

TOWN OF ULSTER PLANNING BOARD

September 10, 2019

The monthly meeting of the Town of Ulster Planning Board was held on Tuesday, September 10, 2019, at 7:00 p.m. at the Town Hall Lake Katrine, New York. The following members were present:

Present:

Anna Hayner

John More (alt)

Frederick Wadnola (alt)

Gary Mulligan – Chairman

Lawrence Decker

Andrew Stravropoulos

Frank Almquist – Vice Chairman

Alan Sorensen – Planner

Roll call was taken.

A motion to approve the minutes via email from the August 2019 meeting was made by Chairman Mulligan with a second from Mr. Almquist; all in favor.

Public Hearing

Susan Caswell - P-755

261 Main Street

SBL: 39.1-5-7

Zone: R60

Minor Subdivision

Susan Caswell appeared on behalf of her application for a minor subdivision. Ms. Caswell would like to divide her lot into two lots.

A motion to open the public hearing was made by Mr. Decker, with a second from Mr. Almquist; all in favor. There were no comments from the public. A motion to close the public hearing was made by Mr. Almquist, with a second from Ms. Hayner; all in favor.

Mr. Sorsensen recommended that the Board grant conditional approval and read the resolution.

Action: A motion to grant the minor subdivision was made by Mr. Almquist, with a second from Mr. Stravropoulos; all in favor with a roll call vote.

WHEREAS, the Town of Ulster Planning Board and its consultant planner have reviewed an application by Susan Caswell to subdivide the subject 7.6-acre parcel into two (2) lots as follows: Proposed Lot No. 1 with an area of 1.67 acres, which will encompass the existing single-family house nearest to Main Street, and 2) Proposed Lot No. 2 with an area of 6.27 acres that will encompass the newer house situated further back from Main Street; and

WHEREAS, the applicant is proposing to retain the shared driveway to provide access to each lot and each lot would have the required street frontage; and

WHEREAS, pursuant to Chapter 161 of the Town Code, the Minor Resubdivision is subject to review and approval by the Town of Ulster Planning Board; and

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

- Consent to File Form signed by Susan Caswell dated June 10, 2019;
- Preliminary Subdivision Application prepared by Susan Caswell dated June 10, 2019;
- SEQRA Short EAF Part 1 prepared by Susan Caswell dated June 10, 2019; and
- Subdivision Map prepared by Paul W. Hodor, LLS., dated May 2, 2019; revised July 31, 2019

WHEREAS, the Town of Ulster Planning Board as the Lead Agency for this Unlisted Action-Coordinated Review issued a SEQRA Negative Declaration for the Proposed at its July 9, 2019 meeting; and

WHEREAS, the Town of Ulster Planning Board held its required public hearing on August 13, 2019 and again on September 10, 2019; and thereafter closed the public hearing; and

WHEREAS, upon review of the revised Subdivision Map, the Planning Board found the proposed lots complied with the Town of Ulster Subdivision regulations; and

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 Act (SEQRA) and can take final action on the Minor Subdivision application; and

FURTHER BE IT RESOLVED, the Town of Ulster Planning Board hereby grants Minor Subdivision approval as described above subject to the conditions, limitations and restrictions set forth below.

1. Final Plat and deeds may be filed with 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.

Vetere / Andretta - P-761
97 Ulster Landing Road
SBL: 48.8-2-4
Zone: R30
Major Subdivision

Michael Vetere III, Michael Vetere Surveyors, appeared on behalf of an application of a major subdivision to split a parcel into four parcels; the proposed parcels will be 6.5, 4.5, 3.5 and 3 acres.

Mr. Vetere stated that all the proposed lots will have their own well and septic and all have access from private curb cuts.

A motion to open the preliminary public hearing was made by Mr. Decker, with a second from Ms. Hayner; all in favor. There were no comments from the public. A motion to close the public hearing was made by Mr. Almquist, with a second from Mr. Decker; all in favor.

Mr. Sorensen stated that the applicant is working with an engineer to get a letter of feasibility for each parcel having multiple housing areas and options for their septic, depending on where the homeowner would like to place the house. Mr. Vetere stated that they are in discussion with an engineer and that he will make a note on the plans stating that no building permit shall be issued without Ulster County Health Department septic approval.

Mr. Sorensen stated that the applicant complies with the minimum lot area requirements for the zoning district. Mr. Sorensen clarified that only one home is proposed on each lot. Mr. Sorensen stated that the home can be situated in many different areas on the lot and the feasibility to provide a home site and driveway are for reference purposes. Mr. Vetere stated that the length of the driveway exponentially increases the price of the home build, but the lots four, three and two could have as long as a six to eight-hundred foot (600'-800') driveway that could go into a more private area in the back if desired.

Mr. Sorensen stated that the applicant had started the Cultural Resource consultation. Mr. Vetere stated that they have had many contacts, first being Dr. Abbel who had referred him to Dr. Joe Diamond. Dr. Diamond stated that there were not artifacts present at this location and gave the applicant a field letter to that effect. Mr. Vetere stated that Mr. Diamond will follow up with the State and the State will follow up with the Board. Mr. Vetere stated that the State did require him to complete a Phase I Environmental Impact review because the proposal is within a certain distance from the Hudson River. Mr. Vetere stated that he guestimates that the proposal is approximately eighteen-hundred feet (1,800') away from the river. Mr. Vetere stated that they have done fifty (50) test holes on the site and found no archaeological remains have been found.

Mr. Vetere also submitted a letter regarding the curb-cuts. The curb cuts are all approved for the area and the paperwork must just be completed. Mr. Vetere stated that the the curb cuts are perpendicular for means of ingress and egress.

Mr. Sorensen stated that this project requires two (2) public hearings since it is a major subdivision. Mr. Sorensen stated that with the progress the applicant has made he recommends the Board schedule the final public hearing for the October meeting.

Mr. Vetere stated that he had an asbestos survey done on the existing home on the property and will be submitting a demolition application for that to be brought down.

Mr. Vetere pointed out a discrepancy on the Short Environmental Assessment Form and Mr. Sorensen stated that it is a typo and will make sure the file reflects the correct information.

Action: A motion to schedule the final plat public hearing for October's meeting was made by Mr. Decker, with a second from Mr. Almquist; all in favor.

Callanan Industries – P-771 P-773
701 Flatbush Road
SBL: 48.16-3-5
Zone: OM
Lot Line Adjustment and Site Plan Amendment

Dan Broomhall, President of Callanan, introduced his team: Peter Minotti (Environmentalist), Sean Mooney (Geologist), CJ Wayman (Quarry Manager), John Romeo (InSite Northeast, Engineer), Adam Schultz (Counsel) as well as some co-workers and their significant others.

Mr. Romeo stated that he is from InSite Northeast and is the Project Engineer. Mr. Romeo stated he has a conceptual plan to present. Mr. Romeo stating that he wanted to stress that the plans are conceptual in nature and they want to get it done as quickly as possible, so there may be small changes between now and the next time they present to the Board.

Mr. Romeo explained that the applicant will be placing a safety fence off of Main Street in East Kingston. Mr. Romeo stated that in addition to the safety fence, the applicant is looking to do a lot line adjustment conveying a thirty foot by thirty foot (30' x 30') area for a school bus stop that is currently used to the Town of Ulster and beautify the area as a part of that adjustment.

Mr. Romeo showed maps of the existing conditions of the property, the proposed safety fence on the property, a plan of the proposed lot line adjustment, a plan that showed where the existing mine sites are and where the tree line is in reference to the existing bus stop.

Mr. Romeo stated that the safety fence is proposed as approximately eleven hundred linear feet (1,100'). Mr. Romeo stated that he understands there is a motion to grant an emergency area to be constructed that is approximately two to three hundred feet (200'-300') long to be constructed around the shrine by East Kingston Fire Company. Mr. Romeo stated that it is their best estimate on immediate stabilization to provide for the area.

Mr. Romeo stated that the safety fence is generally tracking behind the tree line. They propose to install the safety fence a minimum of forty feet (40') from the right-of-way and will requesting a variance from the ZBA to build closer than that, if needed. Mr. Romeo stated that they would

like to place the fence as close to the tallest slope as possible, but the final determination will be based off their engineers from GeoStabilization International (GSI). The engineers will be in the field testing the soils and everything will be driven off of safety and sound geotechnical engineering. Mr. Romero stated that by the East Kingston Fire Department, the property line is closer, so they're looking for a variance to be able to place the fence up to the property line in that area.

Ms. Hayner asked what types of materials will be used. Mr. Romeo stated that the fence will be made of geosynthetic material, stone, gabion baskets and granular material. Mr. Romeo stated that the gabion baskets are just a façade and that the engineered wall is actually behind that; the baskets are an element of the fence, but not a structural element. Mr. Romeo stated that should visual screening be requested, it can be provided.

Mr. Romeo stated that average fence height will be ten feet (10'). Mr. Romero explained that the applicant is trying to reduce that as much as possible, but their best engineering efforts show that the maximum is ten feet (10') high. Mr. Romeo stated that everything will be based on safety.

Chairman Mulligan asked how the fence will be installed without destroying the existing vegetation. Mr. Romeo stated that some of the small vegetation will be impacted but that they are trying to keep most of the roadway trees in place. Mr. Romeo stated that there will be a construction area that will be disturbed so that they can install the fence.

Ms. Hayner asked what the time frame will be. Mr. Romeo stated as soon as possible. Mr. Broomhall stated that regarding the emergency portion of the fence, there will be a pre-construction meeting held next Monday in hopes of starting Tuesday. As for the rest of the fence, that construction will start once all approvals are received.

Supervisor James Quigley III stated that yesterday he had signed a State of Emergency to facilitate the construction of two to three hundred feet (200'-300') of linear fence at the most critical point across from St. Coleman's Church. There is a large rock at the top, approximately forty feet (40') long, eight feet (8') thick and twenty feet (20') deep. The consultants to Callanan had installed a radar device this morning which is designed to take measurements of the rock for present movements on the face and act as a predictive measurement. Supervisor Quigley stated that it is imperative that the two to three hundred (200'-300') feet are built as soon as possible. Supervisor Quigley stated that Callanan has applied for a building permit for that section, which is currently in review. The remainder of the wall is to go through the normal planning and zoning process and tonight's presentation is designed for referral to tomorrow night's Zoning agenda for the purpose of setting a public hearing as required by Code. Supervisor Quigley stated that last Thursday, at the Town Board meeting, they mentioned there will be a public meeting on September 18th, but given the complexity of the engineering that is involved and the degree of the materials that need to be assembled for appropriate communication and presentation of exactly what's going on, the public meeting has been moved from the 18th to the 25th of September, subject to the availability of the consultants of Callahan to come to Town. Supervisor Quigley stated that this is to ensure there is a proper dissemination of information to the community so everyone is very clear as to what is going on. It is first and foremost to the Town that the public safety is protected which is the paramount reason for the issuance of the State of

Emergency. The fence will be in the most exposed section of the ridgeline because it's right by the shrine where vegetation has been previously cleared and there's no shrubbery to protect it and it will be visible from the road. Supervisor Quigley looks at it as a means to correct the problem that the rock represents and to make sure the proposed solution is constructed correctly the first time and will give an education of what the remainder of the wall will look like as it progresses. The ridgeline does vary in height as it moves north so the height will vary with the proposed fence. In no case will the fence be higher than ten feet (10'). Supervisor Quigley informed people from East Kingston in the audience that he will be present at the East Kingston Firehouse from Wednesday night through Friday night from 4:30pm until 6pm to answer any questions that the public may have.

Chairman Mulligan stated that this is essential to the public safety and that the Board needs to move quickly to get the wall built as soon as possible.

Action: A motion to refer this project to the ZBA and classify it as a SEQR Type II action was made by Mr. Decker, with a second from Mr. Stravropoulos; all in favor.

Ulster Hospitality, LLC – P-742

1581 Ulster Avenue

SBL: 39.82-2-7.117

Zone: OM

Site Plan

Larry Boudreau, Chazen Companies, and Chetan Patel, property owner, appeared on behalf of an application to construct a four-story, 100-room hotel that had previously been approved on the master site plan in 2012. Mr. Boudreau stated that this hotel will be placed on lot two of the six lot subdivision done in 2012. Mr. Boudreau stated that they submitted the site plan August 27th that addressed any comments received.

Mr. Boudreau stated that simultaneously they were being seen for a variance for the porte cochere. They will be back before the ZBA tomorrow night. The project had to be seen before County and they received a no county impact statement so they're essentially okay with the ZBA for approval at tomorrow night's meeting. Mr. Boudreau asked if it was possible to move the project further contingent upon ZBA approval, to which Mr. Sorensen said the Board could.

Mr. Boudreau showed the turning radius for the fire truck apparatus in several places on the site plan, as well as an updated lighting plan. The sign specs had come in today and Mr. Boudreau had them with him.

Mr. Boudreau stated that he addressed the comments that had been received. The variance they are seeking is twenty-three feet (23'). Mr. Boudreau stated that the County mentioned sidewalks and Mr. Sorensen stated that he has some reservations on that and there could be different interpretation of those recommendations and he would recommend the Board override that requirement and stick with their proposal.

Mr. Boudreau showed the colored elevation renderings and stated that they are standard colors for a Hilton product. Mr. Sorensen stated that the color will compliment buildings in the area. Mr. Sorensen stated that he will review the signage to make sure it is compliant.

The special use required public hearing had been held on April 4, 2019.

Mr. Sorensen recommends referring the project to the Town Board for conditional site plan and special use permit approvals and that the Board overrides the requirement for the sidewalks. Mr. Sorensen read the amended resolution.

Action: A motion to refer this project to the Town Board for conditional site plan and special use permit approval and to override the County required sidewalk modifications was made by Mr. Almquist, with a second from Ms. Hayner; 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:

- Cover Letter prepared by the Chazen Companies dated June 25, 2019;
- 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
- Title Sheet set prepared by Chazen Engineering & Surveying, P.C, dated June 26, 2019;
- Notes and Legend prepared by Chazen Engineering & Surveying, P.C, dated June 26, 2019;
- Existing Conditions Plan prepared by Chazen Engineering & Surveying, P.C, dated June 26, 2019;
- Overall Site Plan prepared by Chazen Engineering & Surveying, P.C, dated June 26, 2019;
- Site Plan prepared by Chazen Engineering & Surveying, P.C, dated June 26, 2019;
- Grading Plan prepared by Chazen Engineering & Surveying, P.C, dated June 26, 2019;
- Utility Plan prepared by Chazen Engineering & Surveying, P.C, dated June 26, 2019;
- Landscaping Plan prepared by Chazen Engineering & Surveying, P.C, dated June 26, 2019;

- Site Details prepared by Chazen Engineering & Surveying, P.C, dated June 26, 2019;
- Stormwater Details prepared by Chazen Engineering & Surveying, P.C, dated June 26, 2019;
- Grading & Erosion Details prepared by Chazen Engineering & Surveying, P.C, dated June 26, 2019;
- Water & Sewer Details prepared by Chazen Engineering & Surveying, P.C, dated June 26, 2019;
- Landscaping Details prepared by Chazen Engineering & Surveying, P.C, dated June 26, 2019.
- Cover Letter prepared by Larry Boudreau, RLA GA NY, Project Manager - Chazen dated 8/27/19; and
- Title Sheet prepared by Chazen Engineering & Surveying, P.C, revised August 27, 2019;
- Notes and Legends prepared by Chazen Engineering & Surveying, P.C, revised August 27, 2019;
- Existing Conditions Plan prepared by Chazen Engineering & Surveying, P.C, dated June 25, 2019;
- Overall Site Plan prepared by Chazen Engineering & Surveying, P.C, revised August 27, 2019;
- Site Plan prepared by Chazen Engineering & Surveying, P.C, revised August 27, 2019;
- Grading & Erosion and Sediment Control Plan by Chazen Engineering & Surveying, P.C, revised 8/27/19;
- Utility Plan prepared by Chazen Engineering & Surveying, P.C, revised August 27, 2019;
- Landscaping Plan prepared by Chazen Engineering & Surveying, P.C, revised August 27, 2019;
- Site Details prepared by Chazen Engineering & Surveying, P.C, revised August 27, 2019;
- Stormwater Details prepared by Chazen Engineering & Surveying, P.C, revised August 27, 2019;
- Grading & Erosion Details prepared by Chazen Engineering & Surveying, P.C, revised August 27, 2019;
- Water & Sewer Details prepared by Chazen Engineering & Surveying, P.C, revised August 27, 2019;
- Landscaping Details prepared by Chazen Engineering & Surveying, P.C., revised August 27, 2019; and
- Floor Plans and Building Elevations by Mussachio Architects dated June 24, 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, this matter was referred to the Ulster County Planning Board for GML 239 l and m review and in a letter dated August 7, 2019 they issued required modifications as follows: 1) The application indicates a 23' variance has been requested from the required 40-foot front-yard setback to install a porte-cochère on the site's street-facing side. A referral to the Ulster County Planning Board (UPCB) for the requested variance will be necessary; 2) A signage master plan and individual signage details will need to be provided for further review.

All signage should conform to the standards of the Town's zoning statute; 3) The development of renderings that show how the proposed structure will fit into the site context architecturally with respect to style and building materials should be provided. The initial phases of the development, particularly with respect to the buildings along the frontage set the tone for site. The hotel development should seek to blend into that design aesthetic to reinforce the plaza's identity; 4) the use of raised cross-walks and signage to indicate pedestrian crossings throughout the complex should be completed. It is also recommended that as alternative or in addition to the mid-block crosswalk that sidewalks extending from both the north and south of the property that connect directly to the hotel without having to cross the middle of the roadway and more directly provide access to the hotels entrance should be provided; 5) A photometric plot plan for the hotel site and its associated parking areas will need to be provided to indicate it complies with the lighting levels found within the rest of the site and conforms to the Town of Ulster's lighting level standards. Lighting levels under the porte-cochère should be provided and should not exceed 20 foot-candles similar to other canopy facilities; 6) As a result of the proposed porte-cochere, updated truck turning movements to indicate emergency responders have adequate ability to serve the hotel will need to be provided for review; and

WHEREAS, upon review of the UCPB's required modifications the Planning Board found: 1) The Area Variance was referred to the UCPB; 2) signage details were submitted by the applicant and will be review by the Town Planner for compliance with the Town Code, 3) The hotel renderings complement the Overall Master Plan for the site; 4) the proposed sidewalk and cross-walk system was satisfactory; 5) a Lighting Photometric Plan was provided for the site that complies with the Town Code; and 6) a revised Fire Apparatus Access Plan was provided.

WHEREAS, the Town of Ulster Town Board held the required public hearing on the Special Permit on April 4, 2019.

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Planning Board, based upon the above and its own review of the application materials, recommends the Town Board overrides the Ulster County Planning Board required modification with respect to sidewalks and crosswalks and finds all other "Required Modifications" were satisfied; and

FURTHER BE IT RESOLVED, the Town of Ulster Planning Board, refers this matter to the Town of Ulster Town Board with a recommendation grant Conditional Site Plan and Special Permit approval subject to the following 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. The applicant addresses all technical revisions as required by the Town Designated Engineer and Town Planner;
5. The applicant provides details for the sign package and the Town Planner finds such details to comply with Section 190-33 of the Town Code;

6. 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
7. All fees, including consultant fees, shall be paid.

Central Hudson Training Center – P-763
2229-2271 Route 9W
SBL: 39.15-4-11
Zone: HC & R30
Site Plan

Lawrence Paggi, Civil Engineer, and Donald Swartz, Professional Architect, appeared on behalf of an application to construct a training facility near their existing facility on 9W in Lake Katrine.

Mr. Swartz stated that they wanted to update the Board on a couple of items. They had received comments from Mr. Sorensen stating that they needed to show a fire apparatus turning lane and it has now been provided. Mr. Swartz stated that they have been in touch with Chief Heppner and Ulster Hose #5 and received an email stating that the Chief is happy with the proposed access but is looking for some future coordination relative to building regarding fire department connections to the building and knox box placement.

Mr. Swartz stated that they had a landscape plan in progress. Mr. Swartz stated that they received a review regarding stormwater from the Town Designated Engineers (TDE's), Brinnier & Larios, on file. Mr. Swartz stated that the TDE's agreed that the applicant has demonstrated that the site will comply. Mr. Swartz stated that they had read through the project review notes from Mr. Sorensen and they agree with the direction he is heading.

Mr. Sorensen stated that the applicant is pretty far along with the application and he reviewed the most recent plan set submitted. Mr. Sorensen stated that they have a complete application and the proposed uses are permitted by right subject to site plan and special use permit approval from the Town Board. Mr. Sorensen stated that the project had been referred to the Ulster County Planning Board (UCPB) on September 4th and any required modifications will need to be taken into consideration before the Board's take final action. Mr. Sorensen stated that having reviewed the proposed action, design of the project mitigation measures, he does not see the project having any potentially large impacts due to the project design and mitigation measures. Mr. Sorensen recommends the Board forward the project to the Town Board to issue a SEQR Negative Declaration and schedule a public hearing for the special use. Mr. Sorensen explained that the Town Board declared its intent to be lead agent on August 15th and had circulated the required notices. On September 1th the Town Board can assume its role as lead agency. Mr. Sorensen read the resolution. Mr. Sorensen stated that at the next meeting on October 8th the Planning Board can approve the lot line adjustment.

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 – Central Hudson Gas & Electric (CHG&E) – is seeking Site Plan & Special Permit approval to establish a 40,351 square-foot (sf) Training Academy that will feature offices and classrooms, a separate 31,358 sf indoor training area, and an outdoor “gas village” containing (6) 120 sf residential training buildings, (1) 800 sf commercial training building, (1) 240 an apartment training building, and simulated electric transmission and distribution pole yards along with a 41,550 sf Electric Transmission and Distribution Primary Control Center on the subject 56.51-acre site; and

WHEREAS, the Applicant is concurrently seeking Lot Line Adjustment approval to swap 1.8- acres with an adjacent parcel, which would be subject to Planning Board review; and

WHEREAS, the subject site is situated within the HC-Highway Commercial and R-30 Residential Zoning Districts; and

WHEREAS, the “School of Learning” use is permitted subject to Site Plan and Special Permit approval in both the R-30 Residential and HC-Highway Commercial Districts and the Electric Transmission and Distribution Primary Control Center “public utility,” that is situated within the HC Zoning District, is an allowed use in that zoning district subject to Site Plan approval; and

WHEREAS, the Town of Ulster Town Board has the authority (subject to a favorable recommendation from the Town of Ulster Planning Board); to approve the Proposed Action (Site Plan and Special Permit) since more than one (1) acre of land is being used and more than 2,500 square feet of new building area is proposed; and

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

- Project Narrative for CHG&E Training Center prepared by Central Hudson Gas & Electric undated;
- Consent Form signed by Peter Skelly, Member of Carraig Properties, LLC dated July 29, 2019;
- Consent Form signed by Daniel Leader, Member of Largay, LLC dated July 31, 2019;
- Application for Preliminary Subdivision Plat Approval prepared by Peter Skelly, dated July 29, 2019;
- Application for Site Plan & Special Permit Review prepared by Peter Skelly, dated July 29, 2019;
- Full EAF Part 1,2 & 3 by Jessica D. Caserto, Director, Electric T&D Planning dated 7/30/19;
- Threatened & Endangered Species Habitat Assessment by Michael Nowicki dated 7/24/19;

Civil Set

- Cover Sheet prepared by Swartz Architecture, DPC dated July 30, 2019;
- Existing Conditions Plan prepared by Brooks & Brooks Land Surveyors, PC dated March 12, 2019;

- Lot Line Revision Plan prepared by Brooks & Brooks Land Surveyors, PC dated March 12, 2019;
- Site Plan prepared by Swartz Architecture, DPC dated July 30, 2019;
- Grading Plan (South Side) prepared by Swartz Architecture, DPC dated July 30, 2019;
- Grading Plan (North Side) prepared by Swartz Architecture, DPC dated July 30, 2019;
- Utility Plan (South Side) prepared by Swartz Architecture, DPC dated July 30, 2019;
- Utility Plan (North Side) prepared by Swartz Architecture, DPC dated July 30, 2019;
- Erosion & Sediment Control Details prepared by Swartz Architecture, DPC dated July 30, 2019;
- Site Details prepared by Swartz Architecture, DPC dated July 30, 2019;
- Fire Department Engine Maneuvering Plan by Lawrence J. Paggi, P.E., dated August 27, 2019;
- Electrical Site Plan (North Side) by Gerard Associates, Consulting Eng., P.C., dated 8/27/19; and
- Electrical Site Plan (South Side) by Gerard Associates, Consulting Engineers, P.C., dated 8/27/19.

Architectural

- Training Academy Floor Plan prepared by Swartz Architecture, DPC dated July 30, 2019;
- Primary Control Center Floor Plan prepared by Swartz Architecture, DPC dated July 30, 2019;
- Training Academy & Primary Control Center Elevation by Swartz Architecture, DPC dated 7/30/19;
- Gas Village Floor Plan and Exterior Elevations by Swartz Architecture, DPC dated July 30, 2019;
- Annex Floor Plan prepared by Swartz Architecture, DPC dated July 30, 2019;
- Annex Exterior Elevations prepared by Swartz Architecture, DPC dated July 30, 2019; and
- Annex Exterior Elevations prepared by Swartz Architecture, DPC dated July 30, 2019.

Studies

- Stormwater Pollution Prevention Plan by Lawrence J. Paggi, P.E., dated July 2019; and
- Threatened-Endangered Species Habitat Suitability Assessment by Ecological Solutions 7/24/19.

WHEREAS, the Town of Ulster Town Board, upon review of the application materials determined the Proposed Action was a Type 1 Action pursuant to 6 CRR-NY 617.4 (b)(6) and 6 CRRNY 617.4 (b)(10) of State Environmental Quality Review (SEQR) Law; and

WHEREAS, the Town of Ulster Town Board, Declared Its Intent to be Lead Agency for the SEQRA Type 1 Action-Coordinated Review at its August 15, 2019 meeting and circulated its notice; and

WHEREAS, a Stormwater Pollution Prevention Plan (SWPPP) dated July 2019 was reviewed by the Town Designated Engineers (TDE) Brinnier & Larios, P.C., with a finding that it adequately addressed stormwater runoff as required by NYS Stormwater Management Design Manual (NYSDEC, January 2015); and

WHEREAS, this matter was referred to the Ulster County Planning Board on August 15, 2019 and the Ulster County Planning Board reviewed this matter at its September 4, 2019 meeting; and

WHEREAS, based upon the Town of Ulster Planning Board's thorough review of the SEQR Full EAF Part 1 and Report (prepared by applicant) and Full EAF Part 2 and 3 (prepared by the applicant and reviewed by the Town Planner and Planning Board); along with supporting Site Plan drawings, Stormwater Pollution Prevention Plan (SWPPP), and detailed studies cited above and condition of full compliance with all applicable regulations concerning development on the project site; has determined the Proposed Action would not have any potentially large impacts due to the project design and mitigation measures, which were designed into the Proposed Action.

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Planning Board in its advisory role, hereby refers this matter to the Town Board with a recommendation to the Town Board to assume its role as SEQRA Lead Agency and issue a SEQRA Negative Declaration;

FURTHER BE IT RESOLVED; the Town of Ulster Planning Board recommends the Town Board schedule a Special Permit public hearing on this matter at its October 17, 2019 meeting.

LHV Precast - P-766
530-600 Ulster Landing Road
SBL: 40.13-1-34.110
Zone: OM
Site Plan Amendment

Paul Jankovitz, Architect, appeared on behalf of the application to build a warehouse addition. Mr. Jankovitz stated that the applicant had issues with water runoff and they want to enclose their production space.

The applicant is trying to have the plan fast tracked. Mr. Jankovitz explained that drawing for their building permits are ready and they already had a contractor lined up. Mr. Jankovitz stated that his is has come about due to environmental issues that have occurred on the site.

Mr. Jankovitz stated that the proposed structure will be a lean-to type structure attached to the existing structure and is an internal structure to the site.

Mr. Decker wanted Mr. Jankovitz to clarify exactly what was being amended. Mr. Jankovitz stated that the applicant had proposed a fourteen-thousand, four hundred (14,000) square foot

addition that has already been approved and has yet to be constructed. The applicant is now proposing a thirty-six (3,600) hundred square foot building addition to the site plan, as well.

The project had been referred to the UCPB and they came back with No County Impact. Mr. Sorensen recommends that the Board refer the project to the Town Board for final approval. There was a brief discussion amongst the Board regarding the process.

Action: A motion classify this project a SEQR Type II and refer this project to the Town Board for conditional site plan amendment approval was made by Mr. Decker, with a second from Mr. Stravropoulos; all in favor with a roll call vote.

WHEREAS, the applicant – LHV Precast – received Site Plan Amendment approval in November of 2016 to construct a 14,400 square foot (sf) addition to their existing 14,400 sf manufacturing building so they can expand their manufacturing operation at 540 Ulster Landing Road, which approval was subsequently extended by the Town Board; and

WHEREAS, the applicant – LHV Precast – submitted a Site Plan Amendment application to add a 3,600 square-foot addition to the north of the existing 14,400 square-foot manufacturing building, which would be in addition to the approved 14,400 sf approved expansion; and

WHEREAS, pursuant to Chapter 145 of the Town Code, the Town Board has the authority to approve the Site Plan; and

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

- Site Plan Consent Form signed by James R. Willis –property owner agent - dated July 26, 2016;
- Site Plan Application prepared by Paul B. Jankovitz, RA, Architects/Planners dated 8/6/2019;
- SEQR Short EAF prepared by Paul B. Jankovitz, RA, Architects/Planners dated 8/4/2019;
- Title Sheet prepared by Paul B. Jankovitz, RA, Architects/Planners dated July 11, 2019;
- General Notes prepared by Paul B. Jankovitz, RA, Architects/Planners dated July 11, 2019;
- Site Plan prepared by Paul B. Jankovitz, RA, Architects/Planners dated July 11, 2019;
- Existing Pre-cast Facility prepared by Paul B. Jankovitz, RA, Architects/Planners dated 7/11/19;
- Foundation Plan Building 2 by Paul B. Jankovitz, RA, Architects/Planners dated 7/11/19; and
- Erosion Control Details by Paul B. Jankovitz, RA, Architects/Planners dated July 11, 2019.

WHEREAS, the Current Proposed Action was referred to the Ulster County Planning Board pursuant to the Referral Agreement between the County and the Town; and

WHEREAS, the Ulster County Planning Board issued a No County Impact statement;
and

WHEREAS, the Planning Board, as an Interested Agency, upon review of the entire record (including SEQR Short EAF Part 1 & 2) finds the Current Proposed Action would not result not result in any potentially large impacts, since the 3,600 addition is being required by the EPA to address stormwater management and will mitigate potential impacts; and

WHEREAS, the Town of Ulster Planning Board referred this matter to the Town Board with a recommendation to reaffirm its SEQRA Negative Declaration for the Current Proposed Action; and

NOW THEREFORE BE IT RESOLVED, The Town of Ulster Planning Board hereby refers this matter to the Town of Ulster Town Board with a recommendation to grant Conditional Site Plan Amendment approval subject to the following 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. The applicant addresses any technical revisions as required by the Town Designated Engineer and Town Planner;
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;
6. Compliance with all conditions placed on the original Site Plan Amendment; and
7. All fees, including consultant fees, shall be paid.

Joseph & June Hanss - P-768
110 Rockwell Lane
SBL: 56.10-1-18.100
Zone: R60

Christopher Zell, Brinnier & Larios, appeared on behalf of an application of a minor subdivision to split a parcel that has a natural road divide into two parcels. Mr. Zell explained that the Hanss's had 3.6 acres that was naturally divided by Rockwell Lane. The applicant would like to use that natural divide in their subdivision. The R60 Zone requires each lot to maintain sixty-thousand (60,000) square feet of lot area to stay conforming.

The Hanss's gave the Town a fifty-foot right of way (ROW) years ago but no filed documents showed this ROW. Mr. Zell explained that Rockwell Lane was a public road and has been widened over the years. The Hanss's never deeded the property to the Town but if they had maintained their ROW, they would comply with the minimum square footage.

The Hanss's deed refers to 10 acres of property and the Hanss's do not mind giving their ROW to the Town, as they did not think it would be an issue, but now that they are looking to subdivide it is becoming an issue since they are short to maintain compliance. They will have one lot that will be fifty-seven thousand, one-hundred and twenty-eight (57, 128) square feet.

Mr. Kovacs stated that this is a minimal variance and the applicant should apply to the ZBA for an area variance to allow for the lot less than sixty-thousand (60,000) square feet.

Action: A motion to refer this matter to the ZBA for an area variance and to grant sketch plan approval was made by Ms. Hayner, with a second from Mr. Stravropoulos; all in favor.

Target - P-769
1300 Ulster Avenue
SBL: 48.8-1-38
Zone: RC

Kevin VanHise, agent for applicant owner, appeared on behalf of the application to change the façade of the existing Target. Mr. VanHise explained that all of the Targets are being modernized.

The applicant is proposing to change their signage to a bullet symbol and change the paint. There will be an EFIS paneling at the entrance and the entrance curve will be reduced so it will have a rectilinear appearance. The EFIS will be red in color.

Mr. Sorensen stated that the proposed signs comply with the Town Zoning Code and the change to the elevation is an enhancement. There is no County referral required. Mr. Sorensen recommends the Board grant site plan amendment approval and declare this a SEQR Type II action. Mr. Sorensen read the draft resolution.

Action: A motion to classify this project a SEQR Type II action and grant Site Plan Amendment approval was made by Mr. Decker, with a second from Mr. Almquist; all in favor with a roll call vote.

WHEREAS, the applicant – Kevin Van Hise with the Consent of Robert Johnson (Agent) with Hull Property Group for Kingston Mall, LLC (Owner) – is seeking Site Plan Amendment approval to remodel the “Target” Department Store at the Hudson Valley Mall; and

WHEREAS, the Proposed Action involves façade and sign improvements. ; and

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

- Cover Letter prepared by Casey Pettersen, Senior Real Estate Manager for Target dated July 25, 2019;
- Site Plan Review Application by Rob Johnson (Agent) for Hull Property Group dated July 12, 2019;

- SEQRA Short EAF Part 1 by Kevin Van Hise (Applicant) for Kimley-Horn dated August 13, 2019;
- Authorization for Sign Permits for Ultimate Signs & Designs by Rob Johnson dated July 30, 2019;
- Cover Sheet for Target Modernization prepared by Kimley-Horn of NY, P.C., dated August 12, 2019;
- Sign Location Plan for Target Modernization by Kimley-Horn of NY, P.C., dated August 12, 2019;
- Existing Elevation for Target Modernization by Kimley-Horn of NY, P.C., dated August 12, 2019;
- Proposed Elevation for Target Modernization by Kimley-Horn of NY, P.C., dated August 12, 2019; and
- Sign Detail Sheet for Target Modernization by Kimley-Horn of NY, P.C., dated August 12, 2019.

WHEREAS, the Town of Ulster Planning Board retains the authority to approve the Site Plan amendment for this Proposed Action since the proposed modifications to the existing Site Plan does not result in new gross floor area; and

WHEREAS, the Proposed Action does not require further referral to the Ulster County Planning Board pursuant to their referral agreement with the Town of Ulster since the site has channelized access and sufficient parking spaces are provided on the site to accommodate the amended Site Plan and all signs will be required to comply with the Town Code requirements; and

WHEREAS, the Town of Ulster Planning Board, as Lead Agency (only Involved Agency for Site Plan), upon review of the entire record determined the Proposed Action is a Type II Action pursuant to 6NYCRR Part 617 of State Environmental Quality Review (SEQR) Law and found no further action pursuant to SEQR is required.

NOW THEREFORE BE IT RESOLVED, the Town of Ulster 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 Site Plan Amendment approval to Kevin Van Hise with the Consent of Robert Johnson (Agent) with Hull Property Group for Kingston Mall, LLC (Owner) on the above referenced site subject to the conditions, limitations and restrictions set forth below.

1. Compliance with applicable zoning and building laws, rules and regulations;
2. Compliance with all representations made by the applicant;
3. Compliance with site plan, design plans and all details as cited herein;
4. 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
5. All fees, including consultant fees, and all outstanding fees on the property shall be paid.

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

Respectfully Submitted,
Gabrielle Perea
Planning Secretary