

TOWN OF ULSTER PLANNING BOARD

April 9, 2019

The monthly meeting of the Town of Ulster Planning Board was held on Tuesday, April 9, 2019, at 7:00 p.m. at the Town Hall Lake Katrine, New York. The following members were present:

Present:

Anna Hayner

John More (alt)

Frank Almquist – Vice Chairman

Gary Mulligan – Chairman

Lawrence Decker

Andrew Stravropoulos

Frederick Wadnola (alt)

Alan Sorensen – Planner

Roll call was taken.

A motion to approve the minutes from the March 2019 meeting with an adjustment made to the Fire Training Center, changing the word ‘foot’ to ‘story’, was made by Mr. Almquist with a second from Mr. Decker; all in favor.

**Lincoln Park Grid Support Center / Glidepath – Site Plan /Minor Subdivision
Miron Lane/ Route 32/Frank Sottile Blvd.
48.12-1-20, 48.16-1-1, 48.16-1-2.210
P-691 & P-740**

David Young, Chazen Companies, appeared on behalf of the application for a minor subdivision to combine the three parcels into one large parcel that has two stand-alone parcels, with a total of 120 acres. Mr. Young is also before the Board for site plan approval to construct a twenty megawatt (20 mW) battery-powered storage facility on the 10.4-acre parcel to the East of Frank Sottile Boulevard.

Mr. Young explained that the thirty-thousand (30,000) square foot building will be constructed at grade and have a parking area for the office space on the side of the structure. Inverters will be placed in front of the building. There is also a small building attached where there will be an interconnection with Central Hudson’s transmission lines; those lines will be underground from the facility until it reaches the Kohl’s electric pole where it will then come above-ground and connect to the existing overhead lines. The transmission work will be completed by Central Hudson.

Mr. Young stated that what the applicant is proposing at the moment is the installation of the building, the parking, and the pavement; there will be no bathrooms (no water or sewer) as the site is unmanned.

Mr. Young stated that they do have stormwater concerns that they are addressing; adding thirty-thousand (30,000) square feet of impervious surface from the building and an additional acre for the entire impervious surface. Mr. Young stated that the applicant will deal with the water runoff by means of bio-retention area and a bio-retention pond that will reduce the rate of discharge from the site. There is an established wetland and both runoffs will flow down to the natural wetlands. Mr. Young stated that if they were to encroach on the wetlands, which are Army Corp.

wetlands they would require a permit, but they are staying outside of that area. The wetlands will discharge to the north and then make their way back to the DEC wetlands.

Mr. Young stated that he did receive a comment letter from Alan Sorensen and that one comment that stuck out for him was elevation design. Mr. Young stated there will be approximately three-hundred feet (300') of building frontage parallel to the road. The building is not easily visible from the road as there are rock walls blocking the view, as well as vegetation.

Mr. Young stated that Chris McKissack and Khariell Pinkney, Glidepath, were present in case the Board had any questions regarding the way the facility functions.

Mr. Young stated that with the reduction of the project down to a battery only site, the project is simple.

Mr. Young stated that samples were taken from the site for archaeology studies and once that information has been received it will be forwarded to the Town. It is currently in Phase II, which means they must locate and document any artifacts they find, which will be submitted to the State once it is received.

Chairman Mulligan asked Mr. Sorensen if he had any comments. Mr. Sorensen replied that the applicant has submitted a Stormwater Pollution Prevention Plan (SWPPP) which was updated March 26, 2019, and is currently being reviewed by Brinnier & Larios, Town of Ulster's Designated Engineers. Mr. Sorensen stated that moving forward, the applicant will need County Department approval, to which Mr. Young stated that the County already has given conceptual approval, but will get something in writing to submit to the Town. Mr. Sorensen requested cut sheets for the lighting. Mr. Young stated there will only be lights at the entranceways to the building. The lighting will be wall packs, located on the three front entrances as well as the entrance on the north side; no lighting is anticipated in the back of the building. Mr. Almquist asked if the lights were motion-censored or if they will be on at all times. Mr. McKissack stated that they will be photo-sensitive or switch lighting, perhaps one motion sensor around the alternate entrances, but the main lighting will be photosensitive only.

Chairman Mulligan asked if there will be any signage for this project, to which Mr. Young stated if the Board would like signage, they will have signage, but if not, they do not propose any signage; Glidepath is open either way but would prefer to not have signs.

Mr. Sorensen stated that he reviewed the applicant's analysis on noise levels and agree with the findings; the equipment will not result in an adverse impact. With all the components functioning at the same time, to the nearest residents, the combined decibel level is thirty-three decibels (33dB) which is well below the Town Code maximum.

Ms. Hayner asked if there will be any fencing, to which Mr. Young stated there will be perimeter fencing.

Mr. Almquist asked if there are any indicators to show that the system is running or if it will look the same regardless. Mr. McKissack stated that it will always look the same and will always be

connected to the grid, whether charging or discharging, depending on what Central Hudson needs; if there's too much power on the grid they'll put some into the batteries, if there's not enough on the grid, they'll take from the batteries.

Mr. Sorensen stated that he would like basic elevations of the building submitted so that the Board, as well as County, has an idea on what the building will look like. Chairman Mulligan stated it should be reported to the Fire Chief, to which the Planning Secretary stated it already had been referred to Chief Heppner.

Chairman Mulligan stated that the Board has until May 13th to make a decision on the subdivision and is asking the applicant for a one (1) day extension so that the Board can make their decision on the May 14th's meeting, to which the applicant agreed and will submit that request in writing.

Action: A motion to refer this matter to the Town Board in order for them to refer this project to the Ulster County Planning Board (UCPB) for review was made by Mr. Decker, with a second from Mr. Almquist; all in favor.

AllSpace Self-Storage / Site Plan Amendment
1693 Ulster Avenue
39.19-3-24
P-738

Ken Casamento, LRC Group, appeared on behalf of the applicant to expand the existing AllSpace storage. Mr. Casamento stated that he received comments from Mr. Sorensen and Brinnier & Larios and had responded to most comments in his recent submittal. There had been a question in regard to stormwater and after a stormwater analysis, they decided that it had been adequate and he had received a letter from Brinnier & Larios stating the same. Mr. Casamento explained that, at this time, he believes they have submitted everything needed to satisfy the Board.

Mr. Sorensen stated that the next step would be to refer this project to the UCPB and as the application is complete, that can now occur. Since the Town Board is the Lead Agency, the Planning Board would refer it to their Board to then refer to the County.

Chairman Mulligan stated that he was not at the previous meeting and asked if the Board had seen colored elevations, to which Mr. Casamento stated the elevations were a part of the package, but that the proposed buildings would match the existing buildings.

Action: A motion to refer this matter to the Town Board in order for them to refer this project to the UCPB for review was made by Mr. Amquist, with a second from Ms. Hayner; all in favor.

WHEREAS, the applicant – Apollo Group, LLC dba All Space Storage – is seeking site plan amendment approval for the construction of two (2) additional storage units with a total of 24,259 square feet (ft), along with the construction of associated access drives, site lighting, and stormwater treatment facilities; and

WHEREAS, pursuant to Chapter 145 of the Town Code, the Proposed Action is subject to Site Plan review and approval by the Town of Ulster Town Board since the Proposed Action involves more than 2,500 sf of new building area; and

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

- Cover Letter prepared by Ken Casamento, CPESC, Principal with LRC Group dated March 26, 2019;
- Cover Sheet prepared by LRC Group, Engineering revised March 26, 2019;
- Topographic Survey prepared by Ausfeld & Waldruff Land Surveyors, LLP dated November 19, 2018;
- Site Plan Sheet prepared by LRC Group, Engineering revised March 26, 2019;
- Grading & Drainage Plan Sheet prepared by LRC Group, Engineering revised March 26, 2019;
- Utility Sheet Plan prepared by LRC Group, Engineering revised March 26, 2019;
- Erosion & Sediment Control Plan prepared by LRC Group, Engineering revised March 26, 2019;
- Lighting Plan prepared by LRC Group, Engineering revised March 26, 2019;
- Truck Turning Plan prepared by LRC Group, Engineering revised March 26, 2019;
- Site/Stormwater Details prepared by LRC Group, Engineering revised March 26, 2019;
- Erosion Control Details prepared by LRC Group, Engineering revised March 26, 2019;
- Preliminary Elevations prepared by NEL-STRUCT, LLC dated January 15, 2019; and
- Preliminary Floor Plan for “Building R” by NEL-STRUCT, LLC dated January 15, 2019; and
- Preliminary Floor Plan for “Building S” NEL-STRUCT, LLC dated January 15, 2019.

WHEREAS, the Town of Ulster Town Board is the Lead Agency for this Unlisted Action-Coordinated Review having circulated its Notice of Intent to serve as Lead Agency pursuant to 6NYCRR Part 617 of State Environmental Quality Review (SEQR) Law; and

WHEREAS, with the revised submission, the Planning Board find the application is sufficiently complete for a referral to the Ulster County Planning Board.

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Planning Board hereby refers this matter to the Town Board so that it can refer this matter to the Ulster County Planning Board for GML 239 l and m review.

Keith Bennett’s Karate Academy – Change of Use
101-298 Enterprise Drive
48.7-1-29.900
P-744

No applicant was present as the applicant had not been aware that he had to be present at the meeting and was currently teaching. Chairman Mulligan stated that they could still move forward with the review. The Karate Academy will occupy existing space and the only changes would be the addition of office space and restroom and changing rooms. This Academy is in Building 24.

This project is classified as a SEQR Type II action, so no further SEQR review is required. There is sufficient parking on-site and any sign specifications are missing so Mr. Sorensen recommends granting approval for the Change of Use with the condition that any proposed signage complies with the Town's Zoning statute and classify the project as a SEQR Type II action.

Action: A motion to classify the project as a SEQR Type II action and site plan approval with the provision that any signage complies with Town Code was made by Ms. Hayner, with a second from Mr. Almquist; all in favor.

WHEREAS, the applicant – Keith Bennett with the consent of Roger Osterhoudt (Owner's Agent) – is seeking site plan amendment approval to establish a karate school within an existing building at Tech City; and

WHEREAS, the proposed "School of Learning" is a use permitted-by-right within the Redevelopment Overlay District, subject to Site Plan Review; and

WHEREAS, pursuant to Chapter 145 of the Town Code, the Proposed Action is subject to Site Plan review and approval by the Town of Ulster Planning Board since the Proposed Action involves less than 2,500 sf of new building area (no building expansion proposed); and

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

- Consent Form signed by Roger Osterhoudt (owner's agent), dated February 21, 2019;
- Site Plan Application signed by Keith Bennett, (Applicant) dated March 6, 2019;
- SEQRA Short EAF Part 1 prepared by Keith Bennett dated March 6, 2019; and
- Sketch Plan prepared by Keith Bennett dated March 6, 2019.

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 Keith Bennett 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;
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.

**Ulster County Resource Recovery Agency – Lot Line Adjustment
995 Flatbush Road
40.17-1-15.2, 49.5-1-2.100 & 48.8-2-3
P-745**

Walter Eckert, Brinnier & Larios, appeared on behalf of the applicant to combine three tax parcels into one 120.478 acre lot. Mr. Eckert stated that there are no plans as to why they would like to consolidate, to which Mr. Wadnola explained it's to move their compost pile to behind Millens. The property is all around the existing fire training center; there was a brief discussion of the surrounding area. The property has two separate zones that it falls into and no future development would impact a neighboring house off of the ramp going the bridge, as that lot is surrounded completely by wetlands. The lot line adjustment required no Public Hearing and Mr. Sorensen recommends classifying this proposal a SEQR Type II action and grant lot line adjustment approval.

Action: A motion to classify the project as a SEQR Type II action and grant lot line adjustment approval was made by Mr. Almquist, with a second from Mr. Decker; all in favor.

WHEREAS, the applicant – The Ulster County Resource Recovery Agency (RRA) – is seeking a Lot Line Adjustment approval to combine Town of Ulster Tax Parcels SBL 40.17-1-15.2, 49.5-1-2.1 & 48.8-2-3; and

WHEREAS, pursuant to Section 161-9 of the Town Code, the Proposed Action is classified as a Lot Line Adjustment, 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:

- Cover Letter prepared by Brinnier & Larios, PC., dated March 15, 2019;
- Application for Lot Line Adjustment signed by Timothy Rose, P.E., URRRA., dated 3/15/2019;
- SEQR Short EAF Part 1 by Timothy Rose, P.E., Exec. Director URRRA., dated 3/15/2019; and
- Map of Lot Line Deletions prepared by Christopher J. Zell, L.L.S dated February 25, 2019.

WHEREAS, the proposed lot would comply with the bulk requirements of the OM-Office Manufacturing and R-30 Residential Zoning Districts; 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 public hearing is not required in accordance with Section 161-11.1 (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 is a SEQRA Type II Action pursuant to (NYCRR 617.5 (C) (16)) of the SEQRA Regulation.

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

FURTHER BE IT RESOLVED, the Town of Ulster Planning Board hereby grants Lot Line Adjustment approval as described above to The Ulster County Resource Recovery Agency (RRA) subject to the conditions, limitations, and restrictions set forth below.

1. The 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. The Final Plat must be filed with the Office of the County Clerk within 62 days of the date Final Plat is approved by the Planning Board; and
4. All fees, including consultant fees, shall be paid.

Verizon Wireless / Site Plan
51 Dachenhausen Lane
39.7-2-12.200
P-747

Hyde Clarke, Young/Sommer LLC, appeared on behalf of the applicant to install and operate a small cell tower on property owned by Town of Ulster. Mr. Clarke stated that as a part of the application, their Federal Communications Commission (FCC) licenses, construction drawings, lease area, access easements and overall elevation and where the equipment will be located were all submitted. Also provided was radio frequency analysis which shows why the facility is needed. The closest facility is south approximately a mile and three-quarters in Kingston and that tower is currently overloaded, so it is not providing proper service. This proposed cell tower will provide coverage in a one-thousand-foot (1,000') radius of the tower. Mr. Clarke explained that this is not your typical tower and provides "hotspot" coverage to a localized area. Also provided was a cell fact sheet which walks you through what that technology is and why we need it. Mr. Clarke stated that they have a sheet signed off by an approved third-party Engineer that certifies that the tower is in compliance with the FCC licenses and the equipment is safe to the public. Mr. Clarke stated that this property is in the R30 district and is an allowed use, requiring a special permit. Verizon has leased space from the Town for this project.

Mr. More asked if this technology is 4G or 5G to which Mr. Clarke stated that it will be 4G, as 5G has not been rolled out in the area and that he is not familiar as to whether the technology can be tweaked at a future date to accommodate that.

Mr. Sorensen stated that he had reviewed the application and that the application was thorough. The space being leased is ten foot (10') by ten foot (10'), or one-hundred (100) square feet, and will be placed to the side of the existing water tank. The applicant has demonstrated that providing this pole provides the necessary capacity coverage needed. Mr. Sorensen stated that he does not see any potential issues with the layout and he does not see any impact on the Halcyon Park Water Supply and believes that the staff there has reviewed the proposal and approved it. Mr. Sorensen stated that the Planning Board has an advisory role and would need to refer this matter to the Town Board. Mr. Sorensen stated that the Planning Board should motion to refer this matter to the Town Board with the recommendation to grant site plan approval and the Special Use Permit approval.

Mr. Clarke stated that there is an existing fence around the perimeter so they are not proposing any fencing as it is already present.

Action: A motion to refer this matter to the Town Board to grant site plan approval and grant special use permit approval was made by Mr. Stravropoulos, with a second from Mr. Almquist; all in favor.

WHEREAS, the applicant – Orange County-Poughkeepsie Limited Partnership dba Verizon Wireless with the consent of the Town of Ulster (Owner) – is seeking site plan approval to install and operate a new "small cell" communications facility at a property owned by the Town of Ulster on behalf of the Halcyon Water Park Department; and

WHEREAS, the proposed “utility company structure” is an allowed use in the R30-Residential Zoning District, subject to Site Plan and Special Permit approval by the Town of Ulster Town Board; and

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

- Project Narrative prepared by Scott P. Olson, Esq., dated March 29, 2019;
 - Consent Form signed by James E. Quigley, 3rd, Supervisor;
 - Site Plan Application signed by Scott P. Olson, Esq., dated March 29, 2019;
 - SEQRA Short EAF Part 1 prepared by Peter P. Roma, P.E., dated March 29, 2019;
 - Title Sheet prepared by Tectonic Eng. and Surveying Consultants, dated March 29, 2019;
 - Adjoiner’s Plan prepared by Tectonic Eng. and Surveying Consultants, dated March 29, 2019;
 - Setback Plan prepared by Tectonic Eng. and Surveying Consultants, dated March 29, 2019;
 - Overall Site Plan prepared by Tectonic Eng. and Surveying Consultants, dated March 29, 2019;
 - Detailed Site Plan by Tectonic Eng. and Surveying Consultants, dated March 29, 2019;
- and

- Pole Elevation & Detail by Tectonic Eng. and Surveying Consultants, dated March 29, 2019.

WHEREAS, the Town Board is also responsible for leasing the 10' x 10' space to the Applicant for the proposed use and has entered into a lease agreement; and

WHEREAS, the application included an Engineering Necessity Case – "Ulster Travel Plaza", which reviewed the coverage and capacity deficiencies within the service area that necessitates the new "small cell" pole and equipment; and

WHEREAS, the applicant was unable to find opportunities for co-location on existing towers to meet its needs but found the current proposed project would provide the necessary coverage and capacity improvements needed; and

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

WHEREAS, the Town of Ulster Planning Board found the proposed siting of the "small cell" communication facility at the Halcyon Water Park Department site did not pose any potential significant adverse environmental impacts since the changes will enhance the site development and ensure compliance with State and federal regulations.

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 refers this matter to the Town Board with a recommendation to grant Site Plan and Special Permit for the Proposed Action.

AJR Masonry / Main Concrete and Excavation - Site Plan Amendment
2372-2468 Route 9W
39.12-1-26
P-746

Scott Lane, Scott Lane Engineering, appeared on behalf of the applicant, Del Rio Properties, LLC, to develop a contractor's storage yard on a 10.7-acre lot. Mr. Lane explained that this is a slightly pre-existing site for about the past ten (10) years or so. There is existing access off of Route 9W and two areas are already leveled off and cleared out. The applicant, Al Riozzi's, objective is to use approximately one (1) acre of the site to construct a building for his masonry business. The building would provide a home base for the company. The applicant proposed nine (9) parking spaces. Mr. Lane stated that no supplies will be stored on site, except for a dump truck and a Chevrolet van; the supplies will be delivered directly to the job site.

Mr. Lane stated that the lighting will be wall packs and provided cut-sheets for that. Mr. Sorensen stated that the particular wall pack that the applicant provided does not have a full cut-off. Mr. Lane stated that during wintertime it gets dark at 4:30 PM and that will the full cutoff it doesn't give a full radius into the yard; only in a specific spot. Mr. Sorensen stated that it must be a full cutoff. Mr. Lane stated that none of the lighting will be facing the road and asked if the lights provided would be sufficient. The Chairman stated that the lights must be full cutoff and Mr. Lane stated he would let the applicant know. There was a brief discussion on types of lighting. Mr. Sorensen reminded Mr. Lane that the maximum lighting level within a parking area is two foot (2') candles and that many companies can provide specification sheets; Mr. Lane stated he will provide those.

Mr. Lane stated that the applicant is proposing landscaping between the building and along Route 9W; the vegetation will be giant evergreens that grow a couple of feet a year. The trees will start out at ten feet (10') and Mr. Lane explained that they are great for screening. Mr. Almquist questioned if the trees would clear the existing power lines and Mr. Lane responded that all the power lines run right along 9W and there is only one spot that they would run through the tree line at which point it will cut from the utility pole, down a riser to the underground. There was a discussion regarding arborvitae. The Board recommended using spruce or fir as a type of natural screening instead of arborvitae. Mr. Lane stated that if it pleases the Board, there can be a condition that if the landscaping doesn't last after a year or two that they must be replaced.

The building is a pre-engineered metal steel building. The applicant doesn't have large equipment; some pickup trucks, one dump truck and a couple of trailers for the mixers.

Mr. Lane stated that the applicant does not plan on having any foot traffic from customers on-site. The employees will arrive at the shop, park their cars and take trucks to the job sites. The applicant needs a place to store his equipment, which is what the building will be used for.

The Board asked what the hours of operation were, to which Mr. Lane stated typically 7 AM until 6 PM.

Mr. Decker asked if the land was going to be built up any further or if the applicant is using what is present to which Mr. Lane stated the applicant is using what is there. The applicant business partner utilizes the northern portion of the property for storage. Mr. Lane stated that in the future it is possible that the parcel may be subdivided.

Mr. Lane stated that on the submitted plans, it shows handicap parking, as well as signage. Mr. Lane stated that if there is work being done on the site during construction they will have a stabilized construction entrance. Mr. Lane stated that the slope of the property comes to an edge and the applicant plans on putting silt fencing all around there.

Mr. Sorensen stated that the layout works well with the site; the building will be set back a little bit from the highway. Mr. Sorensen would like elevation renderings, even though it will be a basic steel building; if the applicant would add a colored band or something to break up the mass of the building. Mr. Lane stated that he will submit mock-ups of that. Mr. Sorensen stated that

this must be referred to Brinnier & Larios for Stormwater review and that the applicant is pursuing Department of Health allowance. The Board asked about storage on the site to which Mr. Lane stated there will be no storage, except for in the building; the items currently on site will be removed and stored in the building. Mr. Sorensen stated that, in regard to the State Historic Preservation Office (SHPO), now has an online system, Cultural Resource Information System (CRIS), and he recommends to initiate a consultation with them.

Action: A motion to refer this matter to the Town Board to designate themselves as Lead Agency to initiate a SEQR Unlisted Action Coordinated Review was made by Mr. Almquist, with a second from Ms. Hayner; all in favor.

Partner Rentals – Site Plan Amendment
711 East Chester Street Bypass
48.50-2-16.210
P-748

Hernan DeAguila, Partner Rentals, appeared on behalf of the application to update the existing site plan to show existing site conditions and bring it into compliance. Mr. DeAguila explained that the business has changed drastically since the last site plan was put in place and would like to update it to accommodate their businesses current needs. Nineteen years ago, when the initial site plan was done, the business was primarily a homeowner business, where they sold general tools for light construction. Now they classify themselves as a construction equipment rental company where 80% of the sales are business to business, however, they still have a small portion of homeowner equipment.

Mr. DeAguila stated that since 2000 they have made three (3) changes to the site plan, the first of which was to add a seventy foot by thirty foot (70' x 30') addition for a showroom building on front of the existing building in 2005. The proposed plans now show the showroom as an existing building. In 2003-2004 Partner Rentals had a monument sign installed and then changed it again in 2014; the existing conditions of the sign are on the proposed plans. The last change that had been made is the line showing where any aerial equipment may be stored and the max height of said equipment.

Mr. DeAguila stated that today their company owns approximately thirty to forty (30-40) aerial lifts and to store them, their maximum height at a vertical level will be approximately fifty feet (50'). To store these lifts horizontally takes up thirty feet (30') of space instead of the twelve feet (12') of space when stored vertically. More equipment can be packed into a smaller space when stored vertically. There is a tree line to the South where Mr. DeAguila would like to store his booms. The lifts used to be stored on the Northern side of the property, but when Lia Honda came in and cut down all the trees for the parking lot, the coverage was taken away, so Mr. DeAguila moved the lifts to the South side of the property along those existing trees. Mr. Almquist stated that he had driven by the property and saw at least a dozen on site, to which Mr. DeAguila stated: "yes, they're there and I bought about \$2.5 million worth of them this year." Chairman Mulligan asked how dense the tree line on the South side is and Mr. DeAguila explained that it is fairly dense. Mr. DeAguila pointed out to the Board that if Partner Rentals is doing a good job renting, there will be no lifts on site.

Mr. DeAguila stated that what excites them is that since they last sold their business in 2011, their equipment has more than doubled in just their Kingston store alone. There had been a business that had one hundred and fifty (150) stores similar to theirs back then and the company was convinced that the business like theirs wouldn't last in Kingston, and they eventually did leave in 2016 to move to New Windsor and that's when Mr. DeAguila and his family stepped in and took their place knowing that

Kingston was a great place to keep this business. Mr. DeAguila states that they are profitable and they plan on staying in the Town of Ulster. Mr. DeAguila stated that they service from Albany all the way down to Times Square.

Chairman Mulligan stated that when they met at the Workshop, Mr. DeAguila had stated that he was going to move the sign and make it a monument sign. Mr. DeAguila stated that there's an existing pole sign there but they are contemplating changing the sign, but he did not include it in the plans as he is not ready to change it quite yet. Mr. DeAguila stated that at this point he just wants to update the site plan to make it current; once they choose to update the sign he will apply for a new site plan. Mr. Almquist asked where the possible monument sign would be located, and Mr. DeAguila stated it would be in the same location, which is approximately eight feet (8') from the road.

Mr. Decker questioned if there was handicapped parking on site and Mr. DeAguila pointed out the handicap parking on the site plan for the Board. Mr. DeAguila stated that as they switched to more business to business sales, the foot traffic of customers has lessened as call and internet sales have grown.

Mr. Sorensen stated that this is a straight forward site plan amendment. Based on the applicants' description, Mr. Sorensen doesn't see any adverse impacts. Mr. Sorensen's recommendation to the Board would be to issue a SEQR Negative Declaration and grant site plan amendment approval, as the Planning Board has jurisdiction to do so.

Mr. DeAguila stated that as of April of next year they hope to have a second location in Poughkeepsie.

Action: A motion to issue a SEQR Negative Declaration and grant site plan amendment approval was made by Ms. Hayner, with a second from Mr. Stravropoulos; all in favor.

WHEREAS, the applicants – Hernan and Fernando DeAguila dba Partner Rentals– is seeking Site Plan amendment approval to allow for the storage of additional lifts at a height of 50 feet; and

WHEREAS, the approved Site Plan for the business had a restriction on the number lifts that could be stored on the site, but the nature of the business has changed, requiring additional lifts to be stored on site than envision when the Site Plan was approved in 2000; and

WHEREAS, pursuant to Chapter 145 of the Town Code, the Proposed Action is subject to Site Plan review and approval by the Town of Ulster Planning Board since the Proposed Action involves less than 2,500 sf of new building area (no building expansion proposed); and

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

- Written Narrative prepared by Fernando del Aquila, President dated April 4, 2019
- Consent Form signed by Fernando del Aquila, President dated April 4, 2019;
- Site Plan Application signed Fernando del Aquila, dated April 4, 2019;
- SEQRA Short EAF Part 1 Fernando del Aquila, dated April 4, 2019; and
- Site Plan for Partner's Rentals prepared by Brinnier & Larios, P.C. dated April 2019.

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 Hernan and Fernando DeAguila dba Partner Rentals 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;
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.

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

Respectfully Submitted,
Gabrielle Perea
Planning Secretary