

Town of New Paltz Planning Board

FINAL Minutes

April 7, 2014

Agenda:

PB 2010-14, Wilmorite/SUNY Park Point, 141 Route 32 S.

Present: Dave Clouser, George Lithco, Mike Calimano, Lynn Bowdery (alternate), Tom Powers, Tim Rogers, Lagusta Yearwood, Peter Muller, Eileen Banyra

Board Member(s) absent: Lyle Nolan

Chairman Calimano called the meeting to order at 7:05 pm.

MINUTES

Minutes from March 24, 2014 presented.

Motion to review and approve the minutes was made by Tim Rogers.

2nd by Peter Muller.

Eileen Banyra abstains.

All others present in favor. Motion passed.

PUBLIC COMMENTS

Dean Tambouri, local 17, speaks about his concerns with regards to the Wilmorite project, and hopes the project gets passed in order to employ local laborers.

Sam Prattle, local 363, speaks about the Wilmorite project with regards to using the local labor force. If this project goes through he could bring in more union members. This project will help him do that. This company plans to use local workers.

Ken Wishnick, town resident, states how he stopped at the IDA office today. They told him that no amendments were received with regards to the Wilmorite application. The original application doesn't state that they will use local laborers.

Mike Ham, a representative from Local 825 Heavy Equipment Operators Union, states that his union supports this project. They received a commitment from Wilmorite to move ahead with using local labor. This project will also clean up a contaminated site, as well as put this parcel back on tax roll.

Frank Hamilton, from the local Plumbers and Steamfitters union, states that they too received Wilmorite's assurances to use local labor.

PUBLIC HEARINGS

None

ADMINISTRATIVE DISCUSSION

Mike Calimano discusses the comments that he received back from Board members concerning the new Access Management legislation. If there are no other comments, he would like to send the Boards comments to the Town Board so that they can proceed with this legislation. Mike Calimano will add the last two comments from the Board and clean it up a bit before he sends it out to the Town Board.

Motion to send these comments was made by Eileen Banyra.

2nd Lagusta Yearwood.

All others present in favor. Motion passed.

APPLICATION REVIEWS

PB 2010-14, Wilmorite/SUNY Park Point, 141 Route 32 S.

George Lithco states that there are some comments that are covered by attorney/client privilege, so they can't be addressed at this open meeting. He therefore suggests that the Board go into a brief executive session in order to discuss these before they continue reviewing the Findings Statement.

Eileen Banyra makes a motion to go into executive session.

2nd by Mike Calimano.

All others present in favor. Motion passed.

The Board goes into executive session at 7:18 pm.

The Board comes out of executive session at 7:34 pm.

Motion to come out of executive session is made by Peter Muller.

2nd Mike Calimano.

All others present in favor. Motion passed.

Mike Calimano states how he would like to begin the Findings Statement review with Section K at page 45, Community Services. He asks the Board if they have any other comments. No one does. George Lithco then summarizes this section, and how the Board arrived at this point with regards to impacts on community services. This Section is an analysis of the entire FEIS acceptance process.

Tim Rogers states that he feels that the number of students that could be added to our school district from the faculty housing is inaccurate.

George Lithco states that there is a difference because these numbers reflect the number of students entering the district as a consequence of vacancies in the town and village, which could potentially turn into family housing as a result.

There is a brief conversation on the potential for a 25 year PILOT. Tim Rogers using 10 percent as a baseline is troubling.

Mike Calimano describes what the Planning Board is currently looking at to the audience. It is a summary conclusion of Section K of the Findings Statement on Community Impacts; in which if a PILOT is granted, the land use approvals will have to be denied by the Planning Board due to significant fiscal impacts to the community.

Lynn Bowdery feels that it is difficult to predict future fiscal impacts to the town, with a project like this, because it has no foreseeable end.

Tim Rogers doesn't like that this section doesn't take into account fiscal impacts that may need to be readjusted at the end of the PILOT.

George Lithco references the ruling on by the Saratoga County IDA on March 12. It discusses the actual impacts. If anyone is interested, it can be found on line if anyone is interested.

Mike Calimano states that the Findings Statement is a 90 page document. The Board has had sections that they have been going over the past few months. He will now go over each of the areas so that the Board members have a chance for final comments.

Soils:

Lagusta Yearwood has concerns on how any monitoring will be done? Dave Clouser states that this will be included in the site plan requirements.

Geology: No further comments.

Topography: No further comments.

Surface Water: No further comments.

Ground Water: No further comments.

Aquatic Ecology: No further comments.

Air Quality:

Eileen Banyra states some concerns she has. Dave Clouser states that these will be addressed on site plan.

Agricultural Resources: No further comments.

Transportation:

Eileen Banyra questions the conceptual that was done years ago regarding future roadway intersections; she would like to see it date referenced in the findings statement. She also feels that if there is a committee formed, it should include a student.

Lynn Bowdery would like to see some kind of time table or assurances from the college that they will actually take care of coming up to edge of this complex with their sidewalks. George Lithco states that there is a letter from the college that states that they will do this. Lynn Bowdery hopes this is done in a timely fashion. George Lithco states that if things aren't accomplished, then they will not receive their C.O.

There is a brief discussion on UCAT service. Lagusta Yearwood is concerned that the Board did all of this work to minimize parking, and then on the weekends there is no bus service. Mike Calimano states how this is an existing problem, so it is not really an impact of this project. Tim Rogers states how the Transportation Implementation Commission will be using this document as well. Mike Calimano agrees that this issue that needs to be reviewed with TIC, and that we should incorporate language that states how they should continue to explore this issue. George Lithco will put this language in.

Land Use and Zoning:

George Lithco addresses page 41, with regards to the annexation proposal issue. This proposal was rejected by the village, therefore it is no longer on the table by the applicant. Lynn Bowdery would like to keep this verbiage in just in case.

Eileen Banyra would like to make a reminder that when referencing any reports in the Findings Statement, that we please date them.

Visual Resources: No further comments.

Cultural Resources: No further comments.

Noise and Odors:

Eileen Banyra questions the generator. Dave Clouser states that this will also be a note on the site plan.

Energy:

There is a discussion on who is monitoring energy compliance. George Lithco states that this will be monitored during construction in order to receive their rating.

Solid waste: No further comments.

Phasing:

Lynn Bowdery found a math error.

Community Impact:

George Lithco hands out the summary conclusion of this section.

Tim Rogers has questions on the numbers used for the rental quotes. George Lithco states the numbers were taken from FEIS. Lagusta Yearwood agrees that local rents are actually higher than stated. Eileen Banyra states that a larger range should be used.

Mike Calimano asks everyone to read over the conclusion.

Tim Rogers is not comfortable with a section in this statement concerning community character, he doesn't agree with this paragraph. Eileen Banyra, Lagusta Yearwood and Peter Muller agree that this is speculation and should be removed.

Lynn Bowdery questions the PILOT offering. George Lithco gives a brief explanation. Mike Calimano suggests making this two sentences, two separate thoughts.

Mike Calimano asks if the Board is comfortable with the Findings Statement, because he would like to approve it tonight so that it can be filed.

Eileen Banyra is comfortable if it includes all of the corrections made tonight.

Tim Rogers is comfortable with voting on it, but would like to read it before it goes out.

Motion to accept findings statement as amended tonight, and to have the Board's attorney make those changes, and re-circulate it for the Board to read one last time is made by Eileen Banyra.

2nd by Peter Muller.

All others present in favor. Motion passed.

There is a brief discussion on the site plan review. Eileen Banyra would like to see all of the notes addressed in the Findings Statement on the site plans.

Lynn Bowdery would like to read this conclusion aloud for everyone to hear. Mike Calimano reads this section out loud:

After due consideration, pursuant to Article 8 of the Environmental Conservation Law and 6 NYCRR Part 617, of the relevant environmental impacts, facts and conclusions disclosed in the EIS and record, and after weighing and balancing the relevant environmental impacts with social, economic, and other considerations, the Planning Board of the Town of New Paltz, as Lead Agency, certifies, for the reasons set forth in these Findings, that:

1. Consistent with social, economic and other essential considerations from among the reasonable alternatives, the Project itself is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that the adverse environmental impacts can be avoided or minimized to the maximum extent practicable by incorporating those mitigation measures that are set forth herein;
2. As proposed, the Project itself appropriately balances the potential adverse

environment impacts of the Project with the potential beneficial impact of using the Project site, which is presently vacant land, to construct a multifamily residential development that will address the College's desire for additional housing opportunities for existing students, faculty and staff.

3. However, the Applicant has applied for a Category 5 PILOT from the Ulster County IDA. The Planning Board finds that the requested PILOT agreement, if granted, will cause significant adverse fiscal impacts upon community services, which will result in significant adverse environmental impacts on community character and population. The nature of a Category 5 PILOT is such that those adverse impacts cannot be adequately mitigated by the mitigation fee proposed by the Applicant.

4. Therefore, the Planning Board finds that if the PILOT is granted to the Project, the land use approvals must be denied to avoid those significant adverse impacts.

This findings statement sets forth the facts and conclusions utilized by the Planning Board to make its decision.

Michael Calimano
Chairman

Motion to adjourn made by Mike Calimano.
2nd by Lagusta Yearwood.
All others present in favor. Motion passed.

Meeting adjourned at 9:55 pm.

These minutes respectfully submitted by Kelly O'Donnell