

## *TOWN OF ULSTER PLANNING BOARD*

The monthly meeting of the Town of Ulster Planning Board was held on Thursday October 23, 2008 at 7:00 p.m. at the Town Hall Lake Katrine, New York., The following members were present:

Acting Chairman	Larry Decker
	Frank Almquist
	Renno Budziak
	George Lucente
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 and September meetings was made by Mr. Lucente and seconded by Mr. Decker.

### **Fink/Crystal Ridge Subdivision- Public Hearing**

Chris DiChiaro appeared on behalf of the application for a 12 lot subdivision with a private road. Mr. DiChiaro states the Town Board reviewed the waiver of the road at their October 16<sup>th</sup> meeting; they did not vote on the waiver. Mr. Sorensen states that the road waiver is the only outstanding issue. Mr. Graff attorney for the applicant states the Town Board voiced concerns on the road maintenance agreement; he will be working with the Town Attorney to make the maintenance agreement stronger. There were no comments from the public. The applicant will return after the Town Board votes on the road waiver.

### **Mid Hudson Valley Federal Credit Union**

Michael Moriello appeared on behalf of the application for a parking area. Mr. Moriello states the Board has received a revised Negative Declaration Notice of Determination of Non –Significance. The Board has also received comments from Praetorius & Conrad on the SWWP. The comments state that there are technical issues that will need to be addressed in the site plan review; these issues will not significantly change the overall scope or environmental impacts. Mr. Sorensen reviewed the engineer's letter with the Board stating the outstanding issues will be reviewed during the site plan process. Mr. Moriello states the applicant cannot move forward with the process until a Neg. Dec is determined; if granted the applicant will appear before the Town Board requesting a zoning change.

**Action:** A motion to grant a Negative Declaration was made by Mr. Decker and seconded by Mr. Lucente; a roll call vote was taken;

Mr. Lucente: Yes

Mr. Almquist: Yes

Mr. Decker: Yes

Mr. Budziak: Recluses

The applicant will move to the Town Board for a zoning change request.

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### Costello Site Plan

Richard Pratorius appeared on behalf of the application for a proposed office building. Mr. Pratorius states the drainage plans have been approved by the town's consulting engineer. The Highway Superintendent still needs to verify the Handicap parking area has sufficient sight distance. The applicant will also need to enter into an agreement stating they will be responsible for the maintenance of the road markings and signage pertaining to the crosswalk. The Health Department is reviewing the project and should be sending a letter of approval shortly. After a short discussion on signage Mr. Sorensen states the Board could approve the project with the following conditions:

- a. Written confirmation from the Health Department on the adequacy of the septic system.
- b. Crosswalk maintenance agreement approved by the Town Attorney.

**Action:** A motion to grant a negative declaration as per SEQRA was made by Mr. Decker and seconded by Mr. Lucente with all in favor. A motion to grant site plan approval with the conditions stated was made by Mr. Lucente and seconded by Mr. Decker. All were in favor.

### RESOLUTION TOWN OF ULSTER TOWN BOARD

Site Plan Approval  
Steven Costello – Belvedere Lane  
Section 39.035, Block 1, Lot 12

WHEREAS, the Planning Board and its consultant planner have reviewed an application by Steven Costello for Site Plan Approval to remove an existing building frame (former tavern) and replace it with a proposed office building upon the existing foundation; and

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

- *Correspondence from Richard J. Praetorius* dated June 12, 2008;
- *Existing Site Plan* prepared by Praetorius & Conrad, P.C. dated June 12, 2008;
- *Proposed Site Plan* prepared by Praetorius & Conrad, P.C. dated June 12, 2008.
- *Correspondence from Richard J. Praetorius* dated October 9, 2008;
- *Existing Site Plan* prepared by Praetorius & Conrad, P.C. revised October 9, 2008;
- *Proposed Site Plan* prepared by Praetorius & Conrad, P.C. revised October 9, 2008; and
- *Proposed Photometric Plan & Details* prepared by Praetorius & Conrad, P.C. dated 10/9/08.

WHEREAS, the Planning Board referred the application to the County Planning Board for GML 239 l & m review; and

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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 consultant planner & engineers made via memoranda (which memoranda are incorporated herein by reference) and recommendations from the County Planning Board; and

WHEREAS, the Planning Board upon review of the entire record (including SEQRA Short EAF) found that the proposed redevelopment of the subject property for an office use will not have an adverse impact on the environment; as Lead Agency made a determination of non-significance and issued a Negative Declaration pursuant to Part 617 of SEQRA.

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

FURTHER BE IT RESOLVED, that upon full consideration of the above, the Planning Board hereby grants conditional approval of the Site Plan application for the redevelopment the subject site on Belvedere Lane subject to the following conditions:

- a. That the applicant provide written confirmation from the Ulster County Health Department with respect to the adequacy of its sewage disposal system; and
- b. The applicant enters into a Crosswalk Maintenance Agreement with the Town Board as approved by the Town Attorney.

Motioned by: Mr. Lucente  
Seconded by: Mr. Decker

All in Favor: Frank Almquist, Vice Chairman, Renno Budziak, Larry Decker, George Lucente

### **Oxygen Day Spa**

Rob Kristensen appeared on behalf of the application for a “day spa” The site consist of an existing two-story house and a proposed 2,949 square foot building that will house a day spa, this structure will be 24’ in height. The site will also include an inground pool and deck area. The hours of operation will be 10-8 Monday – Saturday and 10-3 on Sunday. The access will be off Morton Boulevard, a stormwater detention pond is proposed off of Van Keuren Highway. The applicant submitted new plans in response the Mr. Sorenson’s memo. Mr. Sorensen reviewed the updated plans with the Board stating the access is being reviewed by the Town Highway Superintendent. The stormwater plans for the detention pond will be forwarded to the consulting engineer. Mr. Sorensen goes on to say the applicant has redesigned the parking providing 24 feet of back up and turning space. The building has been moved back; it is now 18ft from the neighboring property. There will also be a commercial grade fence and a line of trees between the

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property line and new building. A suggestion was made to replace the hemlock trees in the rear of the property with arborvitaes. The applicant has agreed to sign a memorandum of understanding in regards to placing a sidewalk for Morton Blvd. The issue of placing a sidewalk on Van Keuren will need more discussion as there is a tree on the property where the sidewalk would go. The applicant states the existing building will remain a residential structure. Mr. Budziak requested the 2 parking spaces in the front of the site be removed. The applicant will resubmit plans after receiving the reviews from the Highway Superintendent and consulting engineer. No action was taken.

### **Waste Management**

Michael Aubertine appeared on behalf of an application for site plan. The proposed project consists of converting an existing 4,000 sq ft maintenance shop into office space and an 800 sq ft addition for a wash bay. The wash bay will be used to clean recycle bins. This area will have three new catch basins. There are two trailers on site that will be removed upon completion of the project. The water from the wash basins will be pumped into above ground storage tanks that are pumped out on a regular basis. The site has an existing stormwater plan and lighting. Mr. Sorensen states that the applicant should revise the plans to show a crosswalk for the employees. There will no increase of employees at the site. The project will need to be reviewed by the town's consulting engineer and the Ulster County Planning Board. An escrow account will need to set up to cover the engineering and plan review cost. No action was taken.

### **Michael McGinnis**

William Brinnier appeared on behalf of the application of a site plan for a second home on a single lot. Mr. Brinnier states the applicant currently has a permit to build a garage and a single family dwelling; because of financial difficulties the applicant would like to place an apartment above the garage to live in while finishing the main house. The applicant has submitted plans to the Health Department for a revised septic system. Mr. Sorensen reviewed his memo with the Board stating the residences are situated to meet all setback requirements and could easily become two separate lots.

**Action:** A motion to grant a negative declaration as per SEQRA and site plan approval with the condition of Health Department approval on the revised septic system was made by Mr. Lucente and seconded by Mr. Decker. All were in favor  
A motion to adjourn Mr. Almquist was made by and seconded by Mr. Decker all were in favor.

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

**Mike & Kim McGinnis  
Site Plan for a Second Home on Single Lot  
300 Stickle Terrace  
S-B-L: 47.4-2-6.1**

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WHEREAS, the Planning Board and its consultant planner have reviewed an application by Mike & Kim McGinnis to construct a single-family home and stand-alone garage with an accessory apartment on their 12-acre property at 300 Stickle Terrace within the R-60 Residential District; and

WHEREAS, Section 190-19 (B) of the Town Code allows more than one (1) single-family home on a lot so long as each residence is located so that it would conform to all area and setback requirements of the district if a separate lot were created for each residence.

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

- *Project Narrative* prepared by William P. Brinnier, RA dated October 1, 2008;
- *Application for Site Plan* prepared by William P. Brinnier, RA dated October 1, 2008;
- *Short EAF* prepared by William P. Brinnier, RA dated October 1, 2008;
- *Building Elevations* prepared by William P. Brinnier, RA dated October 1, 2008; and
- *Site Plan of Full Lot* prepared by William P. Brinnier, RA dated October 3, 2008.

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, the proposed location of the house is situated in a manner that would allow a future subdivision to occur so that the new homes would comply with all the area and setback requirements of the R-60 Residential District; and

WHEREAS, the applicant is in the process of securing Ulster County Health Department approval for the proposed modification to an approved septic system design for the proposed residences; and

WHEREAS, the Planning Board upon review of the entire record (including SEQRA Short EAF) found that the proposed action will not have an adverse impact on the environment; as Lead Agency made a determination of non-significance and issued a Negative Declaration pursuant to Part 617 of SEQRA.

FURTHER BE IT RESOLVED, that upon full consideration of the above, the Planning Board hereby grants conditional site plan approval in accordance with Section 190-19 (B) of the Town Code to Mike and Kim McGinnis to allow the construction of a single-family home and stand-alone garage with an accessory apartment on their 12-acre property subject to the Ulster County Health Department approval of the modified septic system design.

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Motioned by: Mr. Lucente

Seconded by: Mr. Decker

All in Favor: Frank Almquist, Vice Chairman, Renno Budziak, Larry Decker,  
George Lucente

### **Alex Stein**

Donald Brewer appeared on behalf of the application for a lot line revision. Mr. Brewer states the owners of the two properties are dissolving their partnership and an agreement was made to move a lot line approximately 80 feet. The lots are vacant and will be 6.307 and 11.592 acres after the revision. Mr. Sorensen states the applicant has revised the plans with the section block and lot number and recommended granting a negative declaration as per SEQRA and approval of the lot line revision.

**Action:** A motion to grant a negative declaration as per SEQRA was made by Mr. Lucente and seconded by Mr. Almquist. A motion to grant approval of the lot line revision was made by Mr. Decker with a second by Mr. Lucente. All were in favor.

### RESOLUTION TOWN OF ULSTER TOWN BOARD

Alex Stein- Lot Line Adjustment  
1234 Flatbush Avenue  
Section 39.012, Block 3, Lot 14  
Section 39.016, Block 3, Lot 10

WHEREAS, the Planning Board and its consultant planner have reviewed an application by Alex Stein for a 'Lot Line Adjustment' to allow the transfer of 0.958 acres from SBL 39.012-3-14 to SBL 39.016-3-10 with the R-60 Residential Zoning District; and

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

- Application for Lot Line prepared by Donald L. Brewer, PLS dated October 9, 2008;
- Short EAF *prepared by* Donald L. Brewer P.L.S dated October 9, 2008; and
- *Map of Boundary Lot Line Adjustment* prepared by Donald L. Brewer P.L.S received 10/09/08.

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

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WHEREAS, proposed action meets the Town Code definition of a Lot Line Adjustment; and

WHEREAS, the Planning Board upon review of the entire record (including SEQRA Short EAF) found that the lot line adjustment will not have an adverse impact on the environment; as Lead Agency made a determination of non-significance and issued a Negative Declaration pursuant to Part 617 of SEQRA.

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

FURTHER BE IT RESOLVED, that upon full consideration of the above, the Planning Board hereby grants approval of the proposed Lot Line Adjustment by Alex Stein.

Motioned by: Mr. Decker  
Seconded by: Mr. Lucente

All in Favor:            Frank Almquist, Vice Chairman  
                                Renno Budziak  
                                Larry Decker  
                                George Lucente

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

Respectfully Submitted

Mary Secreto  
Planning Secretary