

Town of New Paltz Planning Board
Final Meeting Minutes
March 11, 2019

Attendees: Adele Ruger, Lyle Nolan, Stana Weisburd, Matt DiDonna, Jane Schanberg

Absent: Amanda Gotto, Amy Cohen

Also attending: Planning Board Attorney Richard Golden, Planning Board Engineer Rebecca Minas, Planning Board Engineer Andrew Willingham

Alternate PB Member: Brendan McLaughlin

Chair Ruger called the meeting to order at 7:01pm

Meeting Minutes

Motion 1 by Jane Schanberg to approve the minutes from February 25, 2019

Motion 2 by Matt DiDonna. All present voted in favor. Minutes approved.

Public Comments

Roland Bahret, 191 Old Kingston Road, and resident there for 47 years, commented on the TowRific Auto Site Plan, and noted his letter to the Board opposing the proposed use before the Board. Mr. Bahret also gave the Board members copies of a study he had put together of auto services on Route 32.

Kyle Clancy, 198 Old Kingston Road, read his memo to the Board opposing the TowRific Auto Site Plan.

Rose Rudnitski, 77 Dubois Road, and member of the ENCB, gave preliminary comments on the Craggswood Road Long Form Wetlands Application, and noted a more formal response would be submitted after the ENCB review meeting on March 13.

Jeff Torbord of 193 Kingston Road, stated he recently purchased his home, and was present with interest in the TowRific Auto Site Plan and was there to introduce himself to the Board.

Application Reviews

PB 18-215 McDonald's Renovation Site Plan

Alan Roscoe, Core States Group consultant for McDonald's, commented to the Board that he was there to continue to move the project forward, and discussed his latest submission that included potential cross easements as alternate connections to the site, and building design.

Mr. Roscoe stated that he had received response memos from the property owners (the Shopping Center and Chamber of Commerce) and they were not in favor of the proposals, and could not see the benefit of cross easements through their properties as an alternate connection. Mr. Roscoe commented to the Board about the estimated cost of the proposal for construction of the ramp alone was \$65,000.00 and did not include permits, drainage but only the ramp. Jane Schanberg asked if on the plan it was considered if the cars were turning around once thru the drive thru and reversing out the back. Mr. Roscoe stated it was one way out in the back. After further discussion, Mr. Roscoe stated it was a very tight turn to loop around to the back, and would involve losing more parking spaces to create a lane to the back, but it could be done with significant construction.

Chair Ruger asked Mr. Roscoe if the colors on the latest plan submitted were the proposed colors. Jane Schanberg showed the exterior paint color samples she located per the referenced colors on the building plan submitted, and asked Mr. Roscoe if the colors were correct. He stated they were but his copier didn't print them well. Mr. Roscoe noted that the brand wall was a dark brown with the intention to modernize the brand wall, and it fits in well with the color pallets, as well as with the plaza. Jane Schanberg mentioned the Hyde Park and Hamptons buildings, and asked if they could get something like that other than the stark, modern design presented but soften it up a little in more with the New Paltz character and not so dramatically modern. Mr. Roscoe stated he would incorporate the elements asked for, but has to know what they can't live without. After discussion, Chair Ruger suggested that a workshop meeting to discuss what the Board would want, and issues some would want to address.

Rebecca Minas noted that on the drive thru since there is a lot of grayness there and that landscaping may soften the look.

Mr. Roscoe noted he was attending the Zoning Board meeting the next night to discuss the variances before the ZBA. When asked by Rebecca Minas, Mr. Roscoe stated that the IN and OUT signs would be updated to the program signs, and will be within code and allowed. Mr. Roscoe was thanked for attending.

Matt DiDonna asked Attorney Golden if UC PB was asking for looking into the cross easements, what happens if the neighbors are not willing. Attorney Golden noted that UC PB had recommended that the cross easements be explored, and the Board would determine if it's practical or not, and determine if they've (the applicant) satisfied the recommendation by adequately exploring it.

PB 19-26 Copeland Funeral Home SSP

Chair Ruger asked for a motion to make Copeland Funeral Home a Type II action.

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Motion 1 by Matt DiDonna.

Motion 2 by Jane Schanberg.

Discussion: Engineer Andy Willingham stated he had reviewed the application to move a door to the side and some small area paving. Septic, water, and storm water were not affected, noting it was a Type II action with no adverse effect on the adjacent property. Engineer Willingham noted that there was evergreen plantings that would need to be moved or replaced.

All present in favor. Motion approved.

Motion 1 by Matt DiDonna to waive site plan approval for Copeland Funeral Home with conditions that trees be moved or replaced by planting similar trees adjacent to new paved area.

Motion 2 by Jane Schanberg. All present in favor. Motion approved.

PB 19-34 Cragwood Road Long Form Wetlands Application

Elizabeth Kelly, from Hudson Garden Studio, LLC., consultant for the property owners Christopher Hayes and Katherine Shaw, came before the Board and described the proposed pool, retaining wall and fence, proposed decks and fire pit, all located in the lawn area which is within the regulated buffer area, in the area previously disturbed for the original construction of the home. Ms. Kelly referenced the memo from Town's Wetlands Inspector Mark Carabetta from Milone and MacBroom, dated December 13, 2018 for the short form application, where Mr. Carabetta upon his initial inspection of the property, would require the long form wetlands application. Ms. Kelly stated that they responded to the memo with the exception of the watercourse line but did address the ENCB's preliminary comments on the pool cover and drainage.

Mark Carabetta stated he had a good look at the site on December 13 (2018) but needs to do a site visit to clarify all wetlands and buffers which must be noted on the application, adding that the wetlands and watercourse line needs to be clarified on the site plans, all laid out clearly then they can go forward to determine an impact.

Lyle Nolan stated that with the maps submitted, this will all be in the buffer, and it's not a small encroachment, but a big encroachment, adding he was concerned about the pool water, as they can't just dump it out, plus it seems there's a lot of fill and excavation going to go on.

Mark Carabetta stated that the applicants' consultant should make the initial determination, and he (Mark) would respond to that.

Lyle Nolan stated he looked at this on Google Earth, at historical photos, and it seems like there's regular encroachment growing into this whole area, but stated it's hard to tell, but he doesn't feel it's confined in the area disturbed in the initial construction, as it seems that area has been greatly expanded.

Ms. Kelly stated that area is now entirely lawn. Lyle Nolan stated that the lawn is not the wetlands, and asked if it existed before 2011 wetlands law. Ms. Kelly stated she didn't believe it was and wasn't around but the lawn should have been there.

Lyle added that they had submitted drawings all in different scales and he would like to see everything drawn in the same scale, as well as flagging the buffer and wetlands on the proposal would be helpful, and have them all in the same direction. It makes it hard to interpret. Ms. Kelly's associate, Dan Koehler, the Civil Engineer on the project from Hudson Land Design said it's hard to put everything on full scale on the map, it just won't fit. Lyle Nolan stated it would be helpful to flag the wetlands and the buffer. Ms. Kelly stated she had colored in the areas, especially the buffer areas. Lyle Nolan suggests to wait to look at it together and encouraged them to put it all on one drawing, add the contours, like south of the pool identify what that square is. Renderings are fine but a map is better and put it on the plan.

Ms. Kelly wanted to next address the comments about the pool, especially she'll be addressing them with the pool company.

Rebecca Minas commented that chlorinated pool water is regulated, you can't discard chlorinated pool water into the wetlands. Mr. Koehler asked about if de-chlorination is an option, Rebecca Minas stated yes, and it is permitted.

Andy Willingham noted that his first review meets the requirements of the Town Code, biggest is wetlands per the code, adding that to determine if it's accurate as to what's regulated and what's not, then go on.

Matt DiDonna asked if there were plans for a man made channel, which Ms. Shaw stated it's already there.

Motion 1 by Adele Ruger to set escrow at \$4000.00, with replenishment level at \$2000.00

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

Attorney Golden advised the Board to not consider this application as complete at this point for the record, adding the applicant may need a variance (for the side yard pool location) and needs to address as well the wetlands inspector's recommendation, as well as other issues (brought up during discussion).

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Ms. Kelly stated her conversation with Stacy who recommended to come first to the Board then apply for the variance with the ZBA.

Attorney Golden stated they can't approve a plan that doesn't conform to code, and with encroachment on the side yard, and before the Board can declare it complete, find out if they will need a variance, or redo the plans to be compliant. Attorney Golden stated that they can continue before the board, but they need to get the issue for needing a variance straightened out.

Ms. Kelly stated that it's not an option to move the location of the pool.

Matt DiDonna asked if the house was built in the buffer prior to the law (wetlands), which Ms. Kelly responded Yes.

Mr. Koehler stated that in the lawn area and a nice schematic landscaping, they'll provide a habitat for being in the wetlands buffer. Mr. Koehler added drainage around the house is a problem, adding that on the west side of the house, you could sink in the ground, but they'll add a whole bunch of plantings and meadow mixes, for storm water management that will help with runoff but they will need to know what the Board prefers if it's regulated enough, letting them know now would be helpful so they could move on. Stana Weisburd stated it's difficult not having the lines where the wetlands and buffers are.

Mr. Koehler added it's all in the buffer, delineated. Andy Willingham added it's going to be the same design after putting all the lines on. Chair Ruger stated they should just go forward as is. Chair Ruger stated she likes the way it looks but will wait for the wetlands inspector to come back with more information.

PB19-35 Shoprite Plaza Site Plan

Applicant John Joseph appeared before the Board to discuss his plans for the renovation of vacant space at the South Putt Corners side of the building with 5 windows facing that direction, and 2 windows in the back. Mr. Joseph also stated he will do the landscaping in the spring along with repairs from winter weather, adding that a medical provider will be moving into the space, and wanted more light along the South Putt Corners side. Mr. Joseph added they will also wrap the façade almost 20 feet around to visibly appeal to South Putt Corners and Rt. 299.

Chair Ruger asked if there was still a plan for a bank in there, which Mr. Joseph replied No. After discussion that included parking, sidewalks, and trailers removal, Adele Ruger asked for a motion to declare this a Type II action.

Motion 1 by Matt DiDonna to make the Shoprite amended site plan a Type II action.

Motion 2 by Jane Schanberg. All present in favor. Motion approved.

Attorney Golden stated that there is no need to send this to UC PB (for referral) per the code requirements, but added he's not sure everything is included on the site plan as to what the applicant is doing. Attorney Golden advised the Board if they want a different plan to approve and is adequate to give Stacy to enforce it, and move to approve, waiving all site plan requirements. Matt DiDonna asked if the approval is for what he is doing, which Chair Ruger stated is for the windows and façade. Lyle Nolan added that he was granted conditional approval for signage, and will need to have that given to them. Attorney Golden stated the applicant should check with Stacy on the signage, remove the old key on the site plan, add signage with dimensions that meets the Code, include colors and overhangs, and put it on the plan, this way the Board will have what they need.

Motion 1 by Stana Weisburd to set escrow at \$2000.00 (and replenishment amount at \$1000.00).

Motion 2 by Matt DiDonna. All in favor. Motion approved.

PB19-39 Mohonk Preserve Site Plan

Peter Karis comes before the Board for site plan approval for changes to the Site Plan for the River to Ridge trail changes driven by field conditions. Chair Ruger stated they did not have to go to County and asked if they had all seen the resolution. Attorney Golden advised the Board that they would need to assume lead agency, and declare this an unlisted action with negative declaration and with no public hearing necessary.

Motion 1 by Lyle Nolan to declare lead agency, declare this an Unlisted Action, with Negative Declaration, with no public hearing.

Motion 2 by Stana Weisburd. All present in favor. Motion approved.

Jane Schanberg read the specific conditions noted on the resolution.

Motion 1 by Lyle Nolan to accept the resolution.

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

Administrative Discussion

DOT Memo

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Chair Ruger provided copies of a memo from DOT Engineer Michael Schaefer dated February 19, 2019 to Supervisor Bettez, in regard to the bike path (of the Empire State Rail Trail) through the Trans-Hudson property by routing the bike path through the parcel. Pat to send applicants the memo. The Board was pleased with the proposal. Chair Ruger stated it's something to consider if Trans-Hudson is interested in doing this, which needs to be done first.

Miscellaneous

Stana Weisburd asked Attorney Golden who has the ability to waive a tree survey, which Attorney Golden replied it is the Planning Board.

Motion 1 by Adele Ruger to adjourn.

Motion 2 by Stana Weisburd. All present in favor.

Meeting Adjourned at 8:45pm. Minutes submitted by Patricia Atkins