

Town of New Paltz Planning Board

Final Minutes

February 12, 2018

Meeting Minutes Review/Approval

January 8, 2017

January 22, 2017

Public Comments

Public Hearing – 129 Plains Road Subdivision

Application Reviews

PB 2017-16 - 129 Plains Road Subdivision

Write In – PB 1800017 – Rocco's Pizza Simplified Site Plan

Administrative Discussion

Moratorium TB Public Hearing February 15, 2018

Present: Adele Ruger, Amanda Gotto, Stana Weisburd, Matt DiDonna, Tom Powers, Lyle Nolan

Absent: Amy Cohen

Ben Gailey present for George Lithco. Rebecca Minas present from B&L.

Chair Adele Ruger called the meeting to order at 7:04 pm.

Meeting Minutes

Chair Ruger asked for a motion for approval of the January 8, 2018 minutes. Motion 1 by Amanda Gotto. Motion 2 by Tom Powers. All present in favor. Approved.

Chair Ruger asked for a motion for approval of the January 22, 2018 minutes. Motion 1 by Stana Weisburd. Motion 2 by Amanda Gotto. All present in favor. Approved

Public Comments

Ray Lunati of Springtown Road, presented his letter of interest for re-appointment to the Planning Board as an alternate member. He added he would like to be considered as a full time member. Ray also asked if his attendance is required to let him know (for attending meetings).

Public Hearing – 129 Plains Road Subdivision

Chair Ruger asked for a motion to open the public hearing for 129 Plains Road.

Motion 1 by Lyle Nolan. Motion 2 by Amanda Gotto. All present in favor.

Patricia Gardner Snyder, from Rock Hill, South Carolina, and trustee for the Gardner Irrevocable Trust. gave a short history of her family living on the property, and how she now wants to share the property with their children and grandchildren.

Charles Gardner spoke about his future goal to live on the property and his sentimental attachment to the property while addressing the neighbors' past comments about the pond, barn and evergreen grove on the property.

Philip Schmidt of 123 Plains Road spoke about the changes made to the plan. He also added he appreciated the PB members who visited the property, and how the PB paid attention to comments.

Robert Walsh from 119 Plains Road commented on how he thinks the ridge structure less view and property value are in jeopardy with the placement of the new house on the property.

Ingrid Beer of 117 Plains Road spoke about the beauty of the road and feels there has to be a mediation to resolve this (application request).

Gail Freedman of 121 Plains Road stated Chris Harp couldn't be present tonight but she commented that you've heard from 5 neighbors now. Gail Freedman asked that the Trust record become public record, also adding that a revised location be chosen for the new home and that Chapter 129 governing subdivisions is enforced. She hopes there is a solution.

Cindy Gardner Furman stated she wants to purchase the home on the property to give her kids and grandkids what she had growing up there. She added she wants to create a new home for them.

Jan Schmidt of 123 Plains Road stated she understands the family heritage and how they feel an attachment to the land, adding that she hopes for a creative solution.

With no further comments for the public hearing, Chair Ruger asked Andy Willingham and the Gardner Family Attorney Mr. Purdy to approach the PB members. Andy Willingham addressed some of the comments that were made; the water table and springs statements where he went to the site both on Saturday and Sunday of the site visit weekend, and did not witness any springs in the area. He continued that he had 4 more deep cuts done with Dave Clouser present on the site and no springs were found. He feels there is not a water table issue. He added that putting the house near the road has more of an impact than where it's planned. He stated the driveway was moved 50 feet away from the barn on the Schmidt property. Andy addressed the concern that farming won't be done on the property and stated that there is every intention to farm the land and the plan is to keep it that way.

Rebecca Minas discussed the January 18 memo from Dave Clouser addressing the additional soil testing done on the site. She commented that based on the results of these test pits, the soils encountered at the site are not conducive to normally wet and boggy conditions, as described by some nearby residents' public comments. She also commented that the soil did drain well. Amanda Gotto asked if it's acceptable for building. Rebecca Minas answered Yes.

Chair Ruger asked Rebecca to comment on her review memo dated February 7. The waiver for sidewalk was not discussed at the last meeting with the applicant. After discussion, and after a waiver letter from the applicant was submitted addressing curbs, water mains, storm and sanitary sewers, street signs and street trees, and written agreement with utility companies, Mr. Purdy stated he feels there is minimal disturbance to the property.

Chair Ruger asked for any additional comments from the PB. Rebecca Minas then began reading the SEAF (Short Environmental Assessment Form) Part 2 – Impact Statement questions, with the following responses:

1. NO
2. NO
3. NO
4. NO
5. NO
6. NO
7. NO
8. NO
9. NO
10. NO
11. NO

PB Attorney Ben Gailey read from the Draft Resolution for the subdivision approval, in regard to the SEAF proposed action, and noted that the PB can adopt the action with a motion.

Chair Ruger asked for a motion for an unlisted action for SEQRA.

Motion 1 by Tom Powers. Motion 2 by Amanda Gotto. All present in favor. Approved.

Chair Ruger asked for a motion to close the Public Hearing.

Motion 1 by Stana Weisburd. Motion 2 by Tom Powers. All present in favor. Approved.

Chair Ruger asked for a motion to waive the subdivision improvements as required by section 121-17B subject to provision for sidewalk easement and consent to join the Town sidewalk district if proposed by the Town.

Motion 1 by Lyle Nolan. Motion 2 by Matt DiDonna. All present in favor. Approved.

Chair Ruger asked for a motion to waive the survey required before final plan is approved.

Motion 1 by Lyle Nolan. Motion 2 by Matt DiDonna. All present in favor. Approved.

Chair Ruger stated that Waiver 3 and Waiver 4 were covered already in the first Motion for an unlisted action for SEQRA.

Chair Ruger then discussed recreation fee payment. Mr. Purdy objected to the recreation fee stating it's subjected to provisions of the Town code.

Chair Ruger motioned for payment of recreation fees. Motion 2 by Matt DiDonna. All present in favor. Approved.

Amanda Gotto asked it be noted on the plan. Also to ensure follow-up on the eagles nesting period from January to September timeframe.

Chair Ruger motioned to grant preliminary subdivision approval based on the conditions in Schedule A and plan complies with subdivision standards.

Motion 2 by Matt DiDonna. All present in favor. Approved.

Chair Ruger motioned to waive the public hearing on the final subdivision plan.

Motion 2 by Matt DiDonna. All present in favor. Approved.

Chair Ruger as for a motion to grant conditional final approval, subject to the Planning Board review and approval of the resolution in final form, and subject to satisfaction of the conditions of approval required for signature of the subdivision plan within 6 months.

Motion 1 by Stana Weisburd. Motion 2 by Matt DiDonna. All present in favor. Approved.

Chair Ruger thanked the applicants for coming to the Planning Board.

PB 1800017 – Rocco's Pizza Simplified Site Plan

Rebecca Minas reviewed her memo dated 2/7/2018, and her conversation with the Building Inspector on this application.

Chair Ruger motioned to accept the recommendations (from Building Inspector and PB Engineer) and waive site plan review. Motion 2 by Matt DiDonna. Discussion followed. Amanda Gotto feels the parking isn't adequate without seeing it. She also noted if the hours of operation from 4-11 pm will remain that or change. It was determined that these would not be conditions of approval. **All present in favor. Approved.** Chair Ruger noted she would ask Stacy for criteria for parking.

Administration Discussion

Amanda Gotto noted the Town Board had a public hearing on February 1st for the moratorium 120 day extension proposed local law. She also noted that the UCPB meeting for February 7 was postponed due to weather. Stana Weisburd stated from her comments at the January 22 Planning Board meeting she would like to know if seasoned members could mentor new members.

Motion 1 by Lyle Nolan to adjourn. Motion 2 by Amanda Gotto. All those present in favor. Meeting Adjourned at 9:20 pm. Minutes submitted by Patricia Atkins