

TOWN OF ULSTER PLANNING BOARD

November 10, 2020

The monthly meeting of the Town of Ulster Planning Board was held on Tuesday, November 10, 2020, at 7:00 p.m. via the Zoom application. The following members were present:

Present:

Anna Hayner
Lawrence Decker
John More
Gary Mulligan – Chairman

Frank Almquist – Vice Chairman
Dan Furman
Andrew Stavropoulos
David Church – Planner

The Pledge of Allegiance was recited.

Roll call was taken.

A motion to approve the minutes from the October 2020 meeting was made by Mr. Almquist, with a second from Mr. Stavropoulos; all in favor.

PUBLIC HEARING

Vincent Organtini – P-812
148 & 150 Esopus Avenue
SBL: 48.49-1-18.110 & 120
Zone: R10
Major Subdivision

Michael Vetere III, Surveyor, appeared on behalf of an application for a four (4) lot subdivision.

Mr. Vetere stated that all four (4) lots are approximately thirteen-thousand square feet (13,000 sf).

Mr. Vetere explained that since last month, the proposed private road is now all encompassed as a part of lot four (4) and all of the utilities will run through the road.

Mr. Vetere stated that the Organtini's have hired an attorney to help put together a road maintenance agreement, which has been forwarded to the Town Attorney, Jason Kovacs, for his review. Mr. Vetere stated that the agreement has just as much protection in it for the Town as it does for the property owner and developer. Mr. Vetere stated that these changes have addressed what was asked of him last month.

A motion to open the Preliminary Plat Public Hearing was made by Mrs. Hayner, with a second from Mr. Almquist; all in favor. There was no public comment. A motion to close the public hearing was made by Mr. Stavropoulos, with a second from Mrs. Hayner; all in favor.

Chairman Mulligan stated that the main concern of this project seems to be the road layout. Chairman Mulligan stated that John Rose, Town of Ulster's Water Superintendent, brought up an issue regarding water mains. Mr. Warren Tutt, Building Inspector, stated that he spoke with Supervisor James Quigley III, as well as Mr. Rose and in the Town Code, there is a provision that states that private water lines are not allowed to cross over other lots. There is an exception to the regulation, but it requires Town Board approval. Mr. Tutt stated that the road maintenance agreement should be modified to reflect that in any event should a utility line be damaged, that if it is not the owner of the road and it is one of the other property owners, that they have a right to repair their utility lines. Mr. Vetere stated that the utilities are all included in the agreement.

Mr. Tutt stated that the only other request that was made was that Water and Sewer must meet with the applicant and see the proposed layout of the utility lines, prior to the Final Plat Public Hearing. Mr. Vetere stated that there should be no issues; no matter what the Town requested, the applicant could abide as the road and lines will be minimal.

Mr. Almquist asked if the road is terminated with a cul-de-sac. Mr. Vetere stated that it ends with a hammerhead.

Action: A motion to forward the project to a Final Plat Public Hearing was made by Mr. Almquist, with a second from Mrs. Hayner; all in favor.

OLD BUSINESS

Joseph Emanuele – P-813
2310-2332 Route 9W
SBL: 39.12-1-24
Zone: HC
Site Plan Amendment

Michael Vetere III, Vetere Surveying, appeared on behalf of an application to construct a building and an addition, totaling forty-five hundred square feet (4,500 sf).

Mr. Vetere stated that he wanted to update the Board. Mr. Vetere stated that he had submitted the photometric plan and is waiting on comments back from the County. Mr. Vetere has added silt fencing around the construction area, as well as 811 Dig Safe note and also added a note for bumper stops at each proposed parking space to the plans.

Mr. Vetere plans on being on December's agenda, pending UCPB comments.

Action: No action was made.

NEW BUSINESS

Albany 7, LLC – P-815 & p-816
721 & 723 Ulster Avenue
SBL: 48.58-5-37 & 48.58-5-21.120
Zone: HC

Site Plan Amendment & Lot Line Adjustment

Nardino Ritchie, property owner, and Ciro Interrante, Architect, appeared on behalf of an application to redevelop an existing commercial site consisting of two contiguous parcels.

Mr. Interrante explained that the applicant wants to remove the dividing lot line and create one parcel.

The applicant is proposing to demolish and rebuild the front building. Once constructed, the front building will consist of a laundromat on the first floor, with one accessible apartment and eight (8) apartments on the second floor. The rear building will be used for the manufacturing Jane's Ice Cream.

Mr. Interrante reviewed the plans with the Board, including fire apparatus turning radius, parking spaces, building footprints and renderings.

Mr. Interrante explained that the proposed stairwell would be twenty-four feet (24') from Ulster Avenue while the remainder of the building body will be at twenty-nine feet (29') from Ulster Avenue. This will require an area variance.

Chairman Mulligan stated that there are two issues before the Zoning Board of Appeals (ZBA) and that the ZBA would like the Planning Board's input before they make any decisions.

Mr. Jason Kovacs, Town Attorney, explained that the variance and site plan are contingent upon each other, but that he believes both processes should move forward simultaneously. The ZBA has concerns about what variance(s) were required after the Planning Board reviewed the site plan. Once the applicant makes any required modifications to the site plan, the ZBA would be more likely to make a decision on the variance(s).

Mr. Tutt stated that there were a couple of concerns; one of which is line-of-sight. Mr. Tutt stated that there should be no issues if the proposed plantings do not go over the four feet allowance. The other issue was parking, which Mr. Interrante just reviewed.

Mr. Tutt stated that a utility plan must be submitted prior to approval.

Chairman Mulligan stated that this is the first time a project has come before the Planning Board prior to variance approvals, so the Planning Board, Zoning Board and Town Board must work together to review the project in order to give the ZBA the guidance they are looking for.

Chairman Mulligan asked how the Board felt about the building remaining twenty-four (24') from the road. Mr. Almquist stated that his only concern was that the stairwell needed some architectural detail if it is going to be facing the main road and the Board agreed.

There is an existing sidewalk along Ulster Avenue and the applicant will connect to that sidewalk.

Chairman Mulligan stated that there is a 9W Corridor Enhancement Plan in place and that creates an issue with the proposed signage as it mandates monument signs which could create line-of-sight issues. Mr.

Tutt proposed that the sign be moved to the North, to within the proposed plantings, which will create further line-of-sight.

Mr. Almquist asked where the snow storage will be. Mr. Ritchie stated that depending on the snow load, it will either get pushed back to the rear corners or, if required, it will be removed off the property.

Mr. Almquist asked if the proposed parking spaces is the maximum to meet the Town Code or if it was the maximum that would fit on site. Mr. Interrante stated that they fit the parking that the Code requires onto the site, which is fifty-nine (59) spaces and three (3) handicap spaces, which is a total of sixty-two (62) spaces.

Chairman Mulligan asked the Board if it would alter the essential character of the neighborhood or if the requested variance was substantial. Chairman Mulligan stated that along that corridor it is mostly businesses, although the next street over is residential. Mr. Stavropoulos stated that since it is a mixed-use space, he does not see any issues; should it have been just apartments he would think about it further. Mr. Stavropoulos asked if it had apartments previously and Mr. Ritchie explained that there are currently vacant apartments present on the second story, but that he is adding more apartments to the new construction.

Mr. Stavropoulos stated that for one to two (1-2) bedroom apartments, the parking should work since each apartment requires two and half (2.5) parking spaces. Mr. Tutt stated that on the plans there are two (2) loading zones for one (1) handicapped space and if they took one (1) of the loading zones away, there would be one (1) extra parking space, bringing the total to sixty three (63).

Mr. Tutt stated that the new parking standard calls for a closed end loop for parking spaces and Mr. Interrante stated that he will reflect that on the plans.

Mr. Almquist asked if there was a dumpster enclosure. Mr. Interrante stated that they will put in an enclosure. Mr. Almquist asked if the dumpster would be shared between both buildings and Mr. Ritchie stated that it would be utilized by both buildings.

Mr. Ritchie stated that he received the fire Chief's blessing regarding fire apparatus access.

Chairman Mulligan asked the Board if they felt comfortable recommending to the ZBA that they grant both variances and the Board agreed.

Mr. Church stated that there is a lot line adjustment, site plan approval and two variances before the Board(s). The use variance and the site plan are both subject to SEQOR and referable to the UCPB for review. Mr. Church stated, ideally, those two processes should be started. Mr. Church recommended the draft meeting minutes be sent to the ZBA for their review.

Mr. Ritchie stated that he spoke to John Rose, Town of Ulster Water Superintendent, and that he has a call in to Mr. Vincent Maggione, Town of Ulster Sewer Superintendent, regarding utilities. Mr. Interrante stated that he sent the plans to his engineer today who will figure out the line size requirements for the utilities.

Mr. Furman stated that as of now, cars can come in both sides of where the existing sign is off of Ulster Avenue. Mr. Furman asked if the second entrance will be curbed so that people will not turn into it by accident. Mr. Interrante stated that they will close it off. Mr. Tutt stated that the approval would come from Department of Transportation from the State.

Chairman Mulligan asked if the County would require and in and out and require the applicant to take the island out. Mr. Interrante stated that there should be enough space to close one of the entrances with curbing and that he does not believe that this site would require and in and out off of Ulster Avenue.

Chairman Mulligan asked Mr. Church if the Board should approve the lot line adjustment tonight and Mr. Church recommended that the Board wait for the response from County before they make any motions.

Mr. Almquist stated that the County will want some landscaping plans and Mr. Interrante stated that he would be submitting those plans separately.

Mr. Almquist stated that there are power lines in front of that building that cross to the other side of Ulster Avenue. Mr. Ritchie stated that Central Hudson will come out and see if he has the option to run lines underground stemming from the existing utility pole that is in front of the buildings.

Mr. Almquist asked if Jane's Ice Cream had any future plans to do retail in the rear building and Mr. Ritchie stated no, but he is thinking about putting vending machines in front of the manufacturing business and have pints of all of the eighty-four (84) flavors and purchase them with cash or card, twenty-four (24) hours a day, seven (7) days a week.

Action: A motion to refer the project to the Town Board to initiate SEQR Lead Agency and forward the project to the County once all required documents are submitted was made by Mr. Almquist, with a second from Mr. Stavropoulos; all in favor.

DISCUSSION

Mr. Tutt stated that he has been tasked with checking the lighting levels of all the car dealerships in the Town. Mr. Tutt stated that the Supervisor was informed that the lighting levels at Begnal, Lia Honda and Romeo Chevrolet exceed the levels that the Town has required for Romeo Kia.

Mrs. Hayner stated that the Kingston Block light when shining was too bright and she had mentioned it for years. Mr. Tutt stated that Kingston Block has a temporary light and it has not been on for over a week, but he will add the angle of said light to his list to go and measure.

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

Respectfully Submitted,
Gabrielle Perea
Planning Secretary