

## *TOWN OF ULSTER PLANNING BOARD*

The monthly meeting of the Town of Ulster Planning Board was held on Thursday November 15 , 2007 at 7:00 p.m. at the Town Hall Lake Katrine, New York., The following members were present:

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

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

Motion to accept the minutes of the September & October meeting after review of Anderson resolution was made by Mr. Decker and seconded by Mr. Almquist with all in favor.

### Joan & Richard Dittus Public Hearing

Mr. Michael Vetere appeared on behalf of the application for a minor subdivision. Mr. Vetere states the subdivision consist of two lots one being 2.42 acres with an existing dwelling the other is a 2.294 acre lot with a proposed dwelling. The applicant is in the process of getting approval from the Board of Health. No one appeared against the subdivision. Mr. Sorensen reviewed the project with the Board stating it was a straight forward subdivision that meets all the Town's requirements. The Board should declare Lead Agency and issues a negative declaration as per SEQRA and approve the subdivision with the condition of Ulster County Health Department approval of the new septic system.

#### Action:

A motion to accept the Planner's recommendation was made by Mr. Lucente and seconded by Mr. Decker with all in favor.

### Ronald Finch- Public Hearing

Donald Brewer appeared on behalf of the application for a minor subdivision. Mr. Brewer states the subdivision consist of two lots off of Hallihan Hill Road. Lot one will be 0.92 acres and includes an existing single family dwelling and garage Lot two will be 1.206 acres and will also have a single family dwelling with a downstairs garage. Both homes are existing. Both dwellings meet the setback requirements. Mr. Sorensen states that all conditions are existing the Board should declare Lead Agency as per SEQRA and approve the subdivision as submitted.

Action: A motion to accept the planner's recommendation was made by Mr. Decker with a second from Mr. Almquist. All were in favor.

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RESOLUTION  
TOWN OF ULSTER PLANNING BOARD

ISSUANCE OF MINOR 2-LOT SUBDIVISION

Ronald Finch  
Section 39.015-01-25

WHEREAS, the Town of Ulster Planning Board received an application from Ronald Finch (applicant) for a 2-lot Minor Subdivision of SBL 39.015-01-25; and

WHEREAS, the proposed action will divide SBL 39.015-01-25 into two lots with proposed Lot # 1 comprising 0.920 acres that will contain an existing single-family house and garage and Lot #2 comprising 1.206 acres that will include an existing single-family home and garage.

WHEREAS, all applicable bulk, area, setback and height requirements are in compliance with the Zoning Law; and

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

- An application for the minor subdivision;
- A Subdivision Map prepared by Donald Brewer, P.L.S. dated September 16, 2007; and
- A Revised Map prepared by Donald Brewer, P.L.S. dated October 18, 2007;
- A SEQRA Short Form EAF; and
- **Common Driveway Easement and Maintenance Agreement.**

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 incorporated herein by reference) and verbal commentary during the Planning Board's **public hearing on November 15, 2007**

WHEREAS, 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 upon full consideration of the above, the Planning Board hereby finds that the application for a 2-lot Minor Subdivision as described above is consistent with the provisions of the Zoning Code of the Town of Ulster and said 2-Lot Minor Subdivision is hereby approved.

Dean Marie Plaza- Site Plan

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Craig Tripp and John Montagne appeared on behalf of the application for Planet Fitness and a retail strip. Mr. Montagne reviewed the plan with the Board stating part of the existing the will be demolished and the remaining building will become a Planet Fitness. There will be parking in the front of the building for their customers. The second part of the plan is a retail strip that will be sectioned to step down with the grade of the site. A traffic study has been submitted and is currently being reviewed by Craigton Manning Engineering LLC. Mr. Tripp states that the applicant has met with the Town Engineer and the Sewer Superintendent and will be addressing their concerns with the next submittal. A lighting photometric plan has been submitted. The existing light poles that will be behind the retail strip will remain all new lighting will point by point lighting and the pole height will vary; matching what is on site now. The residential area has been taken into consideration when planning the lighting. The lighting cutoffs direct all light down there will be no glare to the road or the residential area. Mr. Sorensen states that he will have comments on the plan at the next meeting. A cross section drawing was submitted showing the visual from the residential area above the site Mr. Tripp explained the cross section; 2 lines of sight are on the plan one at the first floor level and one at the second floor level. The house in question should only see the site from a few second floor windows. The lighting for the Planet Fitness will consist of the existing wall packs and some new light poles, the Board request the light poles be lower then 30ft. Mr. Budziak requested information on the façade of the new buildings. The applicant will submit a materials board for both buildings. Mr. Beichert gives the public a chance to question the applicant on the project. Robert Barton questioned if the parking area in the Planet Fitness will be closer then it is now. Mr. Craig explained that the building will be further away from the residential area and the parking area will not extend closer to the property line. Ed. Molinaro questioned the road width behind the retail strip. Mr. Craig states it is 30 to 35 feet wide; the engineers have a turning template they work with and emergency vehicles will be able to maneuver in the rear of the building. Mr. Molinaro was also concerned about the location of the dumpsters and when they are emptied. Mr. Kaplan, owner of the property stated the pickups would not be in the middle of the night and if there were any issues with noise from the pickups Mr. Molinaro should contact him directly. Mr. Sorensen states the Board would request all roof top HVAC units include noise control barriers and noise reducers. Mr. Budziak commented on the county review stating at the county meeting there was conversation on how the buildings on the site were going to be connected. The applicant will look into the matter when the review is received. The Board will continue to review the project. No action was taken.

### Beaver Scraps- Site Plan

Michael Vetere appeared on behalf of the application for a site plan for a contractor's storage yard. The applicant original application was for a landscaping business this has now been changed. The applicant would now like to use the site to park trucks and equipment used in his tree cutting business. Mr. Vetere states the site will now only be used for parking; all structures will be removed from the site. The applicant also will not be filling any more of the site. Mr. Vetere questioned the Board on what they would like to see at the site. After a long discussion the Board suggested a berm be constructed in the front of the site with plantings of spruce trees. The applicant stated at previous

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meetings that he would like to fill in more of the site as it has a steep grade; he now states he will not be filling anymore of the site. The Board requested the fill area be noted on the plan and some type of physical marking be on the site. Mr. Sorensen states the plan need to be sent to NYS DOT for a curb-cut permit and a narrative of what the applicant is going to store on the site needs to be submitted. A County review will be needed. No action was taken.

### David Brink- Lot Line Revision

Michael Vetere appeared on behalf of the application for a Lot Line Deletion. The applicant would like to combine two lots and remove a .058 acre gore that exists between the two lots. The deletion will result in a 1.178 acre lot.

#### Action:

A motion to declare Lead Agency and issue a Negative Declaration was made by Mr. Almquist and seconded by Mr. Lucente. A motion to approve was made by Mr. Almquist and seconded by Mr. Decker with all in favor

## RESOLUTION TOWN OF ULSTER PLANNING BOARD

### ISSUANCE OF LOT LINE DELETION

David & Gloria Brink  
Section 39.019-05-12.1 & 13.2

WHEREAS, the Town of Ulster Planning Board received an application from David & Gloria Brink (applicant) for Lot Line Deletion involving SBL 39.019-05-12.1 & 13.2; and

WHEREAS, the proposed Lot Line Deletion will combine Lots # 12.1 & 13.2 and remove a 0.058 acre "Gore" that presently exists between the two lots that are owned by David & Gloria Brink.

WHEREAS, the resulting lot will comprise a total of 1.178 acres in full compliance with all applicable bulk, area, setback and height requirements of the Zoning Law; and

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

- An application for the minor subdivision;
- A Subdivision Map prepared by Michael F. Vetere, Jr. P.L.S. dated October 25, 2007; and
- A SEQRA Short Form EAF; and

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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 incorporated herein by reference) and verbal commentary during the Planning Board's meeting on November 15, 2007; and

WHEREAS, 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 upon full consideration of the above, the Planning Board hereby finds that the application for a Lot Line Deletion as described above is consistent with the provisions of the Zoning Code of the Town of Ulster and said Lot Line Adjustment is hereby approved.

Mr. Beichert recused himself from the Board.

### **Kings Valley Diner – Sign Site Plan**

Mr. Beichert appeared on behalf of the application for a sign site plan stating the Board approved a sign for the Kings Valley Diner 2 or 3 months ago; the sign was hit by a car and now needs to be replaced. In order to replace the sign new footings would need to be placed and this would encroach the town water and sewer easement that is on the site. The Town has requested the sign be placed in another location. The applicant request is to move the sign 80 feet north of the existing sign Mr. Sorenson states this is a straight forward application and recommends the approval of the site plan.

#### **Action:**

A motion to accept the Planner's recommendation was made by Mr. Lucente and seconded by Mr. Decker with Mr. Almquist and Mr. Budziak in favor.

## **RESOLUTION TOWN OF ULSTER PLANNING BOARD**

### **SITE PLAN APPROVAL Kings Valley Diner Sign Section 48.66, Block 1, Lot 8**

WHEREAS, the Planning Board approved a site plan application by Kings Valley Diner to replace an existing pole sign in August of 2007; and

WHEREAS, the monument sign was replaced and subsequently destroyed by an automobile, and

WHEREAS, the applicant has submitted a new application to replace the existing sign and move the location of said sign 80 feet to the north; and

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WHEREAS, the Planning Board and its Consultant Planner have reviewed a site plan application by Kings Valley Diner to replace an existing free-standing pole sign in accordance with Section 190-32 (d) (2) of the Town Code; and

WHEREAS, based upon their review, it was determined that the proposed replacement sign and new location was acceptable and would be an improvement over the existing pole sign location; and

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

- Short Form Environmental Assessment Form; and
- Signage details prepared by *Timely Signs of Kingston, Inc.* dated November 1, 2007.

WHEREAS, that the Planning Board has determined the proposed action was an Unlisted Action, Declared Lead Agency Status, made a determination of non-significance and issued a Negative Declaration pursuant to Part 617 of the State Environmental Quality Review Act (SEQRA).

NOW THEREFORE BE IT RESOLVED, that upon full consideration of the above, the Planning Board hereby recommends approval of the site plan application to allow for the replacement of the existing Kings Valley Diner sign subject to the following conditions:

- a. The proposed replacement sign should be setback at least ten (10) feet from the edge of pavement of Ulster Avenue.
- b. The address should be added to the proposed sign.

### Albany Avenue Garage- Site Plan

Mr. Donald Brott appeared on behalf of the application for the site plan of Albany Avenue Garage. Mr. Brott reviews the site with the Board stating there are 2 parcels located at the corner of Sawkill Road and Woods Road. The applicant has establish a truck sales and repair business. The applicant would like to expand the site and is looking for comments from the Board. Mr. Sorensen reviews his memo with the Board stating the proposed plan shows an expansion of the paved area on the site to provide customer parking. More detail will need to be provided to the Board before a full review can be completed. The applicant needs to submit; lighting and sign plans along with a stormwater plan. The County will need to review the plan as Sawkill Road is a county road. Mr. Brott states that the applicant will attend a workshop meeting and is looking forward to the Boards comments. No action was taken.

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A motion to adjourn Mr. Decker was made by and seconded by Mr. Lucente all were in favor

Respectfully Submitted

Mary Secreto  
Planning Secretary