

TOWN OF ULSTER PLANNING BOARD

June 8, 2021

The monthly meeting of the Town of Ulster Planning Board was held on Tuesday, June 8, 2021, at 7:00 p.m. via the Zoom application. The following members were present:

Present:

Anna Hayner

Lawrence Decker

Andrew Stavropoulos

Geoffrey Ring – Chairman

Frank Almquist – Vice Chairman

John More (alt.)

John Stowell (alt.)

David Church – Planner

The Pledge of Allegiance was recited.

Roll call was taken.

A motion to approve the minutes from the May 2021 meeting was made by Mrs. Hayner, with a second from Mr. Decker; all in favor with a roll call vote.

PUBLIC HEARING

Pioneer Solar – P-831

491-549 Sawkill Road

SBL : 48.6-1-23

Zone : OM

Site Plan

Zachary Schrowang, Solar Generation, appeared before the Board for their application to install a solar farm on Sawkill Road.

The project was sent to the Planning Board last month to get referred to the County and the County thought that the application was incomplete and would like a re-referral once the submittal package is complete. Mr. Schrowang stated that he received the County comments back and has since submitted the decommissioning plan for review by the Town Attorney, and has addressed the access, endangered species and visual assessment in a document submitted to the Board. Mr. Schrowang stated that the Stormwater Pollution Prevention Plan (SWPPP) has been held up, but they are working on it. The Board agrees that once the SWPPP is received, it can be re-referred to the County for review.

Mr. Warren Tutt, Building Inspector, had a concern that if it was referred to County prior to the Town Engineer reviewing it, it would not be the final SWPPP that the County would be reviewing. Mr. Almquist asked if Mr. Schrowang foresees any issues with the Stormwater due to the site location and Mr. Schrowang stated that he does not. There are two drainage channels along 209 and Sawkill and the runoff will go into those. Mr. Schrowang stated that if any of the

models or tests done show that there will be an increase in stormwater, they will put the proper measures in place so that it will be reduced.

The Board agreed to pre-approved the referral of the project to the Town Board once the SWPPP has been submitted and reviewed by the Town Engineer to then be referred to the County for review, again.

Action: A motion to refer the project to the Town Board for re-referral to the County with the condition of review of the decommissioning plan by the Town Attorney and SWPPP by the Town Engineer was made by Mr. Stavropoulos, with a second from Mrs. Hayner; all in favor with a roll call vote.

Uncle B's The Crossings Apartments – P-836
400-416 Old Neighborhood Road
SBL: 48.7-1-12.110
Zone: RC
Site Plan Amendment

Chairman Ring stated that they received comments back from the Town Departments and everything has been addressed or no issues were found.

There were no comments from the Board.

Action: A motion to forward the project to the Town Board to initiate SEQR and refer the project to the County for review was made by Mr. Almquist, with a second from Mr. Stavropoulos; all in favor with a roll call vote.

WHEREAS, the applicant, Uncle B's Holdings LLC, seeks Site Plan Amendment approval for construction of a pair of one bedroom apartment buildings on an existing mixed use property; and,

WHEREAS, the applicant has submitted a complete Site Plan Amendment application to the Town of Ulster Planning Board, in coordination with the Ulster Town Board, including a submitted State Environmental Quality Review Act (SEQRA) Short Environmental Assessment Form; and,

WHEREAS, the Town of Ulster Town Board has final Site Plan review and approval authority for this application.

NOW THEREFORE BE IT RESOLVED, based on a review of the application the Town of Ulster Planning Board recommends to the Town Board the following actions; and,

BE IT FURTHER RESOLVED, that the Town Board of the Town of Ulster should determine that the Site Plan application is an Unlisted Action under the New York State Environmental Quality Review Act (SEQRA) and that the Town Board of the Town of Ulster

should declare to be the Lead Agency for coordinated review with the Town of Ulster Planning Board; and,

NOW BE IT FURTHER RESOLVED, the Planning Board recommends that the Town Board formally refer the Site Plan application to the Ulster County Planning Board for review consistent with the Ulster County Planning Board Land Use Referral Guide and NYS General Municipal Law 239.

Albany 7, LLC – P-816
721 & 723 Ulster Avenue
SBL: 48.58-5-37 & 48.58-5-21.120
Zone: HC
62-day Extension Approval

Chairman Ring stated that this project requires a sixty-two (62) day extension for map filing because they did not file prior to the deadline.

Action: A motion to approve the extension was made by Chairman Ring, with a second from Mrs. Hayner; all in favor with a roll call vote.

WHEREAS, the applicant – Albany 7 LLC – was previously granted site plan approval with approval of a lot line adjustment for construction of a new mixed use building and renovation of an adjoining building for commercial use along with associated parking, access, landscaping, and utility infrastructure. Application includes a Lot Line Adjustment to consolidate the existing parcels SBL 48.58-5-37 & 21.120; and,

WHEREAS, the applicant has submitted a complete Site Plan and Lot Line Adjustment application to the Town of Ulster Town Board and Planning Board including a submitted State Environmental Quality Review Act (SEQRA) Short Environmental Assessment Form; and,

WHEREAS, the Town Board, in coordination with the Planning Board, previously determined the Town Board was lead agency, typed the application as an Unlisted Action, initiated the coordinated review, and made a negative determination of no significant, adverse environmental impact under the New York State Environmental Quality Review Act (SEQRA); and,

WHEREAS, this application was referred under New York State General Municipal Law 239 to the Ulster County Planning Board who have responded with a statement of No County Impact: and,

WHEREAS, this application has also received, on January 13, 2021, from the Town of Ulster Zoning Board of Appeals a set of variances for area (setback and parking) as well as use (apartments as part of mixed use proposed) which are consistent with the application before the Town Planning Board; and,

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

- Application for Site Plan Review and Lot Line Adjustment, dated 10/30/2020;
- Signed Owner Consent Form for Filing dated 10/28/2020;
- Signed Escrow Agreement, dated 10/30/2020;
- Completed Short Environmental Assessment Form, prepared for applicant by Ciro Interrante, dated 10/28/2020;
- Notice of Decisions by the Zoning Board of Appeals Town of Ulster for area variances for relief of front setback and off-street parking requirements as well as use variance for mixed uses with apartments, laundromat, and manufacturing, all dated January 13, 2021;
- Lighting specifications, Six (6) sheets prepared by VBC Lighting LLC for Albany 7 LLC dated December 19, 2020;
- Site Plans for “Proposed New Development for Albany 7 LLC” prepared by Ciro Interrante Architect P.C. dated 12/26/2020 and revised 3/3/2021, and consisting of five (5) sheets including Site Plan, Utility and Landscaping Site Plan, Lighting Site Plan, Floor Plans, and Elevations.
- Floor Plan and Building Elevations prepared by Syvertsen Rigosu, Architects, dated 12/5/19; and,

WHEREAS, the Town Board in consultation with 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), as well as comments from the County Planning Board and other comments made by Town staff along with the record of approval of variances by the Town of Ulster Zoning Board of Appeals; and,

WHEREAS, that the Town of Ulster Planning Board found that the Lot Line Adjustment element of this application is a Type II action under the State Environmental Quality Review Act (SEQRA) requiring no further action under SEQRA, and that the same Lot Line Adjustment is not a referral action to the County under General Municipal Law; and,

WHEREAS, said Town of Ulster Planning Board granted approval of the Lot Line Adjustment element of this application subject to Ulster Town Board final approval and conditions of same site plan, as follows;

AND FURTHER BE IT RESOLVED, the Town of Ulster Planning Board approval of the Lot Line Adjustment as described above is subject to additional conditions, limitations and restrictions set forth below.

1. The Plat may be filed with the 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.

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Planning Board grants a 62-day extension of approval of the lot line adjustment as described above.

Romeo – P-843

1905 Ulster Avenue

SBL: 39.19-3-38.100

Zone: OM

Site Plan Amendment for SWPPP

Chairman Ring stated that the original project predates him, but he is familiar with the proposal and this application is to amend the stormwater mitigation plan for the previously approved Romeo Kia dealership site north of the Holiday Inn Express and south of Angela's Pizza. There were issues with clearcutting trees that created flooding issues for the neighboring parcels.

Mr. Church stated that after speaking with a County representative, this project must be referred to the County for their review. The Planning Board has final approval. The project is an Unlisted Action under SEQR.

Mr. Church explained that due to conversations prior to this meeting, there may be a need for discussion on buffering and/or screening on the perimeter of what was supposed to be untouched land on the approved site plan from 2016/2017 and Mr. Almquist may have some items to discuss on that topic. Mr. Church stated that the applicant has met with the neighbors and there were agreements including cutting additional trees and there needs to be a discussion on whether it needs to be on the site plan or not.

The primary action for stormwater mitigation is the construction of a berm to create an infiltration basin with an outlet structure that will be close to the southwest corner of the property. Nothing else will be done to the property. This proposal has been researched by the applicants engineer and signed off by the Town's Engineer.

Chairman Ring stated that he would like an update to the plans showing the landscaping plan prior to referring it to the County for review. The trees being cut down are not on this property, Mr. Tutt stated so it would not be included on the site plan, but screening should be implemented as the applicant was not supposed to cut to the property line which had been done.

Mr. Almquist stated that he does not know where the line would begin, but there should be two staggered rows of Eastern Red Cedar trees. Mr. Almquist stated that the applicant should also plant some native shrubs to break the monotony of the Eastern red cedar.

Mr. Tutt stated that there were only two (2) people at the site meeting, the manufactured park owner and an adjacent neighbor, so the "agreement" that they came to does not include the rest of the neighbors that abut the Romeo property which requires screening.

Chairman Ring stated that he wants a site plan that shows all the required modifications submitted prior to taking any action. Ms. Lucia Romeo, Romeo representative, stated that she

had reached out to the manufactured park owner and requested that he reach out to the tenants and ask them to attend the meeting on-site so that they can remedy any issues anyone has, but only one neighbor had attended. There was a brief discussion on what needs to be on the site plan prior to submission.

There was a discussion regarding the number of trees removed when the original approved site plan showed a buffer from this property to the neighboring manufacture park property. The Board recommended the applicant look at the originally approved site plan. Ms. Romeo explained that they want to do right by the neighbors and fix the situation, but want to keep it cost effective.

Mr. Almquist stated that looking at the stormwater plan and the outlet, is there a possibility of water flowing through it since it's a lower area. Mr. Utter stated that it is where the drainage goes now as previously approved. Mr. Utter stated that the manufactured home behind that were unfortunately built in a drainage area and that the applicant is meeting the pre-development flows in that area. Mr. Almquist stated that the question is where the rows of buffer trees should begin. Chairman Ring stated that Mr. Tutt can help decide where the buffer should begin.

Chairman Ring stated that since this is a new project for him, he asked why this property had been abandoned. Ms. Romeo stated that the project would have cost twice what they had budgeted for, so they had to abandon the project.

Mr. Almquist asked if they had an idea of what they would like the back of this property to look like. Ms. Romeo stated that they have no plans with the property right now, but they want to try and please the neighbors.

Chairman Ring asked if they planned of using the property for overflow, but due to shortages, they don't currently have any overflow, but in the future, they would park overflow there as they have done in the past, which is why they had put gravel in the front.

Once the amended site plan is submitted, it will be reviewed in July.

Action: There was no action taken.

Hoffman Carwash – P-844
1091 Ulster Avenue
SBL: 48.42-3-26
Zone: RC
Site Plan Amendment

Chairman Ring stated that they are installing automatic paid tellers, including a modified pavement area.

Mr. Church stated that there are three (3) automated tellers, with lane designations and redoing of pavement and striping. There will be a reduction to impervious surface which is all happening in the rear of the property.

Mr. Church stated that this is a Type II Action and this Board has authority to approve the plan.

Frank Palumbo, CT Male Associates, and Marty Andrews, Hoffman Development Corporation, are proposing site development changes to improve operations and flow on the property. Mr. Palumbo stated that Hoffman has been doing this to all their facilities now and that it is an attractive option for customers and improves efficiency.

The queue will be expanding to three (3) lanes. Chairman Ring asked if the employee parking will be moved or changed. Mr. Palumbo stated that the parking spaces will be moved back slightly onto a proposed new pavement area. They removed pavement from certain areas and brought it back to green space to balance the space.

Mr. Tutt stated that the parking calculations look identical and that there is a sixty-three square foot (63 sf) reduction in impervious surface.

Chairman Ring asked if the automatic machines will read a barcode on a car as it goes through and Mr. Andrews responded yes. When Hoffman switched to subscription base model at all the carwashes several years ago and with the onset of Covid, people have preferred to have no interaction. There will be a membership only lane, that anyone can go through, but the machine will read the code and lift the gate so the line won't queue up.

Mrs. Hayner asked if there will be a person present to make sure the lanes shift smoothly and Mr. Andrews stated that there will always be a person outside so it runs flawlessly, especially on a busy day.

There was a discussion on the removal and placement of pavement and the use of it to funnel cars into a single line into the carwash.

Mr. Andrews stated that this will be their fourteenth (14th) location that they will be changing to automatic tellers.

Mr. Church read the resolution.

Chairman Ring asked how employees will leave the property. Mr. Andrews stated that during limited days, they can go through the detailing area, or they can wait for a break in the lineup and go out the carwash area.

Action: A motion to approve the resolution was made by Chairman Ring, with a second from Mrs. Hayner; all in favor with a roll call vote.

WHEREAS, the applicant – Hoffman Realty Ulster LLC, seeks approval to amend site plan for installation of automated tellers to an existing carwash facility at 1091 Ulster Avenue; and

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

- Completed Application for Site Plan Amendment prepared Hoffman Realty Ulster LLC and C.T. Male Associates dated 5/25/21.
- Site Layout Plan, Automatic Pay Station, Hoffman Realty Ulster LLC, 1091 Ulster Avenue prepared by C.T. Male Associates dated April 22, 2021
- Signed Owner Consent Form for Filing, signed by Marty Andrews 4/27/21
- Signed Escrow Agreement, signed by Marty Andrews 1/27/21
- Completed Short Environmental Assessment Form w EAF Mapper Summary Report prepared by Francis G. Palumbo, RLA, C.T. Male Associates; and,

WHEREAS, the Town of Ulster Planning Board retains the authority to approve the Site Plan Amendment in accordance with the Town Code; and

WHEREAS, the Proposed Action is exempt from referral to the Ulster County Planning Board pursuant to their referral agreement with the Town of Ulster; and

WHEREAS, the Town of Ulster Planning Board, upon review of the entire record determines the Proposed Action is a Type II Action and no further decision are required under SEQRA.

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Planning Board hereby grants Conditional Site Plan Amendment approval for the Proposed Action 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. Compliance with any comments from the Town of Ulster Highway and Water Superintendents;
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.

DISCUSSION

There was a brief discussion amongst the Board on the County Alternate representative.

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

Respectfully Submitted,
 Gabrielle Perea
 Planning Secretary