

TOWN OF ULSTER PLANNING BOARD
August 14, 2018

The monthly meeting of the Town of Ulster Planning Board was held on Tuesday, August 14, 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	Andrew Stravropoulos
Gary Mulligan-Chairman	Alan Sorensen – Planner

Absent:

Karl Allison	Troy Ashdown
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Roll call was taken.

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

Esopus Agricultural – Lot Line Adjustment Re-Vote

No one appeared on behalf of a revote for Esopus Agricultural Center and Willow Manor. The Board tabled the re-vote until the September 11, 2018 meeting when a representative may be present to review the issues with this project

Action: A motion to table this lot line adjustment until September 11, 2018 was made by the Board.

Uncle B's Carwash and Lube - Site Plan

Richard Tompkins, Mauri Architects, and Kyle Southern, Morris Associates, appeared on behalf of Bart Panessa for the construction of a carwash and lube and a laundromat. Mr. Tompkins brought elevation renderings for the Boards review. Mr. Tompkins stated that only a couple of minor details are left, such as the parking striping detail and the height of the flagpole, to which Mr. Panessa stated the flagpole would be thirty feet (30') tall. The applicant still needs to submit a fire apparatus circulation plan.

Mr. Tompkins stated that the applicant has addressed Brinnier & Larios' comments and are in contact with them over any items that need to be changed. The last comments received were minor technical revisions.

The Board reviewed the Ulster County Planning Board comments with the applicant one by one. The Board decided to override the comments on needing more landscaping, as the Board thought that was what proposed was sufficient for the site. The only other comment that the County had that the Board wants to override is that of the flagpole height detail to be submitted to the Planning Board, but the applicant stated that the flagpole height will be no more than thirty feet tall(30'). The applicant seemed to comply with all other required modifications from the County. Mr. Sorensen stated that the applicant can have final Stormwater Water Prevention Pollution Plan (SWPPP) approval be a condition of their resolution.

Action: A motion grant conditional site plan amendment approval was made by Mr. Almquist, with a second from Mr. Decker; all in favor with a roll call vote.

WHEREAS, the applicant – Bart Panessa dba Uncle B’s, LLC with the consent of JBCR, LLC (Owner) – is seeking Site Plan approval to develop a car wash, laundromat (Phase 1) and office building (Phase 2) on the subject site, which is situated within the RC-Regional Commercial Zoning District; and

WHEREAS, the proposed uses are allowed-by-right within the RC-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:

- Cover Letter prepared by Richard K. Tompkins, Architect, AIA dated February 26, 2018;
- Consent Form signed by a member of JBCR, LLC H. Jonathan Baurer, dated 2/21/18;
- Application for Site Plan Review prepared by JBCR, LLC dated February 21, 2018;
- Short EAF Part 1 prepared by the applicant Bart Panessa dated March 3, 2018;
- Proposed Site Plan prepared by Richard K. Tompkins, Architect, AIA dated February 26, 2018;
- Cover Letter prepared by Richard K. Tompkins, Architect, AIA dated May 29, 2018;
- Consent Form signed by a member of JBCR, LLC H., Hugh J. Baurer dated 5/24/18;
- Application for Site Plan Review prepared by JBCR, LLC dated May 24, 2018;
- Short EAF Part 1 prepared by the applicant Bart Panessa, Ucle B’s, LLC dated May 24, 2018;
- Proposed Site Plan prepared by Richard K. Tompkins, Architect, AIA dated May 29, 2018;
- Existing Conditions Plan prepared by Richard K. Tompkins, Architect, AIA dated May 29, 2018;
- Proposed Site Plan Phase 1 prepared by Richard K. Tompkins, Architect, AIA dated May 29, 2018;
- Proposed Landscape Plan prepared by Richard K. Tompkins, Architect, AIA dated May 29, 2018;
- Proposed Elevations-Car Wash prepared by Richard K. Tompkins, Architect, AIA dated May 29, 2018;
- Proposed Elevations-Laundromat & Signs by Richard K. Tompkins, Architect, AIA dated May 29, 2018;
- Proposed Utility Plan by Richard K. Tompkins, Architect, AIA dated May 29, 2018;
- Proposed Grading Plan by Richard K. Tompkins, Architect, AIA dated May 29, 2018;
- Proposed Erosion & Sediment Control Plan by Richard K. Tompkins, Architect, AIA dated 5/29/2018;
- Proposed Lighting Plan prepared by Richard K. Tompkins, Architect, AIA dated May 29, 2018;
- Site Details 1 prepared by Richard K. Tompkins, Architect, AIA dated May 29, 2018;
- Site Details 2 prepared by Richard K. Tompkins, Architect, AIA dated May 29, 2018;
- Infiltration and Tank Details prepared by Richard K. Tompkins, Architect, AIA dated May 29, 2018;
- Light Details prepared by Richard K. Tompkins, Architect, AIA dated May 29, 2018;
- Cover Letters prepared by Morris Associates, Eng. & Surveying Consultants, PLLC dated July 16, 2018;
- Proposed Site Plan prepared by Richard K. Tompkins, Architect, AIA revised July 18, 2018;
- Existing Conditions Plan prepared by Richard K. Tompkins, Architect, AIA revised July 18, 2018;
- Proposed Site Plan Phase 1 prepared by Richard K. Tompkins, Architect, AIA revised July 18, 2018;
- Proposed Landscape Plan prepared by Richard K. Tompkins, Architect, AIA revised July 18, 2018;

- Proposed Elevations-Car Wash prepared by Richard K. Tompkins, Architect, AIA revised July 18, 2018;
- Proposed Elevation-Laundromat & Signs by Richard K. Tompkins, Architect, AIA revised July 18, 2018;
- Proposed Utility Plan by Richard K. Tompkins, Architect, AIA revised July 18, 2018;
- Proposed Grading Plan by Richard K. Tompkins, Architect, AIA revised July 18, 2018;
- Erosion & Sediment Control Plan Phase 1 by Richard K. Tompkins, Architect, AIA revised 7/18/2018;
- Erosion & Sediment Control Plan Phase 2 by Richard K. Tompkins, Architect, AIA revised 7/18/2018;
- Proposed Lighting Plan prepared by Richard K. Tompkins, Architect, AIA revised 7/18/2018;
- Site Details by Morris Associates, Eng. & Surveying Consultants, PLLC dated July 16, 2018;
- Water Detail and Flag Pole Detail by Morris Associates, PLLC., revised 7/16/2018;
- Sanitary Sewer and Stormwater Details by Morris Associates, PLLC., revised 7/16/2018;
- Infiltration and Tank Details by Morris Associates, PLLC., revised 7/16/2018; and
- Light Details prepared by Morris Associates, PLLC., revised 7/16/2018.

WHEREAS, the Proposed Action was referred to the Ulster County Planning Board (UCPB) and the UCPB provided a written response wherein it recommended several required modifications; and

WHEREAS, the upon review of the UCPB required modifications, the Planning Board found that the UCPB “Required Modifications” to require a cut-thru between the car wash and laundromat and the

WHEREAS, the Planning Board found the other “Required Modifications” are resolved through Site Plan changes and proposed conditions of approval; 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, the Planning Board, as an Interested Agency, upon review of the entire record (including SEQR Short EAF Part 1 & 2) found the Proposed Action did not pose any potentially significant adverse environmental impact; and

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Planning Board has determined it has complied fully with the procedural requirements of Part 617 of the State Environmental Quality Review (SEQR) Law and hereby recommends the Town Board as Lead Agency issue SEQR Negative Declaration for the Proposed Action; and

FURTHER BE IT RESOLVED, the Town of Ulster Planning Board hereby refers this matter to the Town Board with a recommendation that it grant Conditional Site Plan approval to Bart Panessa dba Uncle B’s, LLC as described above 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. Applicant addresses all technical comments by the Town Designated Engineers (TDE) Brinnier & Larios, PC and acceptance of the SWPPP by the TDE;

5. The Town's consulting planner, engineer 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
6. The proposed flag pole on the subject site shall be limited to 30 feet in height.
7. The applicant must reapply to the Planning Board for Site Plan review of roof-mounted Solar Panels.
8. All fees, including consultant fees, shall be paid.

Smoothie King - Site Plan Review

Todd Reyling, Civil Engineer, and Bob Viani, Smoothie King Franchisee, appeared on behalf of the application to construct a fifteen thousand ninety (1,590) square foot new Smoothie King (Phase I) and a three thousand (3,000) square foot retail/office building (Phase II) to be located at 1615-1621 Ulster Avenue. Mr. Reyling stated that he had been going back and forth with Town of Ulster Water and Sewer Departments, as well as Brinnier & Larios' and that they have been addressing all of their comments and pushing forward with the project. Mr. Sorensen stated that all of his notes had been addressed; including the sidewalks and crosswalks and that the original parking had also been revised. Brinnier & Larios had reviewed the plans and had provided comments and the Stormwater Pollution Prevention Plan (SWPPP) was revised and submitted on August second.

The Ulster County Planning Board (UCPB) also submitted comments after their review. The Board reviewed their comments one by one. The Board agreed with the required modifications to have the applicant submit a Truck Turning-Fire Apparatus Plan and to provide a raised cross walk to the restaurant entrance to calm the traffic, but chose to override the remaining requirements.

Mr. Reyling mentioned current problems with the Dunkin Donuts on Ulster Avenue who has issues with cars backing up from the queue into the parking lot and onto Ulster Avenue, and stated that their operation is much quicker than Dunkin Donuts, and Mr. Viani agreed. Mr. Viani stated that there are usually no more than four to six (4-6) cars in the queue at even their busiest hour during the day, and it should not cause a piling issue of any sort. Mr. Viani stated that their queue line is eight to nine cars long, so traffic should not back into the parking lot. At their peak, Smoothie King would have possibly twenty-two cars or so and hour.

Action: A motion to refer this matter to Town Board to grant conditional site plan approval was made by Mr. Almquist, with a second from Ms. Hayner; all in favor.

WHEREAS, the applicant – Todd Reyling of Reyling Design & Consulting, LLC with the Consent of Kingston SK Cornerstone, LLC (owner) – is seeking Site Plan approval for the proposed development of a 1,590 square-foot (sf) "Smoothie King" along with a 3,000 sf retail tenant space; and

WHEREAS, the proposed development would be situated on the pad site identified on the Overall Master Development Plan (OMDP) for the MHMG Kingston project, which was approved by the Town Board in March 2012;

WHEREAS, the proposed restaurant and retail use are allowed-by-right 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:

- Consent Form signed by Robert Viani, Kingston SK Cornerstone, LLC dated June 6, 2018;
- Site Plan Application by Todd Reyling, P.E., agent for Kingston SK Cornerstone, LLC dated 6/6/18;
- Short EAF Part 1 prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18;
- Cover Sheet prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18;
- Civil Construction Notes prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18;
- Existing Topography & Control by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18;
- Demolition Plan prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18;
- Civil Site Plan prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18;
- Civil Site Plan & Horizontal Control by Todd Reyling, P.E., Reyling Design & Consult. dated 6/6/18;
- Grading Plan prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18;
- Stormwater Drainage Plan by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18;
- Site Utility Plan prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18;
- Civil Site Plan prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18;
- Sediment & Erosion Control Plan by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18;
- Civil Site Plan prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18;
- Civil Construction Details by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18;
- Civil Construction Details (701-706) by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18;
- Landscape Plan by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18;
- Site Lighting Calculations prepared by MSW Consulting, LLC., dated May 2018; and
- Proposed Elevations for Smoothie King and Sign Details by MT Planning, Design, Architecture Sustainability.
- Cover Letter prepared by Todd Reyling, P.E., Reyling Design & Consulting dated July 9, 2018;
- Consent Form signed by Robert Viani, Kingston SK Cornerstone, LLC dated June 6, 2018;
- Site Plan Application by Todd Reyling, P.E., agent for Kingston SK Cornerstone, LLC dated 6/6/18;
- Short EAF Part 1 prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18;
- Cover Sheet prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised July 6, 2018;
- Civil Construction Notes by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised July 6, 2018;
- Existing Topography & Control by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised 7/6/18;
- Demolition Plan prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised 7/6/18;
- Civil Site Plan prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised 7/6/18;
- Civil Site Plan & Horizontal Control by Todd Reyling, P.E., Reyling Design & Consult. dated 6/6/18; revised 7/6/18;

- Grading Plan prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised 7/6/18;
- Stormwater Drainage Plan by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised 7/6/18;
- Stormwater Drainage Profiles by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised 7/6/18;
- Site Utility Plan prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised 7/6/18;
- Sediment & Erosion Control Plan by Reyling Design & Consulting dated 6/6/18; revised 7/6/18;
- Stormwater Drainage Plan by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised 7/6/18;
- Civil Construction Details by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised 7/6/18;
- Civil Construction Details (701-706) by Reyling Design & Consulting dated 6/6/18; revised 7/6/18;
- Electrical Site Plan prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/29/18;
- Landscape Plan by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised 7/6/18;
- Site Lighting Calculations prepared by MSW Consulting, LLC., dated May 25, 2018; and
- Proposed Elevations for Smoothie King and Sign Details by MT Planning, Design, Architecture Sustainability.
- Cover Letter prepared by Todd Reyling, P.E., Reyling Design & Consulting dated July 9, 2018;
- Consent Form signed by Robert Viani, Kingston SK Cornerstone, LLC dated June 6, 2018;
- Site Plan Application by Todd Reyling, P.E., agent for Kingston SK Cornerstone, LLC dated 6/6/18;
- Short EAF Part 1 prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18;
- Cover Sheet prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised August 2, 2018;
- Civil Construction Notes by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised August 2, 2018;
- Existing Topography & Control by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised 8/2/18;
- Demolition Plan prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised 7/6/18;
- Civil Site Plan prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised 8/2/18;
- Civil Site Plan & Horizontal Control by Todd Reyling, P.E., Reyling Design & Consult. dated 6/6/18; revised 8/2/18;
- Grading Plan prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised 8/2/18;
- Stormwater Drainage Plan by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised 8/2/18;
- Stormwater Drainage Profiles by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised 8/2/18;
- Site Utility Plan prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised 8/2/18;
- Sediment & Erosion Control Plan by Reyling Design & Consulting dated 6/6/18; revised 8/2/18;
- Stormwater Drainage Plan by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised 8/2/18;
- Civil Construction Details by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised 8/2/18;

- Civil Construction Details (701-706) by Reyling Design & Consulting dated 6/6/18; revised 8/2/18;
- Electrical Site Plan prepared by Todd Reyling, P.E., Reyling Design & Consulting dated 6/29/18;
- Landscape Plan by Todd Reyling, P.E., Reyling Design & Consulting dated 6/6/18; revised 7/6/18;
- Site Lighting Calculations prepared by MSW Consulting, LLC., dated May 25, 2018; and
- Proposed Elevations for Smoothie King and Sign Details by MT Planning, Design, Architecture Sustainability; and
- Sign Details for Smoothie King prepared by Atlantic Sign Company dated July 25, 2018.

WHEREAS, the Town of Ulster Town Board issued a SEQRA Negative Declaration on the Overall Master Development Plan on March 1, 2012 pursuant to 6NYCRR Part 617 of State Environmental Quality Review (SEQR) Law; and

WHEREAS, the Current Proposed Action does not exceed any of the overall thresholds established under the SEQR Negative Declaration thus no further SEQR review is required; and

WHEREAS, the Proposed Action was referred to the Ulster County Planning Board (UCPB) and the UCPB provided a written response wherein it recommended several required modifications; and

WHEREAS, the upon review of the UCPB required modifications, the Planning Board found that the required modifications with respect to architecture, lighting and signs were addressed in the final plan set submitted by the applicant; and

WHEREAS, the Planning Board reviewed the “Required Modifications” with respect to access and on-site circulation and determined it would follow the UCPB required modification to require the applicant to submit a Truck Turning-Fire Apparatus Plan and to provide a raised crosswalk to the restaurant entrance; and

WHEREAS, the Planning Board determined it would Override the remaining UCPB required modifications with respect to access and on-site circulation; and
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WHEREAS, the Planning Board considered of the application materials submitted by the applicant in support of the Proposed Action, along with the comments of its consultants made via memoranda (which memoranda are incorporated herein by reference); and

WHEREAS, the Planning Board, as an Interested Agency, upon review of the entire record (including SEQR Short EAF Part 1 & 2) found the Current Proposed Action did not pose any potentially significant adverse environmental impact; and

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Planning Board has determined it has complied fully with the procedural requirements of Part 617 of the State Environmental Quality Review (SEQR) Law and hereby recommends the Town Board as Lead Agency reaffirm its SEQR Negative Declaration for the Proposed Action; and

FURTHER BE IT RESOLVED, the Town of Ulster Planning Board hereby refers this matter to the Town Board with a recommendation that it grant Conditional Site Plan approval to Kingston SK Cornerstone, LLC dba Smoothie King as described above 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. Applicant addresses all technical comments by the Town Designated Engineers (TDE) Brinnier & Larios, PC;
5. The applicant submits a Truck Turning-Fire Apparatus Plan;
6. The applicant provides a revised final Site Plan that provides for a raised crosswalk to the restaurant entrance;
7. The Town's consulting planner, engineer 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
8. All fees, including consultant fees, shall be paid.

Prestige Hyundai – Site Plan Amendment

Robert Dupont, Architect, appeared on behalf of the application for a façade change to the existing Prestige Hyundai located at 768 East Chester Street Bypass in a RC Zone. Mr. Dupont explained that the franchise wanted the building to get upgraded which will include a façade change as well as new signage to replace existing signage. The allowed square footage allowed for the monument sign in that zone is seventy-five (75) square feet, and they are proposing closer to one-hundred and seventy-one square feet (171). The monument will be located where their large pole sign is presently, which triggers the need for an area variance. The 'Hyundai' and Hyundai logo that is currently on the façade will be the same size, but they will be adding the word 'Prestige' to the façade, creating additional square footage to the façade, which also triggers the need for an area variance. Mr. Dupont stated that he will be back before the Board with either an area variance for the signs, or with signs that adhere to the current Zoning requirements.

Mr. Mulligan mentioned that there was a note from last month regarding exterior full cut-off lighting. Mr. Dupont explained that the North side of the building has area lighting because it is very dark at night. The South side is visible since it opens up between the Toyota and Hyundai building. Mr. Dupont stated that he will take a second look at the building to get a better idea on the present lighting. The two sides that were not shown on the plans submitted are being painted.

Mr. Sorensen stated that the Board had approved the façade change last month, so that this review is only of the signage.

Action: No motion was made.

Begnal Motors – Site Plan Amendment

Brian Begnal, Begnal Motors, and Dennis Larios, Brinnier & Larios, appeared on behalf of the application for site plan amendment to create a vehicle holding area at their new location on Route 28. Business has been going well and that creates the need for a vehicle holding area. Vehicles are currently parked in the proposed location, but the applicant would like to create a stable, gravel surface to park those vehicles. Mr. Larios explained that they had met with the Town's Alternative Engineers regarding the SWPPP and that they are in sync with the proposed SWPPP. Mr. Larios stated that there are areas dedicated to Stormwater along the property line.

This project will need to be referred to the Town Board and then to the UCPB for review since it is more than one acre.

The lighting ends at the upper lot, so there will be no security lighting in the proposed lot, which is not pitch black. There was a conduit installed, but is not in use at this time. The resolution was read.

Action: A motion to refer this matter to the Town Board to initiate SEQR Lead Agency was made by Mr. Almquist, with a second from Mr. Stravropoulos; all in favor.

WHEREAS, the applicant – Five Star Realty Holdings, LLC – is seeking Site Plan approval to construct a 1.6-acre gravel vehicle holding area on a vacant 3.5-acre parcel adjacent to the existing Begnal Motors Car dealership, which is located at 129 NYS Route 28, opposite the Johnson Ford dealership; and

WHEREAS, the subject site is situated within the HC-Highway Commercial Zoning District where an automotive sales and service business is permitted by right subject to Site Plan approval; and

WHEREAS, The Town Board has the authority to approve the Site Plan since the Proposed Action would utilize a ground area of more than one (1) acre, even though no structure is proposed [see §145-2 A (3) of the Town Code]; and

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

- Site Plan Narrative by Brinnier & Larios, Engineering & Land Surveying, P.C. dated July 2018;
- Site Plan Application by Brinnier & Larios, Engineering & Land Surveying, P.C. dated July 24, 2018;
- Site Plan Consent Form signed by agent of Five Star Realty Holdings, LLC dated July 24, 2018;
- SEQR Full EAF Part 1 by Brian Begnal, Member Five Star Realty Holdings, LLC. dated July 24, 2018;
- Cover Sheet by Brinnier & Larios, Engineering & Land Surveying, P.C. dated July 2018;
- Existing Conditions by Brinnier & Larios, Engineering & Land Surveying, P.C. dated July 2018; and
- Site Plan by Brinnier & Larios, Engineering & Land Surveying, P.C. dated July 2018;
- Erosion Control Plan by Brinnier & Larios, Engineering & Land Surveying, P.C. dated July 2018;
- Grading Plan prepared by Brinnier & Larios, Engineering & Land Surveying, P.C. dated July 2018.

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, Involved Agencies would include: Town of Ulster Town Board (Site Plan). Town of Ulster Building Inspector (Flood Plain Development Permit) and NYSDEC (General Permit for Construction Activities and SWPPP); and

WHEREAS, Interested Agencies would include the Town of Ulster Planning Board (advisory Recommendation on Site Plan) and the Ulster County Planning Board (NYSGML 239 l, m review); 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 and refer this matter to the Ulster County Planning Board.

Frank Tiano – Site Plan Amendment

Michael Vetere III, Vetere Surveyors, appeared on behalf of Frank Tiano for an application to construct a five thousand square foot frame barn for his wedding venue located at 248-252 Old Stage Road in an R60 Zone. Mr. Vetere explained that Mr. Tiano was approved for a Use Variance for the venue in January 2018. Mr. Tiano has since decided to construct this barn. Mr. Tiano is looking into a sprinkler system that was either be a dry chemical or a pump from pond option that would pump water from an existing pond located on the property, but is leaning towards a dry chemical system as it seems self-sufficient and the winter months would not have an effect on it.

There will be no running water or bathrooms in the barn, just the structure itself. Mr. Vetere explained that Mr. Tiano would be looking for Department of Health approval in the future for a septic system and when he gets to that point he will reapply to the Planning Board for bathrooms and potable water.

Action: A motion to refer this matter to the Town Board for conditional site plan approval was made by Mr. Decker, with a second from Ms. Hayner; all in favor.

WHEREAS, the Town of Ulster Planning Board and its consultant planner have reviewed an application by Frank Tiano seeking Site Plan approval by the Town Board to erect a 50' x 100' (5,000 square foot (sf)) frame barn on the subject site to be used in conjunction with an existing wedding venue, which is situated within the R-60 Residential Zoning District; and

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

- Written Narrative prepared by Vetere Land Surveying dated August 2, 2018;
- Consent Form signed by Frank C. Tiano dated August 2, 2018;
- Site Plan Application prepared by Frank C. Tiano dated August 2, 2018;
- SEQR Short EAF Part 1 prepared by Michael Vetere, LS, dated August 2, 2018; and
- Site Plan for Frank C. Tiano prepared by Michael F. Vetere, LS, dated August 2, 2018, revised 8/4/18.

WHEREAS, the Zoning Board of Appeals (ZBA granted a “Use Variance” to allow a wedding venue on the subject site subject; and

WHEREAS, the Town Board has the authority to review and approve the Site Plan for the Proposed Action in accordance with Chapter 161 of the Town of Ulster Code since the proposed building is more than 2,500 square feet; and

WHEREAS, the applicant submitted a complete Site Plan application for the Proposed Action; 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, the Planning Board upon review of the entire record (including State Environmental Quality Review Act (SEQRA) Short Environmental Assessment Form Part 1 and Part 2 found the Proposed Action was an Unlisted Action pursuant to NYCRR Part 617 of SEQRA; 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 any potentially significant adverse environmental impact; and

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Planning Board refers this matter to the Town Board with a recommendation to the Town Board to issue a SEQRA Negative Declaration and grant conditional Site Plan approval to Frank C. Tiano to amend the Site Plan as described above 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, building elevations and all details as cited herein;
4. The applicant submits a Building Elevations so that the Town Board can verify the proposed barn complies with the height limitations of the Town Code;
5. 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;
6. All fees, including consultant fees, shall be paid.

There was a brief discussion regarding Esopus Agricultural Center. Mr. Sorensen stated that the applicant had been in for several lot line adjustments and separate applications and that over time they have come in to workshops for different aspects, but they have a proposed land plan for the entire property and since there is a lot going on with that property, the review seems to be segmented instead of having a master site development plan. Mr. Sorensen stated that if they have a master plan in place, they should come back before the Board to address the SEQR issue.

There was a brief discussion regarding the proposed local law on digital signs. Mr. Kovacs informed the Board that the Zoning Board of Appeals had reviewed the proposed law numerous times and had made some adjustments. It was also referred to the County for review. The proposed law would be referred to the Planning Board for their review and the Town Board for approval. Due to the increased number of variances requested for digital signs, the Town wants to put a local law into place. A brief discussion followed.

There was a brief discussion regarding the flagpole that Gander Outdoors was installed. The size of the flagpole should have been reviewed by the Planning Board when Gander Outdoors site plan was approved, but it was never mentioned during the approval process. The Supervisor stated that his only issue with the size of the flag is that the Boards have put tremendous effort into the Corridor Enhancement Plan, which modifies the height of signs, and he views the flag as being the same as a very large sign, drawing attention to the property, and should have had the proper approvals.

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

Respectfully Submitted,
Gabrielle Perea
Planning Secretary