

TOWN OF ULSTER PLANNING BOARD

September 14, 2021

The monthly meeting of the Town of Ulster Planning Board was held on Tuesday, September 14, 2021, at 7:00 p.m. in the Russell Brott Senior Center 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 August 2021 meeting was made by Mrs. Hayner, with a second from Mr. Almquist; all in favor.

Chairman Ring appointed Mr. Stowell as an acting Board member.

OLD BUSINESS

Keith Hughes – P-849
2530 Route 9W
SBL: 39.8-1-23
Zone: HC
Site Plan Amendment

County comments have been received. There was no discussion amongst the Board. Mr. Church stated that Mr. Hughes would need to comply with the code regarding lighting and signage should any of that be proposed in the future as per the County comments. Mr. Hughes was on record stating that nothing is changing from the initial proposal.

Mr. Church read the resolution.

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

WHEREAS, the applicant – Keith Hughes, seeks Site Plan Amendment for approval for contractor storage yard with associated parking and landscaping; and,
WHEREAS, the applicant has submitted a complete Site Plan application including a submitted State Environmental Quality Review Act (SEQRA) Short Environmental Assessment Form to the Town of Ulster Planning Board; and,

WHEREAS, the Town of Ulster Planning Board has final Site Plan review and approval authority for this application as the proposal does not exceed one (1) acre in improvements.

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

BE IT RESOLVED, that the Town of Ulster Planning Board determines that the Site Plan amendment application is a Type II Action under the New York State Environmental Quality Review Act (SEQRA) and that no further environmental review is required; and,

NOW BE IT FURTHER RESOLVED, the Town of Ulster Planning Board grants conditional Site Plan 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. Compliance with the single review comment from the Ulster County Planning Board Referral No. 2021-183 stating “In the event that the site lighting or signage is proposed, those details will need to be reviewed by the Town’s Planning Board” consistent with signage standards and if outdoor lighting is proposed, lighting levels will need to be calculated for the plan with levels not to exceed the Illuminating Engineering Society (IES) Outdoor Site / International Dark Sky Association (IDSA) Area Recommended Illuminance Levels;
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

Ulster Recreation Facility – P-851

Route 28

SBL: 47.2-4-3.100

Zone: HC

Site Plan

County comments have been received and distributed.

Mr. Almquist stated that he had gone in and out of the Jockey Hill driveway numerous times over the past few weeks and it is a horrendous intersection turning onto Jockey Hill. Mr. Almquist stated that if there were ever plans to do anything there with a large group, it would be very difficult. There was a brief discussion about that intersection and traffic.

Mr. Warren Tutt, Building Inspector, explained that the applicant was going to review the County comments and reach out to Department of Transportation (DOT) so they can weigh in on the proposal.

Action: No action was made at this time.

Automotion / Tristen Mazzone – P-852

888 Ulster Avenue

SBL: 48.50-5-14

Zone: HC

Site Plan Amendment

Tristen Mazzone, Automotion Auto Sales, appeared before the Board on behalf of an application to construct an auto sales shop.

Chairman Ring stated that they had received County comments and that one of the comments was to create an easement through neighboring properties and Chairman Ring believes that with the use of the property, it would create line-of-sight and security issues instead of being beneficial. The only other County comment was regarding lighting and the Building Inspector will make sure the lighting is compliant.

There was no discussion amongst the Board. Mr. Church read the resolution.

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

WHEREAS, the applicant – Automotion / Tristen Mazzone, seeks Site Plan Amendment approval for improvements at existing automotive sales and repair 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, previously determined the Town Board typed the application as a Type II Action requiring no further review 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 two (2) required modifications and comments described in Recommendation memo Referral No. 2021-179. First, that lighting levels do not exceed IES Outdoor Site / International Dark Sky Association recommended levels as well as meet Town standards. Second, that cross-access easements be established between the applicant property and neighboring properties to facilitate the development of a cross-access connection in the future; and,

WHEREAS, the Planning 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 the Ulster Town Board close SEQRA for this Type II Action; and,

BE IT FURTHER RESOLVED that the Town of Ulster Planning Board recommends that the Ulster Town Board grant Final Site Plan with condition to meet the first required modification comment from the Ulster County Planning Board regarding lighting. The Town of Ulster Planning Board also recommends that the Ulster Town Board override, by a supermajority vote, the portion of the second required modification to the site plan regarding cross-access easements, given the known conditions on the ground, and given review comments received from the Town of Ulster Zoning Board of Appeals; and,

BE IT FURTHER RESOLVED that the Town of Ulster Planning Board recommends that the Ulster Town Board makes final review of this Application and grants Conditional 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, Town Sewer Department, and/or Town Water Department.
2. Compliance with the Ulster County Planning Board comment as noted above regarding outdoor lighting levels not exceeding the Illuminating Engineering Society (IES) Outdoor Site / International Dark-Sky Association (IDSA) Area Recommended Illuminance Levels;
3. Compliance with applicable zoning and building laws, rules and regulations;
4. Compliance with all representations made by the applicant;
5. Compliance with documentation, site plan, design plans and all details as cited herein;
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.

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.

Mr. Towne explained that this lot is fifty (50) plus acres in an R60 Zone. Mr. Towne explained that currently there is an existing home and a guest cottage on the southeast portion of the parcel. The remainder of the site is primarily wooded with a stream running through it. Mr. Towne stated that the applicant proposes to subdivide the parcel into seven (7) single-family lots; one (1) for the existing home, one (1) for the cottage, and five (5) other parcels, which all will be larger than the minimum lot size requirements for an R60 zone.

Access will be provided through a twenty-foot (20') wide, three-hundred and seventy-five foot (375') long private road that will end with a state approved turnaround. The road was also

designed to meet the Town Code for local streets. The road will be placed in a fifty-foot (50') easement for maintenance and upkeep of the road which will be deeded in all of the lots. There are a couple of shared driveways which will be included in the property deeds, and they will be drafting a road maintenance agreement for submittal.

Mr. Towne stated that there is three point seven (3.7) acres of land disturbance, so a basic Stormwater Pollution Prevention Plan (SWPPP) is required for erosion and sediment controls.

There will be subsurface wastewater systems and wells, so applications will be submitted to the Department of Health (DOH.)

Mr. Towne stated that he received the project review notes and will be preparing an Agricultural Statement for submission since the property is adjacent to an agricultural district.

Mr. Tutt stated that the road does not follow an existing right-of-way (ROW.) The road would cross the Mr. Mazzone's property at 160 Gallis Hill. There was a brief discussion on the ROW location. Mr. Towne stated that the applicant had a survey done, but that he will double-check his information. If there is an issue, the applicants can speak to the Mazzone's and see if they can lease or purchase a piece of land for the road.

There will be road maintenance agreements for the private road and the shared road(s) so the roads will be maintained.

Mr. Towne stated that the applicants will be living on the twenty-seven (27) acre lot and they do not plan on further subdividing it in the foreseeable future.

This project is an unlisted action.

Mr Church read the resolution.

Action: A motion to approve the resolution as read was made by Mr. Decker, 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 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, 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 determines 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 declares its intent to be Lead Agency under SEQRA ; and,

FURTHER BE IT RESOLVED, that the Planning Board refers this application to the Ulster County Planning Board consistent with NYS General Municipal Law 239; and,

FURTHER BE IT RESOLVED, that the Planning Board sets October 12, 2021 as the date for a required preliminary subdivision public hearing consistent with Town of Ulster Subdivision of Land Section 161-10.

Sam's Club – P-855
801 Frank Sottile Blvd.
SBL: 48.8-1-34.220
Zone: 48.8-1-34.220
Site Plan for Facade Change

McKenzie Samp, BRR Architecture, appeared before the Board on behalf an an application to reface the existing Sam's Club.

The applicant is proposing to upgrade the branding. The signs will be slightly larger than they currently are. The proposed signs are allowed per the Town of Ulster Zoning Code.

Mr. Church read the resolution.

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

WHEREAS, the applicant – Sam's Club (aka Sam's #6201) seeks site plan approval for building façade changes to an existing commercial building limited to repainting and signage changes for rebranding purposes; and

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

- Complete Application for Site Plan Amendment prepared by Robert T. Schmitt, dated 8/31/21.
- Signed Owner Consent Form for Filing by Robert T. Schmitt, 8/30/21
- Signed Escrow Agreement signed by Joyce Landwehr, 8/30/21
- Complete SEQRA Short Form
- Set of two (2) colored building elevations sheets, one showing Existing Elevations as prepared by BRR, Architect of Record, and one showing Proposed Elevations as prepared

by Andrew S. Maass, Architect of Record. Both sheets titled Remodel Kingston, New York Club; and,

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

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

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

NOW THEREFORE BE IT RESOLVED, the Town of Ulster Planning Board hereby grants Conditional Site Plan Amendment approval for the Proposed Action subject to the conditions, limitations and restrictions set forth below.

1. Compliance with applicable zoning and building laws, rules and regulations;
2. Compliance with all representations made by the applicant;
3. Compliance with site plan, design plans and all details as cited herein;
4. Compliance with the US Route 9W Corridor Enhancement Plan;
5. The Town's consulting planner and Building Inspector are hereby authorized to approve minor Site Plan changes of a ministerial nature, which may arise due to unforeseen circumstances in the project site development; and
6. All fees, including consultant fees, shall be paid.

Discussion

Chairman Ring informed the Board on what conspired with the Kingston Airpark at the Town Board meeting. Mr. Jason Kovacs, Town Attorney, stated that he will make the requested changes to the resolution and bring it before the Town Board.

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

Respectfully Submitted,
Gabrielle Perea
Planning Secretary