

TOWN OF ULSTER PLANNING BOARD

November 9, 2021

The monthly meeting of the Town of Ulster Planning Board was held on Tuesday, November 9, 2021, at 7:00 p.m. in the Town of Ulster Town Hall at 1 Town Hall Drive, Lake Katrine, NY 12449. 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 September 2021 meeting was made by Mr. Almquist, with a second from Mr. Decker; all in favor.

NEW BUSINESS

Moe's Motor Cars – P-862
454 Hurley Avenue
SBL: 48.17-1-41.100
Zone: OM
Site Plan Amendment

Mohammad Waheed, property owner, appeared before the Board on behalf of an application for a used car sales business.

Mr. Waheed had attended a workshop and has since submitted a better site plan sketch for review.

Mr. Waheed explained that he will be placing an office trailer on the property and will be installing a wooden or chain link fence around the perimeter of the property for security reasons. The area in the rear of the property will have gravel placed and will be used for vehicle storage, and the area in the front of the property will be used to store vehicles for sale.

Mr. Waheed explained that he lives in Long Island, so the business will be open by appointment only and will only be open a couple of days a week.

The lot used to be used as a Citgo gas station and a pizza shop and it burned down a few years ago.

Mr. Waheed stated that there was an underground tank on site for about six (6) years and no one had concerns over contamination then, but for his business there is a petition going around with concerns of contamination from the vehicles that will be stored and sold there.

Mr. Waheed stated that he will not be servicing or detailing any vehicles – he will only be selling vehicles. The entire lot will be his inventory to sell.

Mr. Waheed explained that he does not have utilities, except for electricity, running to the trailer for his office. There is no water, yet.

Mr. Waheed purchased the property in June, but the deed did not transfer over until last month.

Mr. Waheed explained that the type of fence to be installed will depend on the cost of materials at the time, but he plans on installing chain link with slats in the front.

Mr. Almquist asked if the applicant had any landscaping plans. Mr. Waheed stated that the whole property will be gravel, but that there is an existing green patch in the front of the property which will remain. Mr. Waheed does not plan on planting anything in the right-of-way (ROW) in front of the property.

Mr. Waheed stated that he will be using the existing pole sign for a sign and that the DMV will require a sign, but that he is not proposing any signs at this time. Mr. Waheed will get a sign permit when he is ready to install any signage.

A cleaner survey with site plan will need to be provided prior to referral to the Ulster County Planning Board (UCPB) for their review along with lighting specifications (specs), if lighting will be on-site.

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

WHEREAS, the applicant – Moe’s Motor Cars LLC, seeks Special Permit Use and Site Plan approval for a new automotive sales and service use; and,

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

WHEREAS, the Town Board of the Town of Ulster has final review and approval authority for this application in coordination with the Town of Ulster Planning Board; and,

WHEREAS, said Planning Board has reviewed this application and recommends the Town Board take the following actions:

NOW THEREFORE BE IT RESOLVED, the Planning Board recommends the Town Board declare its intent to be Lead Agency and finds that this application is an Unlisted Action under the New York State Environmental Quality Review Act (SEQRA); and,

NOW BE IT FURTHER RESOLVED, the Planning Board finds that prior to any further action by the Town of Ulster the application submitted as of November 9, 2021, will require a more complete map submission to the Town of Ulster with notes showing all site changes proposed including but not limited to any landscaping, fencing and exterior lighting. The Planning Board has discussed this with the Applicant; and,

NOW BE IT FURTHER RESOLVED, with and only after complete map submission as described above, the Planning Board recommends the Town Board formally initiates SEQRA, refers this 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, and schedules a public hearing for the Special Permit Use; and,

BE IT FURTHER RESOLVED, the Planning Board recommends referral to the Town of Ulster Zoning Board as the site plan presented will require an area variance for front setback associated with proposed fencing

PUBLIC HEARING

Parry Subdivision - P-858
2050 Ulster Avenue
SBL: 39.16-1-11
Zone: HC
Minor Subdivision

Mary Parry, owner, and her son Eric Lapp, appeared before the Board on behalf of an application to subdivide one (1) lot into two (2) lots.

A motion to open the public hearing was made by Chairman Ring.

Mr. Lapp explained that they would like to subdivide a piece of land off the existing parcel and sell the portion with the house and garage to be used as is, and the vacant piece of land will be kept and used as is.

The new lot will be 2.018 acres and both lots will have 9W road frontage.

There was no public comment. A motion to close the public hearing was made by Chairman Ring, with a second from Mr. Almquist; all in favor.

Mr. Church read the resolution.

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

WHEREAS, the applicant – Mary Parry (with Eric Lapp) – is seeking Minor 2 lot subdivision approval in accordance with Section 161-10 and the town of Ulster code; and

WHEREAS, the applicant proposes to subdivide a 2.018 acre new lot from the existing lot SBL 39.16-1-11; and,

WHEREAS, the proposed lots comply with the minimum lot size and dimensions of the HC Highway Commercial Zoning District; and

WHEREAS, pursuant to Section 161-9 of the Town Code, the Proposed Action is classified as a Minor Subdivision, which is subject to the approval of the Town of Ulster Planning Board; and

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

- Completed Application for Subdivision Approval prepared by Mary Parry, dated 9/28/21
- Signed Owner Consent Form for Filing, signed by Mary Parry, 9/28/21
- Signed Escrow Agreement, signed by Mary Parry, 9/28/21
- Completed Short Environmental Assessment Form including EAF Mapper Summary Report
- Map of Proposed Subdivision of Lands of Gregory J. Parry & Mary L. Parry prepared by Brinnier & Larios, P.C., dated September 27, 2021

WHEREAS, referral to the Ulster County Planning Board was not required pursuant to the UCPB Land Use Referral Guide, since the Proposed Action involves few than 5 lots and access roads and structures are not situated within the 100-year floodplain; and

WHEREAS, the Planning Board considered of the application materials submitted by the applicant in support of the Proposed Action, along with the comments of its consultants made via memoranda (which memoranda are incorporated herein by reference); and

WHEREAS, in accordance with Chapter 161, Section 161-9 the Proposed Action is a Minor Subdivision and the Planning Board must hold at least one (1) public hearing before it can take final action but can waive the requirement for a preliminary public hearing; and

WHEREAS, at the October 12, 2021 meeting the Planning Board scheduled this matter for a Final Plat public hearing at the November 9, 2021 Planning Board meeting; and

WHEREAS, at its November 9, 2021 meeting the Planning board opened the public hearing and thereafter closed the public hearing; and

WHEREAS, the Planning board classified the Proposed Action as a SEQRA Unlisted Action and upon review of the entire record makes a SEQRA Negative Declaration after concluding that the action does not pose any large or significant adverse environmental impacts.

NOW THEREFORE BE IT RESOLVED, the Planning Board has determined they have complied fully with the procedural requirements of Part 617 of the State Environmental Quality Review (SEQR) Law; and

FURTHER BE IT RESOLVED, the Town of Ulster Planning board hereby grants 2-Lot Minor Subdivision approval as described above subject to the conditions, limitations and restrictions set forth below:

1. The Plat may be filed with the office of County Clerk after signing by the Chairman of the Planning Board.
2. Compliance with any comments from the Town of Ulster Water Superintendent
3. Compliance with any requirements of New York State Department of Transportation relevant to access to Route 9W / Ulster Avenue.
4. 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
5. 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
6. All fees, including consultant fees, shall be paid

OLD BUSINESS

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 on behalf of the application for a solar farm. Chairman Ring stated that he spoke with Brinnier & Larios and everyone had agreed that an updated SWPPP needed to be submitted. There is a time constraint on grants to be received which is dependent upon approval of the site plan.

Mr. Jason Kovacs, Town Attorney, reviewed the proposed decommissioning plan and made some adjustments and sent it to the applicant for their review and Mr. Schrowang stated that he was fine with the changes made.

The recommendation is to move the project to the Town Board for final approval with conditions.

Mr. Church read the resolution.

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

WHEREAS, the applicant – Pioneer Solar, seeks Site Plan approval for construction of a 5MW community solar array on a 77.8 acres site using approximately 20.42 acres. This is a permitted use as a utility company structure in the OM zoning district; and,

WHEREAS, the applicant has submitted a complete Site Plan application to the Town of Ulster Planning Board, in coordination with the Ulster Town Board, including the following:

- Completed Application for Site Plan Amendment Review prepared by Pioneer Solar, aka Solar Generation Projects LLC dated 2/18/2021 and received 2/22/2021.
- Proposed Site Plan prepared by Solar Generation Projects LLC, all dated 2/20/2021 and consisting of 5 sheets: 1) Aerial Site Plan, 2) Hillshade View, 3) Array Electrical Stringing, 4) Array Electrical Pole Lineup, and 5) Array Wildlife Fence.
- Signed Owner Consent Form for Filing
- Signed Escrow Agreement
- Completed Short Environmental Assessment Form and Full Environmental Assessment Form, dated 2/18/2021
- Complete Visual Environmental Assessment Form Addendum
- Ulster County Planning Board memorandum Referral No. 2021-166 for Pioneer Site Plan
- Memorandum from Zachary Schrowang, Solar Generation to Town of Ulster Planning Board, dated 05/25/2021 documenting compliance with Town of Ulster Planning Board, and Ulster County Planning Board comments.
- Visual Assessment for Project Pioneer, prepared by Solar Generation, including documentation of balloon tests
- Draft Decommissioning Agreement
- Preliminary Stormwater Pollution Prevention Plan for Pioneer Solar Array Project, prepared by Integrated Engineering Solutions, PC, dated 09/02/2021 including Pre-Developed Drainage Area Maps (Sheets 1 of 4 & 2 of 4), Post-Development Drainage Area Maps (Sheets 3 of 4 & 4 of 4)

WHEREAS, the 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:

BE IT RESOLVED, that the Town Board of the Town of Ulster as Lead Agency should determine that the Site Plan application is an Unlisted Action under the New York State Environmental Quality Review Act (SEQRA) and should make a Negative Declaration that this Action will not have any significant, adverse environmental impact; and,

BE IT RESOLVED, that the Ulster County Planning Board Referral No. 2021-166 includes recommended comments on Endangered and Threatened Species, Stormwater, Stormwater Monitoring/Maintenance, and Access that have been discussed with the Applicant and should be a part of this Site Plan approval; however, the comment related to Access and requiring a driveway permit from Ulster County Department of Public Works is found to be unnecessary as the application project will use existing access.

NOW BE IT FURTHER RESOLVED, the Planning Board recommends that the Town Board formally grant Conditional Site Plan approval subject to statement above as well as the following:

RESOLVED that the Town of Ulster Town Board grants Conditional Site Plan approval for the Proposed Action subject to the conditions, limitations and restrictions set forth below.

1. Compliance with the Ulster County Planning Board comments from Referral Memo No. 2021-166 as noted above including coordination with NYS Department of Environmental Conservation regarding protocols for protection of Northern Long-eared Bat and Bald Eagle habitat associated with site clearing and tree removal; but excluding the requirement of a driveway permit from Ulster County based on the use of existing driveway access to Sawkill Road;
2. Compliance with all comments by Brinnier and Larios, PC, Town of Ulster Town Engineers, including those specific to the Stormwater Pollution Prevention Plan documentation provided with this application;
3. Filing with the Town of Ulster of a fully executed Decommissioning Agreement acceptable to the Ulster Town Attorney;
4. Compliance with applicable zoning and building laws, rules and regulations;
5. Compliance with all representations made by the applicant;
6. Compliance with documentation, site plan, design plans and all details as cited herein;
7. 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
8. All fees, including consultant fees, shall be paid.

Ulster Recreation Facility – P-851
Route 28
SBL: 47.2-4-3.100
Zone: HC
Site Plan

Zachary Hall, Project Manager for KDA Architecture, Shawn Holzmann, applicant, and Tom Harvey, Project Engineer for Rennia, appeared before the Board on behalf of their application for an indoor-outdoor tennis recreation facility.

Chairman Ring explained that the outstanding issues were to have a discussion regarding the roadway, which had been discussed with the Town Highway Superintendent, Frank Petramale, who will provide conditions to give his final approval and the County comments. The applicant will comply with the required modifications, except the access modification, which the Board will override. The access will be off a Town Road and not a State or County Road.

Action: A motion to accept the resolution as read was made by Mr. Almquist, with a second from Mr. Stavropoulos; all in favor with a roll call vote. A motion to override the County requirement to apply for a DOT permit for access was made by Mr. Almquist, with a second from Mrs. Hayner; all in favor with a roll call vote.

WHEREAS, the applicant – Ulster Recreation Facility (aka Ulster Tennis), seeks Special Use and Site Plan approval for construction of a recreation and tennis facility; and,

WHEREAS, the applicant has submitted a complete Site Plan application to the Town of Ulster Planning Board, in coordination with the Ulster Town Board, including the following:

- Complete application for special use permit and site plan prepared by Shawn Holzmann et.al. dated 7/28/21
- Signed Owner Consent Forms for Filing signed by Susan Clancy, dated 7/28/21 and Barbara Dreska, dated 7/27/21
- Signed Escrow Agreement by Shawn Holzmann, dated 7/9/21
- Completed Full Environmental Assessment Form and Full Environmental Assessment Form, prepared by Shawn Holzmann, dated 7/9/21
- Site Plan for Ulster Recreation Facility prepared by KDA (Kristina Dousharm Architecture PLLC) & Renna Engineering Design, PLLC dated 2021 including seven (7) sheets as follows:
 - Sheet 1 of 7 Existing Conditions (revised as Sheet 1 of 9)
 - Sheet 2 of 7 Site Plan (revised as Sheet 2 of 9)
 - Sheet 3 of 7 Grading/Utility Plan (revised as Sheet 3 of 9)
 - Sheet 4 of 9 Landscaping Plan (revised as Sheet 4 of 9)
 - Sheet 4 of 8 Lighting Plan with Lighting Detail (revised as Sheet 5 of 9)s
 - Sheet 6 of 7 Erosion & Sediment Control Plan (revised as Sheet 6 of 9)
 - Sheet 7 of 7 Details (revised as Sheet 7 of 9)
 - Sheet 8 of 9 Stormwater Details
 - Sheet 9 of 9 NYSDOT Entrance Plan
- Exterior Elevations for Ulster Tennis prepared by KDA & Renna Engineering Design PLLC, dated 7/27/21 including three (3) sheets as follows:
 - Sheet A100.00 Exterior Elevations, Proposed Second Floor
 - Sheet A101.00 Exterior Elevations, Proposed Ground Level
 - Sheet A200.00 Exterior Elevations, Proposed East Elevation, North Elevation, West Elevation & South Elevation
- Signage details for “Ulster Tennis”, 2 sheets prepared by Timely Signs, one for pole mount sign along Route 28, one for Mount Concept sign at entrance on Jockey Hill Road
- Letter from Thomas Harvey, Renna Engineering Design PLLC to Geoffrey Ring, Chair Town of Ulster Planning Board dated October 27, 2021 describing soil testing as well as updated engineering information and site plan revised sheets including revised Stormwater Pollution Prevention Plan
- Ulster Tennis color renderings, by Kristina Dousharm Architecture, PLLC and Renna Engineering Design, PLLC, dated 09/28/21
- Stormwater Pollution Prevention Plan, Ulster Recreation Facility prepared by Renna Engineering Design, PLLC dated 09/28/2021 and revised 10/21/2021.
- Review of Application and of Revised Application memorandum from Brinnier and Larios, PC (Town of Ulster Engineers) to Geoffrey Ring, Chairman Town of Ulster Planning Board, dated and September 7, 2021 & November 8, 2021 respectively,

WHEREAS, the Ulster Town Board has final Special Use and 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 RESOLVED, that the Town Board of the Town of Ulster as Lead Agency should determine that the Special Use & Site Plan application is an Unlisted Action under the New York State Environmental Quality Review Act (SEQRA) and makes a Negative Declaration that this Action will not have any significant, adverse environmental impact; and,

BE IT RESOLVED, that the Ulster County Planning Board Referral No. 2021-186 & 187 includes recommended comments on Health Department approval, Clearing and Endangered Species, Stormwater, Visual Impacts, and Sustainability that have been discussed with the Applicant and should be a part of this Site Plan approval; however, the comment requiring that the Jockey Hollow Road access to Route 28 meet "...the requirements for a minor commercial driveway..." should be a decision made in coordination between the Applicant, the Town of Ulster Highway Superintendent, the NYS Department of Transportation as a condition of this Final Special Use and Site Plan approval. This comment is recommended for an over ride vote of the Ulster Town Board; and,

NOW BE IT FURTHER RESOLVED, the Planning Board recommends that the Town Board formally grant Conditional Final Special Use & Site Plan subject to all of the above and as follows:

RESOLVED that the Town of Ulster Town Board grants Conditional Special Use and Site Plan approval for the Proposed Action subject to the conditions, limitations and restrictions set forth below.

1. Compliance with any final comments as may be needed from the Town Highway Superintendent in coordination with the NYS Department of Transportation regarding access and use of Jockey Hollow Road and access to NYS Route 28;
2. Compliance with the Ulster County Planning Board comments from Referral Memo No. 2021-186 & 187 as noted above including review and approval by the Ulster County Health Department, and coordination with NYS Department of Environmental
3. Conservation regarding protocols for protection of Northern Long-eared Bat and Bald Eagle habitat associated with site clearing and tree removal;
4. Compliance with all comments by Brinnier and Larios, PC, Town of Ulster Town Engineers, as per memorandum to Chair Town or Ulster Planning Board dated September 7, 2021 and November 8, 2021 as noted above;
5. Compliance with applicable zoning and building laws, rules and regulations;
6. Compliance with all representations made by the applicant;
7. Compliance with documentation, site plan, design plans and all details as cited herein;
8. 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
9. All fees, including consultant fees, shall be paid.

AllSpace Storage P-857
1639 Ulster Avenue
SBL: 39.19-3-24
Zone: HC
Site Plan Revision

Shawn Curran, Project Technician for LRC Group, appeared before the Board on behalf of an application to expand AllSpace Storage.

Mr. Curran explained that the land has already been cleared for the proposed units and they applied to SHPO and received a no impact response. The only utility that would be installed is electricity.

There was a brief discussion about the orientation of the new buildings and retention ponds.

Mr. Church read the resolution.

Action: A motion to refer the project to the Ulster County Planning Board (UCPB) was made by Mrs. Hayner, with a second from Mr. Stavropoulos; all in favor with a roll call vote.

WHEREAS, the applicant – AllSpace Storage (aka Apollo Group, LLC), seeks Site Plan Amendment approval for expansion of an existing self-storage facility; and,

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

WHEREAS, the Town Board of the Town of Ulster has final review and approval authority for this application in coordination with the Town of Ulster Planning Board; and,

WHEREAS, said Planning Board has reviewed this application as complete.

NOW THEREFORE BE IT RESOLVED, the Planning Board recommends the Town Board finds that this application is an Unlisted Action under the New York State Environmental Quality Review Act (SEQRA) and the Town Board should be designated as Lead Agency; and,

NOW BE IT FURTHER RESOLVED, the Planning Board recommends the Town Board formally refers this 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.

Bair / Milici – P-854
165 Gallis Hill Road
SBL: 47.4-1-23
Zone: R-60
Major Subdivision

Matthew Towne, Willingham Engineering, appeared before the Board on behalf of an application for a seven (7) lot major subdivision with a private road.

Chairman Ring stated that the Board has everything in place to accept the preliminary sketch and schedule the final plat public hearing.

Mr. Church explained that Brinnier & Larios agreed that if the Board required four (4) conditions to the approval, they would sign off on the approval of the subdivision.

There are also County comments that were received.

Mr. Church read the resolution.

Action: A motion to override the County comment regarding visual impact was made by Mr. Decker, with a second from Chairman Ring; all in favor with a roll call vote. A motion to schedule the final public hearing was made by Mr. Hayner, with a second from Chairman Ring; all in favor with a roll call vote. A motion to accept the resolution as read was made by Mr. Almquist, with a second from Mrs. Hayner; all in favor with a roll call vote.

WHEREAS, the applicant –Scott Milici and Brooke Bair- is seeking approval for a major subdivision in accordance with Town of Ulster (Town) code titled Subdivision of Land Section 161-10; and

WHEREAS, the applicant proposes to create seven (7) residential lots from an existing lot utilizing shared driveways and a shared private road accessing a Town road; and,

WHEREAS, the proposed lots as presented appear to comply with the minimum lot size and dimensions of the R60 Zoning District; and

WHEREAS, pursuant to Section 161-9 of the Town Code, the Proposed Action is classified as a Major Subdivision, which is subject to the approval of the Town of Ulster Planning Board; and

WHEREAS, the Applicant has provided the following documents to the Town of Ulster Planning Board:

- Completed Application for Subdivision prepared by Matt Towne, PE dated 8/21/21
- Signed Owner Consent Form for Filing by Scott Milici and Brooke Bair dated 8/21/21
- Signed Escrow Agreement by Scott Milici and Brook Bair dated 8/21/21
- Completed Short Environmental Assessment Form with EAF mapper information, prepared by Andrew Willingham, dated 8/24/21

- Memo from Matthew Towne, PE, Willingham Engineering, dated August 31, 2021 describing the application proposal and site conditions.
- Sheet of six (6) sheets, all prepared by Willingham Engineering, dated 8/31/21 as follows: Sheet S-1, Preliminary Subdivision Plat, Sheet SP-1, Existing Conditions Plan Sheet SP-2, Grading, Utility & Erosion Control Plan Sheet SP-3, Grading, Utility & Erosion Control Plan, Sheet SP-4, Private Road Profile & Details, Sheet SP-5, Erosion & Sediment Control Details;
- Milici & Bair Subdivision Stormwater Pollution Prevention Plan (SWPPP) prepared by Willingham Engineering, September 2021.
- Memo from Matthew Towne, Willingham Engineering, dated 9/24/21 reporting applicant is still working on driveway and road maintenance agreements, and Ulster County Health Department submission for wastewater disposal systems.
- Completed Agricultural Data Statement dated 9/24/21.
- Review Memo from Frank C. Petramade, Town Highway Superintendent including four (4) comments.
- Referral Review Memo No. 2021-206 from Ulster County Planning Board, dated 10/6/21 and including five (5) comments.
- Survey Plat for the Lands of Scott Milici and Brooke Bair, prepared by Margaret M. Hillriegel, Licensed Land Surveyor, dated 3/13/21.
- *Survey of Lands of Dietz, prepared by Robert L. Campbell, Land Surveyor, dated 8/5/1992 (note this is property contiguous and north / northeast of the applicant property); and,*

WHEREAS, the Planning Board opened and closed a preliminary subdivision public hearing on October 12, 2021; and,

WHEREAS, based on the application documents provided by the Applicant, the Town of Ulster Planning Board takes the following actions:

NOW THEREFORE BE IT RESOLVED, the Planning Board as Lead Agency has determined that this Application is an Unlisted Action as defined under Part 617 of the State Environmental Quality Review (SEQRA) Law, and that said Planning Board makes a Negative Declaration that this application will not result in any significant adverse environmental impacts under SEQRA ; and,

FURTHER BE IT RESOLVED, that the Planning Board referred this application to the Ulster County Planning Board consistent with NYS General Municipal Law 239, and finds that this application will comply with the Ulster County Planning Board comments titled Health Department, Agreements and Easements, Sustainability, and Visual Impacts (related to limits of disturbance). However, the Planning Board seeks to over-ride the comment on requiring visual impact analysis and on required use of low-reflective glazing and blended color building materials, as well as the comment requiring a Habitat Suitability Assessment; noting, the Planning Board has discussed the use of such glazing and building materials with the applicant, and said Planning Board has also provided the applicant with a memorandum advising them to coordinate with NYS Department of Environmental Conservation and known protocols for the protection of Northern Long-eared Bat and Bald Eagle habitat ; and,

FURTHER BE IT RESOLVED, that the Planning Board sets December 14, 2021 as the date for a required final subdivision public hearing consistent with Town of Ulster Subdivision of Land Section 161-10

FURTHER BE IT RESOLVED, that the Planning Board grants Preliminary Subdivision approval for this application subject to Final Subdivision Approval and subject to the following conditions:

1. The applicant will gain final approval from the Ulster County Health Department prior to Final Subdivision approval by the Town of Ulster; and.
2. The applicant will provide shared driveway maintenance agreements, acceptable to the Ulster Town Attorney, for all shared driveways that are a part of this subdivision application; and,
3. A Stormwater Pollution Prevention Plan will be approved by Town Engineer and Town MS4 Officer; and,
4. Design as well as Bond Estimate for all private road work will be approved by Town Engineer; and,
5. The applicant will follow all applicable protocols for the protection of Northern Long-eared Bat and Bald Eagle habitat protection as set by the NYS Department of Environmental Conservation; and,

AllSpace Storage P-857
1639 Ulster Avenue
SBL: 39.19-3-24
Zone: HC
Site Plan Revision

Shawn Curran, Project Technician for LRC Group, appeared on behalf of the expansion of AllSpace Storage.

There was no County Impact and no discussion amongst the Board.

Mr. Church read the resolution.

Action: A motion to accept the resolution as read was made by Mr. Almquist, with a second from Mr. Decker; all in favor with a roll call vote.

WHEREAS, the applicant – AllSpace Storage, seeks Site Plan Amendment approval for four (4) additional storage buildings at the existing storage facility and,

WHEREAS, the applicant has submitted a complete Site Plan application to the Town of Ulster Town Board coordinated with the Town of Ulster 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, declared its intent to be Lead Agency and previously typed the application as a Unlisted Action 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 comment of No County Impact; and,

WHEREAS, the Planning Board, in coordination with the Town Board considered all of the application materials submitted by the applicant in support of the Proposed Action, along with the comments of the Ulster County Planning Board, as well as Town consultants and staff; and,

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Planning Board recommends that the Town of Ulster Town Board makes a Negative Declaration under SEQRA for this Action; and,

BE IT FURTHER RESOLVED that the Town of Ulster Planning Board recommends Final Site Plan approval with conditions subject to the conditions, limitations and restrictions set forth below.

1. Compliance with any final comments as may be needed from the Town Sewer Department, and/or Town Water Department.
2. Compliance with applicable zoning and building laws, rules and regulations;
3. Compliance with all representations made by the applicant;
4. Compliance with documentation, site plan, design plans and all details as cited herein;
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.

Bernice & John Morrow – P-860
501 Foxmor Lane, 97 Bogert Lane & Bogert Lane
SBL: 39.11-3-41.600, 39.11-3-44 & 39.11-3-16
Zone: R30
Lot Line Adjustment

John Morrow, property owner, appeared before the Board on behalf of his application to combine three (3) lots into one (1) parcel.

Mr. Morrow stated that he is waiting on his survey map, as it had been delayed, but explained to the Board that he would like to combine three (3) lots into one lot. Mr. Morrow had purchased fifty-six (56) acres in 2002 and then purchased two (2) more lots which he would like to now combine to make one large lot for the farm.

Mr. Church read the resolution.

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

WHEREAS, the applicants – Bernice & John Morrow – are seeking Lot Line Adjustment in accordance with Section 161-9 & 11.1 of The town of Ulster code; and

WHEREAS, the applicants propose to combine three (3) contiguous lots into one (1); and

WHEREAS, the proposed lots comply with the minimum lot size and dimensional requirements of the R30 zoning district; and

WHEREAS, pursuant to Section 161-9 of the town Code, the Proposed Action is classified as a Lot Line Adjustment, which is subject to the approval of the town of Ulster Planning Board; and

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

- Completed Application for Lot Line Adjustment
- Signed Owner Consent Form for Filing
- Signed Escrow Agreement
- Completed SEQRA Short EAF
- Map of proposed Lot Line Adjustment showing two (2) lots “to be deleted”. No title or date on.

WHEREAS, referral to the Ulster County Planning Board was not required pursuant to the UCPB Land Use Referral Guide, since the Proposed Action involves fewer than 5 lots and access roads and structures are not situated within the 100-year floodplain; and

WHEREAS, the Planning Board considered 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, in accordance with Chapter 161, Section 161-9 and 11.1 the Proposed Action is a Lot Line Adjustment and no public hearing is required; and

WHEREAS, the Planning board classified the Proposed Action as a SEQRA Type II action and no further action is required upon review of the entire record (including SEQRA Short Form EAF Part 1.

NOW THEREFORE BE IT RESOLVED, the Planning Board has determined they have complied fully with the procedural requirements of Part 617 of the State Environmental Quality Review (SEQRA) Law; and

FURTHER BE IT RESOLVED, the Town of Ulster Planning board hereby grants Lot Line Adjustment approval as described above subject to the conditions, limitations and restrictions set forth below.

1. Consistent with §161-11.1B the Applicant must file with the Town of Ulster a map for this Lot Line Adjustment prepared by a licensed surveyor; and,
2. Upon filing of the map noted above, said map or Plat may be filed with the office of County Clerk after being signed by the Chairman of the Planning Board
3. 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,
4. 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,
5. All fees, including consultant fees, shall be paid.

Thompson Technology Park – P-863
39-49 Kieffer Lane
SBL: 48.66-2-20.310
Zone: OM
Site Plan Amendment

Taylor Thompson, business owner, appeared before the Board on behalf of an application for three (3) building additions to two (2) existing buildings.

The additions will be pole barn additions. Two (2) of the additions will be to existing warehouse space and the third addition will be to existing office space. There will be a small area to be paved.

Thompson Technology manufactures freeze dried equipment for pharmaceutical companies and has customers all around the world.

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

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

Respectfully Submitted,
Gabrielle Perea
Planning Secretary