

Town of New Paltz Planning Board
Final Meeting Minutes

April 8, 2019

Attendees: Adele Ruger, Jane Schanberg, Lyle Nolan, Matt DiDonna, Amanda Gotto, Amy Cohen

Absent: Stana Weisburd

Also attending: Planning Board Attorney Ashley Torre, Planning Board Engineer Rebecca Minas, PB Architect Kurt Sunderland

Alternate PB Member: Brendan McLaughlin

Chair Ruger called the meeting to order at 7:00pm

Meeting Minutes

Motion 1 by Jane Schanberg to approve the minutes from March 11, 2019

Motion 2 by Lyle Nolan. 4 present voted in favor, 2 abstain (Amanda and Amy). Motion passed. Minutes approved.

Motion 1 by Lyle Nolan to approve the minutes from March 25, 2019

Motion 2 by Amy Cohen. 4 present voted in favor, 2 abstain (Adele, Jane). Motion passed. Minutes approved.

Public Comments

Roland Bahret, from 191 Old Kingston Road, spoke against the TowRific Auto Site Plan, and submitted a petition signed by 62 neighbors opposing the application.

Michelle DiDonna read her memo submitted to the Board opposing the Ferris Woods, LLC apartment application. Phyllis Hart of 70 S Ohioville Road, spoke about her concerns for her water supply, wells and traffic if the Ferris Woods application is approved.

Orna Gorash of 1 Grace Avenue, spoke about her Day Care Center, and likes walking on Brouck-Ferris Blvd., and how that will end if the application is approved.

Walter Blais of 8 Grace Avenue, spoke about his concerns for the wells, septic and traffic that the Ferris Woods proposal impacting the residents on the street.

Chair Ruger closed the public comments session.

Application Reviews

PB 18-215 McDonalds Renovation

Chair Ruger noted that tonight's discussion was going to be kept to the aesthetics and building itself tonight with input from the PB's architect.

Alan Roscoe, consultant for McDonalds from Core States Group, appeared before the Board to continue the discussion of his application. Mr. Roscoe noted that the Zoning Board of Appeals had approved all but 2 of the area variances he had submitted to them. Mr. Roscoe commented that tonight he had two versions of the color pallet, signage that was approved, showing the 2 arches on the brand wall on front façade, and the other on the non drive side, defining the entrance, and the word McDonalds shown on the front façade, but they decided to move that to the western façade so one sign on each side. He added this is true color representation of the building exterior.

Chair Ruger commented that the beautiful drawing given to them from Kurt was an example of a McDonalds in Manhasset, as most of them wanted something else and since she felt they weren't qualified to decide on windows or dormer, which was why Kurt was there tonight to help the Board out.

Jane Schanberg stated that last time they were talking about the colors of the building, and asked for softening up of the colors and more in the style of the town, but it seems these latest are the same thing.

Kurt Sunderland, Architect for the Board, stated that the latest plan is a modern design, consistent with other McDonalds recently renovated, but suggested that the Board consider a historic alternative, something with small town appeal, that will fit into the area.

Mr. Roscoe stated that the Board had considered the South Hampton version.

Kurt Sunderland stated that this is a modern building with context around it, and the Board if they are looking at historical direction, and at some point in the future, must decide where the town would want to go, they should consider a period of time that is important to the town, having a historic downtown and main street, and advised them to focus on that.

Chair Ruger stated that the McDonalds photo being viewed was the nicest she had ever seen. Jane Schanberg stated that it was a colonial cape style. Amanda Gotto noted that stone could be considered, as the gas station on Main Street has stone. Amy Cohen commented that McDonald's initiative to change the stores, and is 100% in favor of updating theirs but would like something that will blend in, but more special and unique.

Mr. Roscoe stated that this design is gabled, dormer design (referring to the photo).

Matt DiDonna asked if that was feasible for them.

Kurt Sunderland asked if the side walls were load bearing walls, which if so, gabled roof on trusses would work.

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Mr. Roscoe stated this a redesign. Kurt Sunderland suggested a main gable, placed north to south, not a full roof, stopping the gables at the back, adding that it's possible. After discussion, it was suggested to Mr. Roscoe to consider colonial white color, historical type building without dormers with consideration for a simple and clean contemporary way. Mr. Roscoe agreed to take their suggestions back to his architect.

PB 15-14 Ferris Woods Site Plan

Matt DiDonna stated that he is recusing himself from this application as advised from the Board Attorney.

Attorney Charles Martabano and Consultant Peter Setaro from CPL approached the Board to discuss the latest submission for the Ferris Woods, LLC site plan. Attorney Martabano stated that the latest submission has some significant changes, which Mr. Setaro would cover. Mr. Setaro said that the prior application was for 5 buildings, but the overall plans remains the same except they are eliminating the building at the end. Mr. Setaro referred to Attorney Martabano's memo to the Board dated March 11, 2019 noting a significant change from 60 residential apartments to 4 buildings with 48 residential apartments, which is a 20% reduction in the number of dwelling units proposed. Mr. Setaro also added that they did not update every single plan yet because they wanted feedback from the Board before the plans, landscaping, lighting, etc. were done as that will come later on, as they were taking steps to work towards SEQRA determination right now. Attorney Martabano also added they had moved all the elements from A1.5 zone to entirely in the B2 zone. Mr. Setaro also noted that they are aware that traffic is a big concern right now, and referenced the memo from Traffic Consultant Creighton Manning dated December 29, 2017, which he emphasized numbers 4, 7, and 9 referencing 60 units which now are reduced to 48. Chair Ruger stated that Creighton Manning consultant will review the current plan. Mr. Setaro stated they were planning to perform well testing before determination of SEQRA, and can propose mitigation for those impacts that might occur. Neighbors will be advised of the pump tests, and will be asked if they would like their wells monitored, but with no effect on the wetlands or neighbors' wells. Attorney Martabano added they taken the suggestions to reduce the size of the project, and now they would like to move forward to the SEQRA determination as the Board's Wetland consultant and Traffic consultant have been concluded, and they wanted now to move forward to a determination.

Chair Ruger stated she'd like to turn the discussion over Rebecca Minas now.

Rebecca Minas commented that there is a lot of correspondence but no formal review, adding she'd like to focus on the bigger issues, which included wetlands, wetlands buffer, emergency access through the wetlands buffer, noting (on the maps) that the DEC had wetlands A and B are regulated by NYSDEC, and wetland C are eligible to be mapped by the DEC due to its size being greater than 12.4 acres. Rebecca noted that the notice of determination from the previous Wetlands Inspector had no impact on the wetlands. Amanda Gotto stated that another quick look by the Wetlands Inspector could be done, and the ENCB did have input as well so the drawings have to show everything. Rebecca also noted that the plans have changed since that determination was made, so it was a good idea for the new Wetlands Inspector to take a look, as there may be impacts by the Rail Trail being built there as well as main access by Central Hudson.

Pump testing was next discussed, and Mr. Setaro stated he felt pretty confident they would get two good producing wells once they do the tests, and would provide that data to the Board, which would include flow rates, drawdown impact on the wetlands, and storage tanks volumes.

Zoning Board applications for interpretation and an area variance were next discussed. Attorney Martabano stated they were appearing before the ZBA to appeal the Building Inspector's determination as well as seeking an area variance if the interpretation is upheld. Amanda Gotto asked why they asked for an area variance and not a use variance. Attorney Torre noted that the ZBA would determine the variance type with their own lawyer.

Rebecca Minas noted that bicycle and public transportation were noted but nothing provided about pedestrians in the design submitted. Rebecca also noted that there were several items in the EAF Part 1 that needed to be addressed.

Discussion followed on building walkout grade, washer and dryer in building basements effect on groundwater, and water storage tank necessity, which Mr. Setaro stated he would find those things out.

Rebecca noted that R-V district (Variable Density Residential Development), per Town Code, privately owned water and operated, if it has a high yield, may be able to supply others in the area.

After discussion, Amanda Gotto asked if this is something for the PB to consider, which Rebecca Minas responded it could be something that Stacy could interpret. Attorney Martabano stated this is more of a legal issue, and has nothing to do with SEQRA. Attorney Torre stated that Stacy may say you will need a variance, and see what she says. Rebecca continued, noting that Wastewater disposal should be added to the plans as well as evidence of correspondence for the SPDES permit for discharging to ground water greater than 10,000 gpd with the NYSDEC, which requires completed SEQRA review, adding they would also need UC Department of Health approval for the wastewater treatment system and water supply system, which is all referenced in her review memo. Attorney Martabano commented that they had received her memo but did not have enough time to respond to it having just received it in the afternoon of April 5th with the meeting on Monday night April 8th.

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Rebecca mentioned open space plan and proposed recreation area; gazebo and walking trails, need to be on the plan, which Mr. Setaro said they would provide that. Rebecca continued with transportation, stating they need to update that and provide to the Board. Amy Cohen mention loading docks, UPS delivery to tenants, will they park in their (the tenants) parking spaces or will there be a concierge loading dock, one place, if they could give an idea on the plan where. Mr. Setaro agreed. Discussion on loop bus, handicap parking, electrical charging station and consideration for solar energy with Mr. Setaro stating he will check into all of those as well.

A restrictive covenant was discussed to ensure that 55 and older would be the tenants, and will be considered. Jane Schanberg asked why they were creating senior housing, which Attorney Martabano responding that this was privately funded market-rate senior housing, not affordable housing, not federally funded, also noting that 55 and older is a desirable alternative to conventional single family ownership.

Rebecca continued her review, noting that the 1995 comprehensive plan needs to be addressed, as well as revising the landscaping plan to include the 100ft. buffer strip. Mr. Setaro agreed to update the landscaping plan.

Lyle Nolan noted that the applicant has a bunch of things, and one thing to keep in mind that they read the rules of age discrimination when writing the restrictive covenant, noting input from Amy Cohen that there could be different scenarios of people living there, and Amanda Gotto added that children could be there too. Snow removal storage and grading plan was discussed briefly and should be checked.

After discussion on whether this could be an Unlisted or Type 1 action, Attorney Torre stated that the Board will determine that. Attorney Torre read the handbook for Type 1 SEQRA action. Attorney Martabano stated that they would check that with SEQRA handbook and they will address that since their plan may affect the Rail Trail on Rt. 299.

Chair Ruger stated that the applicants could check on the SEQRA action, and the Board will check on the Rail Trail, as per Attorney Torre noting that there is a provision in SEQRA as per the rail trail if parkland or recreation area would impact the SEQRA action. Attorney Martabano stated that they would respond to Rebecca's memo and get back to the Board immediately, asking for anything else to get back to them as well. Amy Cohen thanked Rebecca for the EPA SEPTIC SYTEM HANDOUT that she had included in her review memo.

Shoprite Plaza Site Plan – PB 19-35

John Joseph appears before the Board to review his latest submission and changes, noting that Caremount signs are now on the map, and mentioned Stacy's memo on April 2nd, in regard to the approved Master Plan for signs. John Joseph stated the site plan shown on the latest map, to be compliant, asked the Board if he could receive conditional approval and would note the changes on the final map for the sign measurements and one sign.

Attorney Torre stated that the Board can't give approval at this time because they don't review the signs and would need that review from the Building Inspector. After further discussion, Board members thought there was too much red on the proposed sign. After discussion that confirmed that the bank was no longer planned, and only the new tenant Caremount was going in there. John Joseph told the Board that Caremount is blue, as it's their corporate color. Attorney Torre stated there is a Master Sign Plan which if modified, would need a new sign plan application for the Board to approve.

Chair Ruger stated to come back with a new proposed plan with the blue color as well as adding the dimensions and they will put him on the next agenda if everything is back in time.

Amy Cohen asked about the strip of land being sought for the truck area behind Shoprite so there won't be any more delivery trucks in the front or in the parking lot. John Joseph stated he is pursuing that purchase and the plan is to have a loading dock area with enough room for the trucks to circle around. Amy Cohen asked if there was a drawing for the loading dock area, and John Joseph stated that the loading dock belonged to Shoprite and it would be hard to get that. Chair Ruger stated that he could tell Caremount that the Board wanted input from their Building Inspector on the colors of the signage.

Miscellaneous

299 Gateway Referral from Town Board

Chair Ruger stated that the Town Board wanted the Board's comments on what the Board thinks about the law and giving them until the Board's next meeting to get that done.

After discussion, with Amanda's comments on the 3 types of new zoning, and the Resort Overlay, including new requirements for setbacks and design, and comments from the Board members, it was determined a special Board meeting was needed to review the proposed rezoning law in order for the Board to understand everything being proposed and discuss it.

Amy Cohen noted she was happy with parts of law she likes, but she's not a fan of the law but it was good that the Board should be more involved in this, and not rush through it, as it is a big deal. Amy also feels the Board deserves to look at it, adding that she doesn't want to see a lot of residential by the Thruway, they should be more welcoming and it doesn't look particularly nice when coming off the Thruway. Amy also added in terms of the law, she feels a series of workshops to really go through each section of the law, and now with this proposal, which may impact new

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businesses, she doesn't think this is good for the health of the community, and doesn't think this law is the answer, still really uncomfortable for no drive thru in the zones, and thinks to get a burger in the drive thru option is good to keep cars off 299 looking for food when coming off the Thruway. After discussion on where a special meeting can be held, which will be determined, the special meeting date will be next Monday (April 15th). Chair Ruger stated they would dedicate the April 15 meeting and discuss it again at the April 22nd meeting.

Motion 1 by Adele Ruger to hold a special meeting on April 15 at 7:00pm.

Motion 2 by Amy Cohen. All in favor. Motion approved.

Motion 1 by Adele Ruger to adjourn. Motion 2 by Amy Cohen. All present in favor.

Meeting Adjourned at 9:45pm. Minutes submitted by Patricia Atkins