

TOWN OF ULSTER PLANNING BOARD

The monthly meeting of the Town of Ulster Planning Board was held on Thursday September 20 , 2007 at 7:00 p.m. at the Town Hall Lake Katrine, New York., The following members were present:

Chairman	Ozzie Beichert
	Larry Decker
	Frank Almquist
	Renno Budziak
Town Planner:	Alan Sorensen

The Pledge to the flag was recited. The fire exits were designated

A motion to approve the minutes of the August meeting was made by Mr. Lucente and seconded by Mr. Almquist with Mr. Decker abstaining.

Boices Lane Ice Cream Shop

Christine Durshane appeared on behalf of the application for an ice cream shop on Boices Lane. Mr. Sorensen reviewed his memo with the board stating the applicant has submitted lighting plans for the site and the Sewer Department has approved the grease trap. The County comments have been addressed with the submission of lighting plans. The proposed ice cream shop is in a LC district it is permitted by right and the applicant has addressed all comments from the Board. Mr. Sorensen recommends approval of the project.

Action: A motion to declare a Negative Declaration as per SEQRA was made by Mr. Lucente and seconded by Mr. Almquist. A motion to accept the planner's recommendation for approval was made by Mr. Lucente and seconded by Mr. Almquist with all in favor.

Anderson Subdivision

Nadine Carney appeared on behalf of the application for a minor subdivision. .Mr. Sorensen reviewed his memo with the board stating the applicant has submitted a letter from the fire department approving the road and turn around; the Health Department has approved the plans. Mr. Sorensen recommends the Board grant preliminary plat approval. Waivers are required for the road width and the 12% grade for 75ft of the road.

Action:

A motion to waive the 12% road grade for 75 ft of road was made by Mr. Lucente and seconded by Mr. Almquist with all in favor. A motion to waive the road width from 20 ft to 16 ft was made by Mr. Budziak and seconded by Mr. Almquist with all in favor. A motion to grant a Negative Declaration as per SEQRA was made by Mr. Lucente with a second by Mr. Decker with all in favor. A motion to approve the Preliminary Plat was made by Mr. Lucente and seconded by Mr. Decker with all in favor. Mr. Beichert states the final plans will be signed when a letter of completion.

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RESOLUTION
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AMENDMENT OF PRELIMINARY PLAT APPROVAL

Richard and Nancy Anderson
19 Tuytenbridge Road
Section 39.2, Block 2, Lot 19

WHEREAS, the applicant's Richard and Nancy Anderson submitted an application to allow the subdivision of the 22.67-acre site located at 19 Tuytenbridge Road, Tax Parcel 39.2-2-19 into three (3) residential lots; and

WHEREAS, materials submitted in support of the proposed action include:

- An application Subdivision Approval;
- A sketch plan map prepared by Brinnier & Larios dated May 3, 2007 along with a SEQRA Short-Form EAF
- A revised sketch plan map prepared by Brinnier & Larios along with a plan and profile for a shale driveway dated June 7, 2007.
- A preliminary subdivision map prepared by Brinnier & Larios along with a plan and profile for a shale driveway dated July 5, 2007.
- Map of Subdivision prepared by Brinnier & Larios along with a grading and a plan & profile for a shale roadway dated July 20, 2007; and
- A SEQRA Short Form EAF.

WHEREAS, the proposed action was also reviewed by the Town's alternative consulting engineer Praetorius and Conrad, P.C. who have reviewed the technical engineering aspect of the proposed subdivision; and

WHEREAS, the applicant requested a waiver from the Town's road specifications to allow a 12.33% grade over a short distance of the proposed road due to site constraints and to allow a street width of 16' instead of the 20' required for a local street; and

WHEREAS, several members of the Planning Board conducted a site visit to better understand specific design challenges related to the requested waivers, consulted with the Fire District to ensure their concerns were addressed with respect to the requested waivers; and

WHEREAS the Fire District indicated that it was satisfied that its access to the proposed home sites would be satisfactory even with the requested waivers; and

WHEREAS, the Planning Board has considered the application materials submitted by the applicant in support of the proposed action, has considered the comments of the Board's consultants made via memoranda (which memoranda are

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incorporated herein by reference) and verbal commentary during the Planning Board's meetings and held a public hearing on the proposed action.

WHEREAS, in consideration of the above, the Planning Board found that proposed project will not have an adverse impact on the environment; declared itself Lead Agency, made a determination of non-significance and issued a Negative Declaration pursuant to Part 617 of SEQRA; and

NOW THEREFORE BE IT RESOLVED, that Planning Board further waives the required street width of 20 feet and hereby grants a waiver to allow a street width of 16 feet; and

FURTHER BE IT RESOLVED, that the Planning Board hereby grants a waiver to allow the proposed grade of the street to be 12.33% for the distance as shown on the Preliminary Plat road profile.

FURTHER BE IT RESOLVED, that upon full consideration of the above, the Planning Board hereby finds that the application for a Preliminary Plat Approval as described above is consistent with the provisions of the Zoning Code of the Town of Ulster and said Site Plan is hereby approved.

Memorial Drive –Site Plan

Nadine Carney appeared on behalf of a site plan with conditional approval. The Town Board approved the project with the condition that the NYSDOT reviews the traffic concerns. Ms. Carney reviews the DOT response with the Board the DOT states that a left hand turn lane for southbound Rt. 9W should be installed at some time. Nadine states it is up to the lead agency to decide if the left turn is to be installed now or at a later date. After a lengthy discussion the Board unanimously recommended that the Town board not require a left turn on Rt. 9W at this time.

MEMORANDUM

September 28, 2007

Hon. Nick Woerner, Supervisor

Town of Ulster

1 Town Hall Drive

Lake Katrine, NY 12449

RE: MEMORIAL DRIVE PLAZA S-B-L: 48.66-2-3.2

Dear Mr. Woerner:

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As you know, the Town Board held the required public hearing on this project on June 18, 2007.

Following the close of the public hearing, the Town Board recommended approval of the Memorial

Drive Plaza project to the condition that the traffic concerns raised by the County were addressed to

the satisfaction of the NYSDOT. Your Board also requested proof to that effect in the form of a letter

from the NYSDOT.

We have received comments from the New York State Department of Transportation with respect to

the Memorial Drive Plaza project. In a letter dated July 31, 2007, the NYSDOT provided the

following comments:

a. In accordance with ASSHTO, Exhibit 9-75, a left turn lane for southbound Route 9W should be installed. It is up to the Lead Agency [Town Board] to decide if the left turn lane should be installed as part of the proposed project;

b. A left turn will be required at this location at some point as additional development is proposed and approved; and

c. A highway work permit will be required to install the turn.

The applicant's engineers Brinnier and Larios, P.C. have requested that *"you consider the minor*

increase in traffic volumes generated by this project would not warrant improvements to Route 9W at this time."

The Planning Board discussed this matter at its September meeting and unanimously recommended

that the Town Board not require a left turn lane on Route 9W be installed at this time.

Sincerely,

Alan J. Sorensen, AICP

Day Spa @721 Ulster Avenue

Daniel Bacchi appeared on behalf of the application for a change in use/site plan for a day spa. The proposed spa will be located in the former Copy Hut site; this building also houses Ray's Auto Sales and Repair. The spa will occupy 2,268 sq. ft. of the building. The applicant will be using the existing signage on the site. Details were submitted by the applicant. Mr. Sorensen reviewed the County referral with the Board. The county recommended additional landscaping and a possible cross-easement. The applicant states that the neighboring property to the south has a fence on the property line, and the layout of the site would not allow a cross easement at this time. The Board reviewed the landscaping plan; Mr. Lucente stated he would like to see more planter boxes on the site. Other members feel the site is too tight and landscaping is not needed. Mr. Almquist states the building cannot be seen from Ulster Avenue. Mr. Sorensen states the applicant has addressed all comments from the Board and recommends approval of the plan.

Action:

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A motion to accept the planner's recommendation was made by Mr. Almquist and seconded by Mr. Decker. A roll call vote was taken:

Mr. Budziak- yes

Mr. Almquist – yes

Mr. Decker – yes

Mr. Lucente – no

Mr. Beichert -yes

Oxygen Day Spa – Site Plan

Rob Kristiansen appeared on behalf of the application for a Day Spa. The proposed spa will consist of a 2,924 sq ft building with enclosed pool. Mr. Kristiansen states the lighting pole height have been lowered to 16 ft as required by the Board. A dumpster detail will be added to the plan. Mr. Sorensen requested the fence height be raised to 6ft to give more privacy to the neighboring property. After a lengthy discussion on signage the applicant agreed to provide sign details to the Board. Mr. Sorensen states the driveway will need to be pitched away from the roadway; this needs to be shown on the plans. Mr. Budziak questions if sidewalks are going to be put on Morton Blvd.; after a lengthy discussion the Board requested a memorandum of understanding be written for the project. Mr. Beichert asked if anyone in the audience had any comments on the project; there were none. No action was taken by the board.

Greylocks Electronics – Site Plan

Richard Praetorius appeared on behalf of the application for a change of use site plan. Mr. Praetorius states the existing building houses a retail store with storage the proposed plan is to convert the storage area to a wrestling school. The county comments request a cross easement; after a discussion about the site the Board determined a cross easement would not work on this site. Mr. Sorensen states the applicant has addressed all concerns of the Board and recommends approval of the project with the following conditions;

1. Any wrestling exhibitions are to be restricted to school-related events. There will be no public assembly.
2. Any proposed signage changes will be submitted for Planning board review and approval.

Action:

A motion to grant a Negative Declaration as per SEQRA was made by Mr. Decker with a second by Lucente with all in favor. A motion to accept the planner's recommendation was made by Mr. Decker and seconded by Mr. Lucente. All were in favor.

Roger Gjone- Lot Line Revision

Mr. Gjone appeared on behalf of the application for a lot line revision. Mr. Gjone states that he owns two adjoining properties and would like to make one larger. There were no comments from the Board. Mr. Sorenson states the plan is basic and recommends approval. A motion to grant a Negative Declaration as per SEQRA was made by Mr.

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Decker and seconded by Mr. Lucente. A motion to approval the lot line revision was made by Mr. Lucente and seconded by Mr. Decker with all in favor.

Respectfully Submitted

Mary Secreto
Planning Secretary