

TOWN OF ULSTER PLANNING BOARD

March 12, 2019

The monthly meeting of the Town of Ulster Planning Board was held on Tuesday, March 12, 2019 at 7:00 p.m. at the Town Hall Lake Katrine, New York. The following members were present:

Present:

Lawrence Decker

Andrew Stravropoulos

Gary Mulligan – Chairman

John More (alt)

Frank Almquist – Vice Chairman

Alan Sorensen – Planner

Absent:

Anna Hayner

Frederick Wadnola (alt)

Roll call was taken.

A motion to approve the minutes from the February 2019 meeting was made by Mr. Almquist with a second from Mr. Decker; all in favor.

**Fire Training Center
250 Ulster Landing Road
SBL: 49.5-1-1.100**

Dennis Doyle, Ulster County Planning Board Director, and Steve Peterson, Director of the Ulster County Emergency Services Department, appeared on behalf of common courtesy to the Town of Ulster regarding construction of a new fire training facility to be located at 250 Ulster Landing Road. Mr. Doyle stated that there are a few documents before the Board; one of which is a draft negative declaration that it being considered by the legislature. Mr. Doyle stated that they anticipate that the legislature will vote on this on the March 19th. It is a draft negative declaration until the legislature finalizes it.

Also in front of the Board was a series of plans that show the areas of disturbance as well as the proposed locations for all of the projects elements. Also is an aerial of necessary tree clearing that will be done in order to be prepared for construction. Mr. Doyle stated that if they receive approval, tree clearing will begin on the 20th of March so they can make the March 31st window with respect to endangered species, specifically the Northern Long-Eared Bat.

Mr. Doyle stated that they are at sixty percent (60%) with their design documents and from a scheduling stand-point they anticipate going to bid by the middle of April; bid openings by the end of May. They are currently doing additional design work with respect to the foundations given some of the poor soil conditions found on site.

There are no wetland disturbances with this project. Mr. Doyle stated that they do have a State Historic Prevention Office (SHPO) sign off letter stating “no adverse effect” as it relates to archaeology and buildings. Mr. Doyle anticipates that their Stormwater Pollution Prevention Plan (SWPPP) will be complete after they move to bid and will then be back before the Board as Town of Ulster is an MS4 community to have it signed off by the Town’s Stormwater Enforcement Officer. The disturbance area is under five (5) acres so they do not need a waiver

from Department of Environmental Conservation (DEC). The cut and fill proposal for the area is balanced so they will not be pulling any material off the site.

The burn building was originally proposed to be three-stories, but they are now proposing a two-story burn building. The two-story building will now have a height less than thirty-five feet (35'). There is an existing pavilion on site that has now been added to their site plans and will provide cover for the fireman that are watching the drill and also provides cover for the Town of Ulster's Police Department. The County has been working with the Police Department regarding this matter.

Mr. Doyle states that in order to seek immunity from the local Zoning laws, there must be a balance of interest test that has been met. The County has the ability to build fire training centers under a portion of County Laws. The land use involved is an extension of program elements already in existence on the site; there's currently burning on site, an administration building. There will be another burn building added, as well as a series of props such as a flashover container, a car extrication pad, a car burn pad; most of which will be propane fire except for the burn building itself, which will be a Class A burn building, which uses pallets and hay. The flashover container will also use pallets and hay.

The Office & Manufacturing (OM) Zone allows for similar uses that are found adjacent to the Ulster County Resource Recovery Agency which is just up the hill from this location. OM also allows light and heavy industry, which Mr. Doyle believes they fall under since they have an existing use on the site which is similar and the Zoning Statute itself allows this use. The site is over one-thousand feet (1,000') from the closest residents. The applicant will not interfere with any of the existing uses on site, particularly the law enforcement shooting range; they have been working together on a coordination basis with respect to that.

Regarding alternative locations, the County has looked at around sixty-five (65) sites in and around the County from 299 in New Paltz north and 199 in the Town of Ulster as the area where the majority of fire services could have access. The County has also met with local residents and fire services numerous times regarding this project. The applicant looked at the SUNY Ulster site in the Town of Marletown as well as the burn site in the Town of Shawangunk, which the County now has a lease agreement with them so that the fire services can use that building, also.

In terms of extending the public interest, well-trained firefighters delivering their services, who are all volunteers, except for the City of Kingston who will also be using the site, this project delivers a significant improvement with respect to the safety of those firefighters and safety of individuals within the community. Mr. Doyle stated that they have had a significant amount of intergovernmental participation with the fire services and currently have a Memorandum of Agreement (MOA) with the Town of Ulster of how those uses will access the site and that an easement has been executed for the fire training services.

Mr. Almquist asked when Mr. Doyle plans on starting construction and Mr. Doyle responded that they would go to bid by the end of the month. The County anticipates an award from the legislature dependent upon the bids, as there is a budget that they are trying to stay within. Mr. Doyle stated that they are hoping to start construction sometime in June with substantial

completion sometime in January of 2020 and final completion sometime in February or early March.

Glidepath – Minor Subdivision
Miron Lane/ Route 32/Frank Sottile Blvd.
48.12-1-20, 48.16-1-1, 48.16-1-2.210

David Young, The Chazen Companies, appeared on behalf of the application for a minor subdivision to combine the three parcels into one parcel. There will be two stand-alone pieces of property that are separated by roadways from the main parcel. On one of these separate properties, the proposed battery-powered plant will be constructed further away from the neighborhood than originally proposed. The main parcel will be 109.6 acres, with the smallest of the three (3) lots being .9 acres and the lot that the project will be located will be 10.4 acres.

Mr. Young explained that Brinnier & Larios had designed the plan quite some time ago. The plant will now be only battery powered, no natural gas as originally proposed.

A motion to open the Public Hearing was made by Mr. Almquist, with a second from Mr. Stravropoulos; all in favor. Regis Obijiski, 170 Ledge Road, wanted to clarify that the three large parcels will now be reduced to one large and two smaller parcels, to which Mr. Young stated that was correct. Mr. Obijiski questioned if the lot will be residential or commercial, to which Mr. Young stated that the zoning will stay the same - Residential (R30) and Office & Manufacturing (OM). Mr. Sorensen agreed that the zoning will not be affected by the lot lines.

Laura Hartmann, 45 Birch Street, stated that it was her understanding that because of the zoning, this is why the minor subdivision must happen and questions why. Mr. Young stated that it does not need to be done and the purpose of this consolidation is to create one large entity with two smaller entities that are separated by roadways.

Ms. Hartmann stated that her biggest concern is the forever green part of this that she would like to see up on the ridge and she asked if this would affect that in anyway. Mr. Young stated that her concern is a part of the site plan approval process and not this hearing for the subdivision; the only action Mr. Young is trying to take today is to combine parcels. Mr. Young stated that there are no easements involved with the proposal, aside from the existing utility corridor and gas corridor that crosses over. Mr. Young explained that the conservation easement that Ms. Hartmann is asking about will be discussed during the site plan approval hearing.

Mr. Obijiski stated that he was confused as to why the applicant was doing this. Mr. Young explained that the applicant wants to clean up the site and consolidate it; nothing more than to remove lines and create one large parcel with two smaller parcels due to separation of a roadway.

JoAnn DeFile asked if the plans were available on the website, and Mr. Young stated that he will make them available on the website.

Mr. Young clarified that he is not with Glidepath and that he is with Chazen Companies. A motion to close the Public Hearing was made by Mr. Almquist, with a second from Mr. Decker; all in favor.

Action: No action was taken.

**Michael Fink & Karen Pardini / Crystal Ridge Subdivision – Major Subdivision
Re-approval
Off Potter Hill Road
39.8-2-16**

No applicant was present. Mr. Mulligan stated that this is just a formality, as the applicant had missed his filing date. Mr. Sorensen read the resolution for the sixty-day extension.

Action: A motion to approve the sixty-day extension was made by Mr. Stravropoulos, with a second from Mr. Almquist; all in favor with a roll call vote.

WHEREAS, the applicant's – Michael Fink and Karen Pardini – received Final Plat approval for a Major Subdivision to allow them to subdivide a 99.5-acre parcel into twelve (12) single-family lots; and

WHEREAS, pursuant to §161-14 F of the Town Code an approved plat shall be filed by the subdivider in the Office of the Clerk of Ulster County within sixty (60) days from the approval date and failure to file the signed approved plat within the required time shall render the approval void without further action by the Board; and

WHEREAS, the applicant did not file the approved plat with the Office of the Clerk of the County and has requested an “Extension” by the Planning Board to allow them time to file the Final Plat; and

WHEREAS, the Town Planner has recommended to the Planning Board that the granting of a sixty (60) day extension is permissible and appropriate in this instance; and

WHEREAS, no changes are proposed to the approved Final Plat; and

WHEREAS, the Planning Board upon review of the entire record (including SEQRA Full EAF Parts 1 & 2) found the proposed subdivision will not have an adverse impact on the environment; as Lead Agency made a determination of non-significance and reaffirmed its Negative Declaration pursuant to Part 617 of SEQRA.

NOW THEREFORE BE IT RESOLVED, the Planning Board hereby grants – Michael Fink and Karen Pardini – a sixty (60) day Extension to file their Final Plat Office of the Clerk of Ulster County, subject to the conditions, limitations and restrictions set forth in the original resolution granting Final Plat approval.

**Ulster Hospitality – Site Plan Amendment
1581 Ulster Avenue
39.82-2-7.117**

David Young, Chazen Companies, appeared on behalf of the applicant to construct a one-hundred (100) room, four (4) -story hotel that was originally approved as a part of the overall master development plan by the Town Board. Mr. Young stated that the lot is a 1.8 acre parcel and located at the rear and center of the Ulster Commons development.

Mr. Young explained that there will be an entrance with a porte cochere and a driveway below it with handicap parking, as well as additional parking for registration in the front of the building. There is also parking around the entire exterior of the building; a portion was constructed as part of the overall project earlier on when first approved. The applicant plans to construct the building and then finalize the paving, concrete, sidewalks, landscaping, etc. around the building.

Mr. Young stated that he is before the Board tonight to start the SEQR proceeding for the Town Board to reaffirm a Negative Declaration that was previously approved and set a Public Hearing. This project requires special permit approval.

Mr. Sorensen stated that he reviewed the original SEQR thresholds that were established and the current proposed action is well below the original thresholds that were established for the overall master plan. Mr. Sorensen stated that the parking proposed is sufficient. Mr. Sorensen stated that the porte cochere encroaches on the front yard setback so the applicant will require a variance, which the applicant is concurrently submitting. Mr. Sorensen stated that the proposed action is consistent with the approval overall site development plan. Mr. Sorensen recommends the Board refer this project to the Town Board in order to reaffirm its Lead Agency for a SEQR Negative Declaration and to schedule a Public Hearing.

Action: A motion to refer this project to the Town Board for the purpose of reaffirming its Lead Agency status and recommendation that the schedule a Public Hearing for their Special Use Permit request was made by Mr. Almquist, with a second from Mr. Stravropoulos; all in favor with a roll call vote.

WHEREAS, the applicant – Ulster Hospitality, LLC (Chet Patel) c/o Chazen Companies with the Consent of 1561 Ulster Properties, LLC (owner by Jeff Kane) – is seeking Site Plan and Special Permit approval for the development of a 100-room hotel on the pad site that was reserved for a 100-room hotel on the Overall Master Development Plan (OMDP) that was approved by the Town Board; and

WHEREAS, pursuant to Chapter 145 of the Town Code, the Proposed Action is subject to Site Plan and Special Permit 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:

- Consent Form signed by Jeff Kane, 1561 Ulster Properties, LLC dated February 27, 2019;
- Site Plan Application by Jeff Kane, 1561 Ulster Properties, LLC dated February 27, 2019;
- Short EAF Part 1 prepared by The Chazen Companies (Agent) dated February 27, 2019;
- Cover Letter prepared by Larry Boudreau, RLA GA NY, Project Manager - Chazen dated 2/27/19; and
- Site Plan set prepared by Chazen Engineering & Surveying, P.C, dated February 29, 2019;

WHEREAS, the Town of Ulster Town Board issued a SEQR Negative Declaration for the approved Overall Master Development Plan (OMDP) for the MHMG-Kingston development on March 1, 2012; and

WHEREAS, the Current Proposed Action proposes a 100-room hotel for outparcel No. 2, which is consistent with the Overall Master Development Plan; and

WHEREAS, the percentage of lot coverage under the Current Proposed Action is comparable to the approved Overall Master Development Plan for Outparcel No. 2 and more importantly, the existing overall development on site is significantly less square footage and trip generation than envisioned in the Overall Master Development Plan (see table below).

MHMG-KM Kingston, LLC

| <u>Overall Master Development Plan</u> | <u>Approved</u> | <u>Developed or Proposed</u> |
|---|----------------------------|--|
| Outparcel No. 1 | 83,400 sf Office | 83,400 sf Office |
| Outparcel No. 2 | 100-room Hotel | Proposed 100-room Hotel |
| Outparcel No. 3 | 40,000 sf retail | 19,067 sf retail [Tractor Supply] |
| Outparcel No. 4 | 3,000 sf restaurant | 1,590 sf restaurant/3,000 sf retail |
| Outparcel No. 5 | 4,000 sf office | 3,000 sf Hardees Restaurant |
| Outparcel No. 6 | 14,000 sf retail | 11,710 bank/retail space |

WHEREAS, the Town of Ulster Planning Board has determined the Current Proposed Action would not result in any of the overall thresholds established under the original SEQR Negative Declaration be exceeded and thus no further SEQR review is required; and

WHEREAS, the Town of Ulster Planning Board finds this matter should be referred to the Town Board to reaffirm its SEQRA Negative Declaration.

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Planning Board herby refers the Current Proposed Action to the Town Board so that it can reaffirm its status as Lead Agency for this SEQRA review; and

FURTHER BE IT RESOLVED, the Town of Ulster Planning Board herby refers the Current Proposed Action to the Town Board with a recommendation to reaffirm its SEQRA Negative Declaration for the Overall Master Development Plan (OMDP).

Executive Auto / Victor Melville
185-201 Sawkill Road
48.14-2-32.430

Victor Melville, property owner of 185-201 Sawkill Road, appeared on behalf of the application to bring an existing used car sales lot, Executive Auto, into compliance. Executive Auto’s site plan was originally approved in 1994 to allow for a used auto lot with parking for ten (10) vehicle for sale and five (5) spots for customer use. The applicant would like to bring the current lot into compliance for the seventeen (17) cars that are currently on site for sale, as well as five

(5) spaces for customers; total of twenty-two (22) spots. Mr. Melville stated that he leases a one (1) acre piece of property off of his nine (9) acre parcel to the owner of Executive Auto.

Mr. Melville explained that business has been steady and that the business has expanded some since the last approvals, but that the basic footprint has stayed the same. Mr. Melville spoke of adding landscaping, plants, and strawberries to the site. Mr. Melville stated that he had just received the project review notes and was not sure what step to take next. Mr. Melville showed the Board his proposed plans.

Mr. Sorensen explained to Mr. Melville that he should work with a surveyor to bring his site plan current and to scale, as well as have a design professional attend a Planning Board workshop. Mr. Sorensen stated that the Board needs detailed drawings created by a professional. Mr. Sorensen stated that the other issues involved with this project would be that it would need to be reviewed by the Ulster County Planning Board (UCPB), as well as the Ulster County Highway Department (UCHD). Mr. Sorensen stated that the approvals would be a two (2) month minimum process once the site plan/survey was submitted and reviewed.

Action: No action was made.

**Kleeschulte Carwash / Scrub A Dub – P-741
660 Washington Avenue
48.14-1-18.100**

Dennis Larios, Brinnier & Larios, appeared on behalf of the application to construct a thirty-three hundred (3,300) square foot single-pass, state-of-the-art carwash on Washington Avenue between the large QuickChek and the Park-and-Ride. Mr. Larios explained that the Kleeschultes' are Town of Ulster residents that own a few other carwashes in surrounding areas. Mr. Larios explained that the applicant has been working on the plan for the site plan for approximately three (3) years. The project location is where the old Davenport's farm stand used to be.

Mr. Larios explained that the property is owned by an affiliate of the QuickChek property and that the ingress/egress on Washington Avenue has reciprocal right by both property owners. Mr. Larios explained that the proposal is consistent with QuickChek's use. Mr. Larios explained that the site is within a floodplain so the site will have to be raised by an average of approximately five feet (5') and that a retaining wall is required; the retaining wall will be a precast sculpted wall similar to what Lia Honda and Begnal both currently have. Mr. Sorensen stated that he liked the idea of exploring with DOT the use and occupancy to construct a berm and the applicant agreed and hopes DOT works with them. Mr. Larios stated that DOT will give them a grading permit and that they plan to have a nice landscaping plan below the retaining wall.

Mr. Larios stated that there is an overhead minor service line present and the clearance is sufficient. Mr. Kleeschulte stated that any vehicle too large should know they are too large to enter there. Garbage trucks stand at around thirteen feet (13') and will have plenty of clearance under the utility pole should they choose to enter the site.

Mr. Larios stated that there will be two stacking lanes to the payment kiosks and they each would hold nine (9) cars in queue; total of eighteen (18) prior to the payment kiosk. Mr. Larios explained that there is room for approximately twenty-four (24) cars total, including the six (6) that can stack past the kiosk and before the carwash itself, before the intersection is interfered with. The building will be split into two sections; one housing the carwash and the other housing the mechanicals and bathrooms. Mr. Kleeschulte explained that the equipment room and production area will be similar to that of other carwashes. The vacuums are overhang vacuums.

The site had been staked out and tested with vehicles as large as an F350 with extended cabs, and the CAD machine as well as the physical test had showed no issues.

The high capacity carwash can service approximately one-hundred and fifty (140) cars per hour and is a much higher speed than any in the area. The kiosks process credit cards and membership cards very quickly, and they also have a cash option. The membership lane will have cars going in at a constant and the cash/sign up line will go a bit slower, but there will be an attendant present. The memberships are similar to that of an EZ-Pass and will have RFID tags on them. There will be a gate monitoring system, as well as camera monitoring. There will be at least one employee on site, so if a membership runs out, there is someone there the customers can speak with.

Mr. Kleeschulte explained that even during a great year, twenty (20) maximum capacity at a time is usual for a site; twelve to fifteen (12-15) usually a year. If there is an issue with vehicles backing up, someone will go out to rectify and QuickChek is in agreement with that plan. Should there be a vehicle backup, pressing one button will make all the robotic washing equipment back away from the vehicle being washed. If there is a backup onto Washington Avenue, there is the option to back out of the carwash and drive out. Mr. Kleeschulte stated that there's less than one percent (1%) chance that there will be an issue with traffic backup, but that he will provide the Board with more details. Mr. Kleeschulte stated that they won't do one-thousand (1,000) cars a day; if they do six hundred (600), they're happy. The carwash elevation facing Washington Avenue will be predominantly glass so that the customers do not feel claustrophobic and so the look is bright, clean and happy.

Mr. Almquist stated that the issue with Hoffman Carwash is that there is a short exit coming out of the wash to exit the site, and it does lots of damage to the road, especially during the winter time and wants to know if the applicant has a plan to decrease that issue. Mr. Kleeschulte stated that there will be a higher elevation so that the water exiting the carwash will drain back towards the carwash instead of onto the road or site. Mr. Kleeschulte stated that he has three to four times more space from the exit to the road that Hoffman has and that the drying technology shouldn't have much water run-off. There was a brief discussion.

Mr. Almquist stated that he had concerns about landscaping by the wall and on Washington Avenue, to which Mr. Larios stated the applicant will see what DOT will allow the applicant to do under permit and who will be maintaining it.

Mr. Larios stated that the catch basins will have snouts even though they are exempt due to the parcel size and stormwater regulations. Mr. Larios stated that they will be doing best

management practices, a small hydrodynamic separator that will discharge into the State system which runs right into the creek, so there will be no need to attenuate. Mr. Larios stated that they will be meeting with Bruce Utter from the Town's alternate engineering to review those issues.

Mr. Larios stated that the applicant and himself had met with the Department of Transportation (DOT) last fall and will hold another meeting soon. Mr. Larios stated that they plan on building a berm and installing landscaping, but that they need DOT's approval first.

Mr. Larios stated that they will be meeting with the Zoning Board of Appeals tomorrow (March 13th) and are applying for an area variance. Due to the triangular shape of the lot, one of the corners in the front setback will be only five feet (5') from the front property line. The building itself will sit approximately fifty feet (50') off the shoulder of the road, but because of the shape of the property, the variance will be required. Mr. Larios stated that they will be in close proximity to the Park and Ride's curb, but it tapers off.

Mr. Sorensen stated that the applicant, in terms of building design, has incorporated recesses, projections, changes in materials to break up the mass and that he's sure the UCPB will have comments, just as they did with QuickChek, as it is referred to them. There was a brief discussion about the color complementing QuickChek, which the applicant stated that they finally got QuickChek to agree to sell the lot and that QuickChek was very adamant about not wanting the carwash to look anything like their building; the Scrub a Dub colors are red, white and blue.

Mr. Sorensen stated that the Town of Ulster Town Board has the authority to approve this site plan as the building is larger than twenty-five hundred (2,500) square feet and the project will be classified a SEQR Type II action, less than four thousand (4,000) square feet and that it will have to be referred to the UCPB. Mr. Larios stated that they had met with the County Planning Department last fall so the County is aware that the project will be coming before them. Mr. Larios stated that the UCPB's biggest concern was also the treatment of landscaping along Washington Avenue.

Mr. Larios stated that he also spoke with Dave Corrigan, NYSDOT, who had been promoted and John Riley was now in his position handling the permits. Mr. Larios stated that he had worked with both Mr. Riley and Mr. Corrigan on the Lia Honda and Begnal projects.

Mr. Larios stated that there is a lot line that may have possibly been deleted between QuickChek and the proposed parcel, but he is not certain and they may have to get that done.

The Board and the applicant both agreed to wait to forward the project to County until the application was more complete with landscaping details and renderings.

Action: No action was taken.

Ronald Proctor & Marlene Nostrand – P-743
179-199 & 201-211 Forest Hill Drive
48.13-4-10 and 48.13-4-9

Michael Vetere III, Vetere Surveyors, appeared on behalf of the applicant for a lot line deletion. Mr. Vetere stated that he was originally working for the buyer of the lots that would like to place a house on them, but in order for the buyer to get lending, the lot line must be deleted and the lots consolidated, so Mr. Vetere is now working for the sellers, as well. Mr. Vetere stated that in this area, all the houses are centered within blocks and his client would like to keep with the character of the neighborhood. Mr. Vetere stated that there are three descriptions in the deed, but only two tax map numbers; a portion of the lot 7, which is a vacant non-conforming building lot and is a view easement which is owned and fee titled, so that the house has ownership of the view over Route 28. The subdivision was originally done in 1965 by Brinnier & Larios. Mr. Vetere stated that the buyer is a Town of Ulster employee and that it took approximately three (3) months to get to this point and Mr. Quigley was kind enough to get the applicant on the agenda. Mr. Almquist questioned where the house will be placed. Mr. Vetere explained that the septic is on lot 14 and the well is on lot 12 and the house will be placed in the middle of the combined lots.

Mr. Sorensen stated that this project meets the definition of a lot line adjustment and does not require a public hearing. Mr. Sorensen stated that under the new SEQR regulations, this is a Type II action. Mr. Sorensen recommends approving the lot line adjustment. Mr. Sorensen read the resolution.

Action: A motion to approve the lot line adjustment was made by Mr. Almquist, with a second from Mr. Decker; all in favor with a roll call vote.

Discussion

Mr. Almquist wanted to discuss the landscaping issues at Kingston Commons site on Washington Avenue. Mr. Almquist stated that the site is all rock and nothing will grow in that. Mr. Almquist stated that for typical landscaping, you dig a hole, size to be determined by the root ball, which is usually at least two times the size of the ball, then you put it in, soil and then mulch the top. Mr. Almquist stated that their plan will only handle a baby tree, without considering the tree when it gets large; large trees roots go out to the diameter of the crowns. All urban trees are put in a concrete box, one way or another, and more than half of the box is covered with asphalt; either concrete curbing or the road. The only place the tree can get any moisture is through a small gap between the sidewalk and the road. Since the tree does not get enough moisture, in most cases, in five to eight (5-8) years the tree is dead or misshapen. Washington Avenue is a tight site with a lot of concrete and blacktop for sidewalks. Mr. Almquist is proposing to do something different. Mr. Almquist would firstly like to make enough room for soil. There has been formulas done, also by a PH.D. in Cornell, who wrote a great book on street trees and had done a lot of work on what's necessary to feed urban trees and for a full, mature thirty foot (30') tree, you need thirty-five (35) cubic yards of soil to provide a ten day supply of water to that tree. Depending on the tree variety, that can vary as the leaves can be pushing more moisture into the air and more water out of the ground.

Mr. Almquist stated that he would like to approach Mr. Larios on this thought, but what if it's possible, through stormwater management, to take some of the run-off water and run it through the gravel to feed the trees to keep moisture in. Mr. Almquist stated that Cornell created a soilless mix; the mix includes stone to be mixed with clay and compost and a few other materials and that can be planted in. If the trees are planted in this mix within a basin, the roots have somewhere to go and would meet water demand.

Mr. Almquist stated that this is something the Board should think about and try to incorporate in the Kingston Commons site, as well as the proposed carwash site. Mr. Almquist stated that perhaps there should be something in the Code regarding landscaping so it forces the developers to look at it. Mr. Almquist explained that he'd like to keep the landscaping alive. Mr. Almquist stated the Board had shot the applicant down for any maples as they are very thirsty. Mr. More stated that he would be the first one to say no silver maples. There was a brief discussion.

Mr. Mulligan stated that it was his understanding that Kingston Commons wanted to raise the site and then go back in and dig out areas for the landscaping, but what Mr. Almquist is saying is that the trees will die? Mr. Almquist said yes, they will die.

Mr. Quigley III, Town of Ulster Supervisor, stated that the issue that the construction industry is having now relates to the natural sources of fill, which were natural soils, has been depleted. Now they are being forced to go to Callahan for crushed stone, so there is now this additional problem. Mr. Quigley stated that it will be interesting to see how Kleeschulte achieves the fill on his site because across the street used Callahan, Mr. Panessa used Callahan, and he suspects that the carwash will use Callahan, as well, because of the source of the material, as it's the only cost competitive material out there at the moment. Mr. Quigley stated that the Town will probably have to establish some standard going forward that whatever landscaping plans the Planning Board approves, has to have some type of warranty that the trees won't burnout after so many years due to the underlying soil and the Town will have to find a way to enforce that. There was a brief discussion. Mr. Quigley requested that Mr. Sorensen speak with Mr. Jason Kovacs, the Town Attorney, regarding this matter to see what the options are. Mr. Sorensen stated that there can be a requirement for a landscaping bond and add standards to the site plan review regulations including landscaping standards, as well. Mr. Quigley stated that the issues with bonds are that not every site will have the applicability of a bond; some sites have sand where the plants can take root. The Board agreed that it would have to be on a case by case basis for any landscaping bonds. Mr. Quigley stated that there is not much that the Board can do about Kingston Commons except to have the building department enforce any Town Code standards, as he believes if there is any failure in the site plan within the first couple of years he believes the Town can then do something. Mr. Almquist stated he did have a conversation with Warren Tutt, building inspector, regarding this matter already.

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

Respectfully Submitted,
Gabrielle Perea
Planning Secretary