resolution referring this project to the Town Board to initiation a SEQR Unlisted Action-Coordinated Review declaring them as lead agent was made by Ms. Hayner, with a second from Mr. Allison; all in favor.

WHEREAS, Issac Schwarz dba Kingston Block & Masonry – is seeking Site Plan Amendment approval to construct several additions to the existing Kingston Block building and to construct a new stand-alone storage shed.; and

WHEREAS, the proposed expansion of the manufacturing use is allowed within the OM-Office Manufacturing Zoning District subject to Site Plan approval; and

WHEREAS, the Town of Ulster Town Board has the authority to approve the Proposed Action since more than 2,500 SF of new gross floor area is proposed with this Site Plan application, upon a favorable recommendation from the Town of Ulster Planning Board; and

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

- Site Plan Consent Form signed by Isaac Schwarz dated March 26, 2018;
- Site Plan Application signed by Isaac Schwarz dated March 26, 2018;
- SEQR Short EAF Part 1 prepared by Khatter Elmassalemah dated March 26, 2018;
- Existing Site Plan for Kinston Block & Masonry by Praetorious & Conrad, PC., dated 3/26/18; and
- Proposed Site Plan for Kinston Block & Masonry by Praetorious & Conrad, PC., dated 3/26/18.

WHEREAS, the Town of Ulster Planning Board, upon review of the application materials determined the Proposed Action was an Unlisted Action pursuant to 6NYCRR Part 617 of State Environmental Quality Review (SEQR) Law; and

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WHEREAS, Involved Agencies include: Town of Ulster Town Board (Site Plan Approval) NYSDEC (General Permit for Construction Activities), Town of Ulster Water Department, and Town of Ulster Sewer Department, and; and

WHEREAS, Interested Agencies include the Town of Ulster Planning Board (Advisory Recommendation to the Town Board), and Ulster County Planning Board; and

WHEREAS, the Town's Consulting Planner recommended to the Planning Board that the Proposed Action be referred to the Town Board for the sole purpose of initiating a SEQR Unlisted Action-Coordinated Review with the Town Board so named as Lead Agency.

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Planning Board hereby refers this matter to the Town Board so that it can declare its intent to be Lead Agency for an Unlisted Action-Coordinated Review.

Clayton VanKleeck - Lot Line Revision

Walter Eckert, Brinnier & Larios, appeared on behalf of the application for a lot line revision. Mr. Eckert stated that Mr. VanKleeck would like to convey .082 acres from his property at 883-889 Neighborhood Road, Neighborhood Court LLC, to his property at 893 Neighborhood Road. The new lot line would then be ten (10) feet off the garage and will adhere to the required setbacks.

Action: A motion to waive the Public Hearing was made by Mr. Almquist, with a second from Mr. Decker; all in favor. A motion to declare this a SERQ Negative Declaration was made by Ms. Hayner, with a second from Mr. Almquist; all in favor. A motion to approve the Lot Line Adjustment was made by Mr. Decker, with a second from Ms. Hayner; all in favor.

WHEREAS, the applicant – Clayton Van Kleeck & Neighborhood Court, LLC (Van Kleeck is Owner) – is seeking a Lot Line Revision (Minor Resubdivision) approval involving Town of Ulster Tax Parcels SBL 39.15-7-26 & 27; 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:

- Project Narrative prepared by Chris Zell, P.L.S, with Brinner & Larios, PC dated March 23, 2018;
- Affidavit of Ownership signed by Clayton Van Kleeck (owner) dated March 23, 2018;
- Application Lot Line Revision by Clayton Van Kleeck & Neighborhood Ct, LLC dated March 23, 2018;
- SEQR Short EAF prepared and signed by Clayton Van Kleeck (owner); and
- Map of Lot Line Revision prepared by Christopher J. Zell, P.L.S., dated March 6, 2018.

WHEREAS, the proposed lots comply with the bulk requirements of the R-10 Residential 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 March 6, 2018 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, the Planning Board waived the requirement for a public hearing in accordance with Section 161-10 C 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 Lot Line Revision (Minor Resubdivision) approval as described above to Clayton Van Kleeck 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.

Central Hudson - Minor Subdivision

Patty Brooks, Brooks & Brooks Engineering, appeared on behalf of the application for a minor resubdivision. Joseph & June Hanss have a parcel with road frontage to Central Hudson's substation. The Hanss have agreed to convey .65 acres of their parcel located at 110 Rockwell Lane to Central Hudson. As such, Central Hudson will now own their utility easement. The remaining .33 acre will be conveyed to the Hanss' adjacent property located at 120 Rockwell Lane. This addition to the Hanss property will make the parcel at 120 Rockwell Lane 1.5 acres will make it comply with the required area of 60,000 square feet.

Action: A motion to waive the Preliminary Public Hearing was made by Mr. Almquist, with a second from Ms. Hayner; all in favor. A motion to declare this as a SEQR Negative Declaration was made by Mr. Decker, with a second from Mr. Almquist; all in favor. A motion to forward this to a Public Hearing to be held on May 8, 2018 was made by Ms. Hayner, with a second from Mr. Almquist; all in favor.

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Argust-Li - Lot Line Revision

David Argust, homeowner, appeared on behalf of the application for a lot line revision. Mr. Argust stated that there is a fence between his and Mr. Li's property that has been there thirty-five plus (35+) years, and that Mr. Li and himself would like to move the lot line to where the existing fence is. Moving the property line to the fence will address a current encroachment issue.

Action: A motion to waive the Public Hearing was made by Mr. Allison, with a second from Mr. Almquist; all in favor. A motion to declare this a SEQR Negative Declaration was made by Ms. Hayner, with a second from Mr. Almquist; all in favor. A motion to approve the Lot Line Revision was made by Mr. Almquist, with a second from Mr. Decker; all in favor.

WHEREAS, the applicants – David & Ellen Argust & Sui Ying Lam Li – are seeking a Lot Line Revision (Minor Resubdivision) approval involving Town of Ulster Tax Parcels SBL 48.50-4-13 & 14; 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:

- Consent Form signed by David Argust dated March 27, 2018;
- Consent Form signed by Shang Li dated March 27, 2018;;
- Application for Lot Line Revision prepared by David Argust dated March 27, 2018;
- SEQR Short EAF prepared and signed by prepared by David Argust dated March 27, 2018; and
- Map of Lot Line Revision prepared by Christopher J. Zell, P.L.S., dated October 17, 2017.

WHEREAS, the proposed lots comply with the bulk requirements of the R-10 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 of Lot Line Revision was prepared by Christopher J. Zell, P.L.S. dated October 17, 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, the Planning Board waived the requirement for a public hearing in accordance with Section 161-10 C of the Town Code; and

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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 Lot Line Revision (Minor Resubdivision) approval as described above to David & Ellen Argust & Sui Ying Lam Li 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.

Esopus Agricultural Center - Lot Line Revision

Bob Bernstein, Esopus Agricultural, and Emily Hague, Scenic Hudson, appeared on behalf of the application of a lot line revision. Mr. Bernstein explained that he has a 214 acre parcel of which he leases long-term to farmers. Mr. Bernstein stated that they have several encroachment issues on the westerly edge of the parcel and that an adjacent property, Willow Manor Inc., has a building on his land. Mr. Bernstein stated that the simplest way to resolve the encroachments is to convey .472 acres of land to Willow Manor, Inc.

Mr. Bernstein state that he attempted to reach the owner of Willow Manor numerous times, but has not received a response, as of yet. The Board can make no decision without the consent of both property owners and told Mr. Bernstein to get the consent from Willow Manor before moving forward. Mr. Bernstein stated that this is the last issue that needs to be resolved before a Conservation Easement closing can occur.

Action: A motion to declare this a SEQR Negative Declaration was made by Ms. Hayner with a second from Mr. Allison; all in favor. A motion to waive the Public Hearing was made by Mr. Almquist with a second from Ms. Hayner; all in favor. The project was tabled until May 2, 2018 meeting, pending receipt of Willow Manor's consent form.

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

Respectfully Submitted,
Gabrielle Perea
Planning Secretary