

Town of New Paltz Planning Board

Final Minutes

June 26, 2017

June 26 Meeting Agenda :

Public Hearings

Public Comments

Application Reviews

PB 2017-06 Rite Aid Renovation

PB 2017-07 Rust Accessory Apartment

PB 2014-04 Mohonk Preserve Site Plan – extension request

Administrative Discussion

Rose Lane TB Referral

Site Plan Review – Ag and Market

ADDED:

Solar Memo

NYPF August 7 POK Locust Grove Course

Cariola Memo Speed Reduction

Present: Lyle Nolan, Amanda Gotto, Lagusta Yearwood, Mike Calimano

Also Present: Planning Board Attorney George Lithco, B&L Engineer Rebecca Minas

Board Member(s) absent: Adele Ruger, Tom Powers, Amy Cohen

Co-Chair Yearwood called the meeting to order at 7:05 pm.

PUBLIC HEARINGS

None

Public Comments

No public comments.

Application Reviews

PB 2017-06 Rite Aid Renovation

Jay Diesling from Mauri Architects, and Rob Mehlich, applicant, approached the PB members. Jay Diesling mentioned they had appeared before the PB two weeks earlier, and have made improvements to the plan with the comments provided by the PB.

The improvements included cultured stone columns, darker cornices and stucco color, and upgrade the planters at the left side of the plaza. Comments from the PB

members were positive on the changes made, and all agreed the changes were acceptable.

Motion 1 by Mike Calimano to refer the Rite Aid Plaza Renovations site plan to Ulster County Planning Board for review.

Motion 2 by Lyle Nolan. All present in favor. Motion approved.

Motion 1 by Mike Calimano to approve Rite Aid Plaza Renovations pending County Board review and its review has no required modifications and no advisory comments.

Motion 2 by Lyle Nolan. All present in favor. Motion approved.

George Lithco mentioned addressing the ENCB's advisory comments to consider solar in any future renovations. Rob Mehlich stated they will consider that in the future. Discussion followed on the roof condition with Mike Calimano stating they could come back before the board for any future site plans, including adding solar on the roof. Jay Diesing stated he would talk with Rite Aid about the possibility of using solar in the future.

They were thanked by the PB and were told they would be notified about anything from the UCPB referral after the July 5th meeting.

Mike Calimano asked the PB secretary to send the 239M agreement with Ulster County that contains a list of things, to the PB members.

PB 2017-07 Rust Accessory Apartment

Applicant Jonathan Rust was not present at the meeting. The PB members discussed his application for an accessory apartment. Mike Calimano had similar questions on the parking as Stacy (Delarede) did in her memo, and on outside lighting. The PB members reviewed Stacy Delarede's memo and remarked on the parking and lighting for apartment entrance. Co-Chair Yearwood asked about the apartment bedroom window and asked if there was a window in the proposed apartment.

George Lithco recommended the Board table the discussion for two weeks.

PB 2014-04 Mohonk Preserve Site Plan – extension request

Co-Chair Yearwood stated that Mohonk Preserve received their approval on July 25, 2016. The Building Inspector doesn't object to their request for an extension.

George Lithco stated they have a building permit which is a trigger to start work.

Applicant asked for November (6 months) plus 90 days thereafter. George Lithco suggested every 90 days keep on the calendar for a 90 day approval. The PB could also ask for periodic actions at those 90 day reviews.

Motion 1 by Lagusta Yearwood to grant 6 month extension until January 25, 2018, with 90 day extension requests by applicant by 4/25/2018 and 7/25/2018.

Motion 2 by Mike Calimano. All present in favor. Motion approved.

Rose Lane TB Referral

Discussion followed on the Rose Lane referral from the Town Board for the road to be added on the official Town Map. John Heppolette from 160 Rose Lane approached the PB members to discuss if there was a public hearing. Discussion followed on the circumstances of the road not being on the official town map so therefore building permits cannot be issued.

Motion 1 by Mike Calimano to report favorably for placing Rose Lane on the official Town map. The PB recommends that no subdivision of the lands be allowed if it would result in the creation of any additional building lots on Rose Lane.

Motion 2 by Lagusta Yearwood. All present in favor. Motion approved.

Site Plan Review – Ag and Market

George Lithco mentioned the correspondence that the PB members received from Ag and Markets and the Town in regard to farms. The concern for the wetlands for irrigation was brought up. Mike Calimano commented on the ENCB response that Mr. Mercier notify DEC about applicant using water from the wetlands. Mike Calimano mentioned that streamlining the Ag operations applications is much improved. Mercier Farms updated map was reviewed. George Lithco noted that the focus should be on the farm stand where public will have access. Discussion followed on the updated map public space, and DPW approval of driveway with permits. Signage has to be specifically noted on the map as well as overflow parking, lighting < 100 Watt and minor updates to plan that were faint or too hard to read.

Motion 1 by Lagusta Yearwood to refer the Mercier Farm stand site plan to Ulster County Planning Board for review.

Motion 2 by Mike Calimano. All present in favor. Motion approved.

Mike Calimano stated the UCPB will meet on July 5 at 7:00 pm in the County Office Building. Mr. Mercier should be there to answer any questions.

Solar Memo

Co-Chair Yearwood discussed the memo from Stacy Delarede in regard to single use, residential – Owner occupied solar systems. Co-Chair Yearwood read from the memo in regard to RESIDENTIAL USES

Pursuant to our current code, solar systems would be considered “accessory uses not enclosed in a building”. Chapter 140-30B states that in a residential district, accessory uses not enclosed in a building, including swimming pools and tennis courts, shall be:

- erected only on the same lot as the principal structure,
- may not be constructed in the side or front yards of such lot and
- shall be distant not less than 20 feet from any lot line nor less than 10 feet from the principal structure and

- shall not adversely affect the character of any residential neighborhood by reason of noise or glare or safety.

Co-Chair Yearwood stated to answer these questions from the memo with the responses from the PB as follows:

Does the board believe that all single family residences should have the ability to install solar systems so that they and the community can obtain the benefits of such use? **Yes**

If so, then if someone's structure is not situated properly on a lot, and their lot cannot accommodate a freestanding unit in the rear yard, should a freestanding system be able to be located within the front or side yard? **No. Lyle Nolan commented it changes the character of the neighborhood. Mike Calimano stated as long as they meet the setbacks of a side yard but feels more discussion is needed.**

What should the maximum allowable height be (in each yard permitted)? **Fence height**

Should a system be allowed to be erected within a wetland buffer or marginal wetland, as the disturbance is minimal if the applicant has no other suitable location on the property? **No, Mike Calimano stated that there is the Town Wetlands Law but applicant could get a variance for wetland buffer area.**

Should they be allowed to erect a freestanding unit on an adjacent vacant lot held in the same ownership if no alternative on the property with house? **George Lithco suggested to consider on someone else's property to not cut down trees but place the panels before the trees. Co-Chair Yearwood stated Yes. Mike Calimano stated to give proof they have no other option.**

Should they have an easement to do so? **Yes and No, perhaps a waiver or special use permit**

Should they be allowed to construct on any adjoining property with better solar shed? **Yes Dependent on the circumstances.**

What should the maximum allowable height be? **It would depend on the circumstances.**

Should it be different for that particular circumstance? **Why?**

As a residential application should it require a special use permit? **Co-Chair Yearwood No, Mike Calimano agreed, and meet the requirements, and if deviating request a waiver.**

Should this particular reviewing board have authority to reduce height where an impact on adjoining property is anticipated? **Yes**

Or vice versa, to allow a higher structure where impact on adjoining property is not anticipated? **Yes if it's reasonable.**

Is there a reason to prohibit motorized systems (systems that follow the sun)? **Yes from Co-Chair Yearwood, Mike Calimano asked why? Panels can move, there's some noise when they move, but he thinks the reflecting glare would be a concern.**

How should the applicant demonstrate absence of glare? **Mike Calimano asked how? Co-Chair Yearwood stated that there must be guidelines**

Brief Discussion on the current solar laws for Town of Rochester and Town of Lloyd, and current status of New Paltz proposed solar law. Suggested looking at surrounding towns to see what they are doing or have done.

2) In a subdivision application, should the applicant be able to propose that one lot be dedicated to the erection of a solar system, sized appropriately, for the use of the entire subdivision? **Yes all agreed, perhaps setup an association (HOA) and review the agreements. Co-Chair Yearwood suggested to look at other towns for subdivisions that have done solar.**

If so, what should the parameters of construction and control be? **All below will be addressed by the agreement with HOA.**

Size	Agreements
Height	Decommissioning
Fencing	Lighting
Signage	Other control restrictions
Landscaping and Buffer	

Who would own the lot and the solar system on the lot? **HOA, agreements.**

Who would operate and maintain the solar system? **HOA, agreements**

Should it be restricted as a future building lot? **HOA, agreements**

George Lithco mentioned accessory use for the current code, which states if not on the same lot as the primary use, applicant would need Zoning Board approval.

Cariola Memo Speed Reduction

Amanda Gotto mentioned that as a follow up (with Amy) for drafting memo for the Town Board on the safety issues for this part of Route 299. Mike Calimano stated the Town Board is finding ways to making the road safer. Amanda Gotto agreed to report at the next meeting if not out of town. Lyle Nolan mentioned placing a rumble strip, perpendicular to the road. George Lithco stated that the Town, County and State could look to see what can be done there.

NYPF August 7 POK Locust Grove Course

Co-Chair Yearwood stated to let Pat know by Thursday (June 29) if you'd like to attend. She also mentioned she will follow-up with the Village on training. George Lithco mentioned through Dave Clouser there is Stormwater training, perhaps as Rebecca Minas mentioned in the late summer, early fall.

Co-Chair Yearwood motioned to adjourn the meeting.

Motion 2 by Mike Calimano.

All those present in favor. Meeting Adjourned at 8:57 pm.

Minutes submitted by Patricia Atkins