

Town of New Paltz Planning Board

DRAFT Minutes

March 9, 2015

Agenda:

**PB 2014-02, LP Builders, 105 Route 208, Subdivision/Steep Slopes**  
**PB 2014-14, Diamond Car Wash, 526 Main St., Site Plan**  
**PB 2012-03, Hidden Ridge/87 Motel, 403 Main St., Site Plan for Demo**  
**PB 2015-02, Taliaferro, Plains Rd., Subdivision**  
**PB 2015-04, Taliaferro, Plains Rd., Site Plan**  
**PB 2013-15, Trans-Hudson Mgt./CVS, 12 N. Putt Corners Rd., Site Plan**

**Present:** Dave Clouser, George Lithco, Mike Calimano, Peter Muller, Lyle Nolan, Lagusta Yearwood, Adele Ruger, Amy Cohen, Tom Powers

Board Member(s) absent: None

Chairman Calimano called the meeting to order at 7:02 pm.

**MINUTES**

The February 23, 2015 minutes are presented. Motion to approve the minutes made by Lyle Nolan. 2<sup>nd</sup> by Amy Cohen.

George Lithco would like to make a change to the verbiage with regards to the clearing and grading application that was reviewed at this meeting.

Mike Calimano states that he will wait for Mr. Lithco's changes, and then approve the minutes at the next meeting.

## **FREE CONCEPTUAL REVIEWS**

None

## **PUBLIC HEARINGS**

### **PB 2014-02, LP Builders, 105 Route 208, Subdivision/Steep Slopes**

Motion to open the public hearing is made by Lagusta Yearwood.

2<sup>nd</sup> by Lyle Nolan.

All others present in favor. Motion passed.

Amy Cohen recuses herself from the review of this application.

Kim Garrison of Grant & Lyons comes before the Board to comment on their concerns regarding this subdivision. They are here representing the land owner down slope from this parcel. They are seeking the Planning Boards agreement to declare this a positive declaration under SEQRA.

Public Hearing opened November 24, 2014; continued to January 12, 2015; at request of applicant a motion to continue this public hearing to February 9, 2015 is made. Due to snow cancellations, this public hearing has been continued to tonight's meeting.

Motion to continue this hearing until the April 13, 2015 meeting, as requested by the applicant's attorney, Joe Eriole, is made by Lyle Nolan.

2<sup>nd</sup> by Adele Ruger.

All others present in favor. Motion passed.

## **PUBLIC COMMENT (on issues other than Public Hearings – 15 minutes)**

None

## **APPLICATION REVIEWS**

### **PB 2014-14, Diamond Car Wash, 526 Main St., Site Plan**

John Sullivan of Gillespie and Associates addresses the Board on the latest submission. He comes before the Board with Brian Tietje, owner, and Andrew Willingham, Engineer.

Dave Clouser goes over his review memo that he drafted concerning their latest submission. He states how they still need to provide the schematics, which accurately documents the system that is in use at this facility. John Sullivan states how the owner did have the water lines located to the building. There is continued discussion on the piping from the facility to the sewer. There is also a discussion on the enhanced buffer area as part of the Town's Wetland's Law. They will need to apply for a permit for this if they do enlarge it as noted. The applicant will most likely take this landscaping out. Dave Clouser

would also like a usage print out for further documentation on sewer usage. He would like to get this to Chris Marx. Andrew Willingham states how he has spoken with Mr. Marx, and they plan on metering all of this. Mike Calimano questions the lighting. There is discussion on the tall overhead Central Hudson light fixtures. The lighting levels were field verified by Gillespie and Associates. Lagusta Yearwood comments on the new automatic bay. Mr. Tietje states that it will be a new state of the art system. Lyle Nolan questions what happens to the waxes. Mr. Tietje states that it goes through his sedimentary system. George Lithco would like the sewer conditions noted on the site plan.

**PB 2012-03, Hidden Ridge/87 Motel, 403 Main St., Site Plan for Demo**

John Stinemire, of Stinemire Engineering, comes before the Board to present their latest submission for demolition of this existing motel complex. Dave Clouser discusses his initial review of this revision. Mr. Stinemire discusses the demolition of the foundation and incorporating that into the fill. John Stinemire states that future plans for this site remain on hold until there is sewer access. They state how they were here a few years ago to do an apartment complex using the existing footprint, but they could not get sewer access. At this point, if they don't take down the buildings they will become a hazard. They are ready to move forward as soon as they get approval. Lagusta Yearwood wonders if there is a finding of asbestos, how this would relate to SEQRA. This is handled through a performance bond that would be held by the Town. There is a discussion on what type of heating system is on site. There is concern that there could be buried tanks. They will need to do a certified asbestos inspection, and they would need a remediation plan if there is asbestos present. Then a bond could be set. Tom Powers questions the septic system. It is a sand system, so it will just be filled and capped.

Dave Clouser goes over the EAF Part II:

1. No
2. No
3. No
4. No
5. No
6. No
7. There will be a disconnection from the water system, but there will be no impact.
8. No
9. No
10. No
11. No (hazardous waste should be disposed of with accordance to State and Federal regulations)

A motion to declare a negative declaration under SEQRA is made by Lyle Nolan.

2<sup>nd</sup> by Peter

All others present in favor.

Motion passed.

There is discussion on the fact that a bond will need to be set for the removal of hazardous waste. This application will also need to be sent up to the UCPB

Motion to send this to the UCPB is made by Lagusta Yearwood.

2<sup>nd</sup> by Lyle Nolan.

All others present in favor. Motion passed.

It is suggested that they proceed with the asbestos inspection. This will also give the Planning Board time to determine the amount of the bond.

**PB 2015-02, Taliaferro, Plains Rd., Subdivision**

Andy Willingham of Willingham Engineers, Charles Frankel of Rider, Weiner & Frankel, and Ian Taliaferro come before the Board to discuss this subdivision application. Mr. Willingham states how they are returning with all of the documentation the Board requested at the last meeting. He is also submitting the waiver requests with all of the supporting documentation. Mike Calimano asks the Board if they have any questions on what was submitted. Amy Cohen states that it seems to be a very logical plan. Peter Muller agrees. Lyle Nolan would like to see a note on the subdivision that it can't be segmented. They can't add more lots. There is discussion on the Conservation Easement for all of the remaining farm parcel, which would mean no further subdivision. George Lithco discusses the different types of Conservation Easements. It needs to be clarified which type is being put into place here. George Lithco would like it on record that his firm is counsel to the Walkkill Valley Land Trust. Mike Calimano wants the exact type of Land Conservation to be written in the narrative, and he would like all of Mr. Clouser's notes addressed on the subdivision plans. In other words, state why they are clustering in order to maintain the farm lands. Mr. Frankel has concerns with putting this note on the map and losing the tax benefit. George Lithco states that it will only be a note, so that future Boards and future owners will all be clear that they can't subdivide the remaining farm parcel. Mike Calimano states that if they can get the materials together they could set the public hearing for the April 13 meeting. They also need to do an Agricultural Data Statement mailing.

Motion to set a public hearing for April 13 made by Adele Ruger.  
2<sup>nd</sup> by Amy Cohen.

All others present in favor. Motion passed.

**PB 2015-04, Taliaferro, Plains Rd., Site Plan**

Andy Willingham, Engineer, appears before the Board to represent the Taliaferro's on their site plan application. Mike Calimano states how the site plan doesn't have to go to public hearing. It also does not need to go up to the UCPB. Being as though it is an Agricultural use, it will be a type II. Mr. Taliaferro is under the belief that farm worker housing doesn't need CO's. If there are five or more permanent workers, then it needs to be inspected by the Health Department. This will need to be discussed with the Building Inspector, and it is now shown on the site plan.

**PB 2013-15, Tans-Hudson Mgt./CVS, 12 N. Putt Corners Rd., Site Plan**

Charlie Badzlo, counsel for Trans-Hudson Mgt, comes before the Board with Justin Dates and Richard D'Andrea of Maser Consulting. He states that after going before the ZBA, they have decided to revise their plan to adhere to the Town Code. They have made these changes to be code compliant and

resubmitted these plans to them. They have since located a tenant for one of the pad sites, it is Five Guys Burgers and Fries. This is all on the updated plans. The Engineering firm did submit the new traffic studies, as well as an SWPP.

Lagusta Yearwood stated that she would like to see trees over 12" in diameter shown on the site plan. She doesn't know why they can't leave the trees up. George Lithco states that there is code that refers to street trees, being within 50' of center line of road, and require permits to remove. The rest don't require permits to take down.

Adele Ruger would like the applicant to point out the bike path plan. Justin Maser refers to the site plan and discusses the rail trail connections.

There is discussion on the site elevation, and what it will look like from the road. The pad will be two feet below grade level, then there will be a one story building on that.

There is discussion on the different rail trails and bike path projects that are going on simultaneously. The applicant is making the site available for these expansions whenever they happen.

There is discussion on delivery trucks and the ability to move these trucks. There is the proper turning radius and loading docks. Mike Calimano would like to see some numbers on estimated delivery numbers and times.

Amy Cohen questions the location of bike racks. Justin Dates points these out on the plans. They do follow the Town Code. They will also be running conduit for Electrical Vehicle Charging stations should this ever come into play in the Town Code.

Lyle Nolan questions the septic and wells. Justin Dates states that each building will have their own, and he shows these on the site. They are working with the County on the water, now that they are coming in with a restaurant. It will also require a SPEDES from the DEC since the restaurant usage is over 1,000 gallons a day and under 10,000 gallons.

Lagusta Yearwood makes some comments to the Board directly, with regards to the loss of open space, as well as chain stores. She also has concerns with regards to the size. She would like to see it more of the size of the Rhinebeck store, and not the Kingston location.

Amy Cohen would like more details on the landscaping. Justin Dates goes over the landscape plans. She also wonders if they can liken this project to any other one in the region that is similar. Justin Dates states that the building is similar to the Kingston location. However, there is no parking in the front yard set-back, and the New Paltz site is also a larger parcel, with the large County right away in the front which allows for much more open and green space.

There is a discussion on the traffic onto N. Putt Corners Road on days when traffic is backed up there. Mr. D'Andrea states that they will have to work on this with the re-timing of this intersection. It is all in the new queing analysis.

Amy Cohen would like the applicant to discuss the lighting. Justin Dates discusses that all the lighting is all downcast LED lighting. He points these out on the plan. There is continued discussion on lighting,

including pole lights. None of these pole lights illuminate Route 299, nor will it spillover to the Thruway, as there is a lot of existing vegetation.

Peter Muller points to a mistake on page 11 of the traffic study that needs to be changed.

There is a discussion on the hours of operation. Five Guys is open from 11 am until 10 pm.

There is a conversation on the type of fill to be used. It will vary depending on the location on the site. They also discuss snow management. Justin Dates points to locations on the site plan. Mike Calimano states that there will be standard site notes on the plan with regards to the size of snow piles.

Justin Dates submits site renderings of the Five Guys that they just completed today. Dave Clouser gives them a draft review of their latest submission. It is just a draft, as he has been away and has to confirm all of this.

There is discussion on getting traffic counts for the Five Guys restaurant.

Mike Calimano would like to see if they could get some type of a more accurate visual of how this site will actually look when they look into it driving by on Route 299.

Charlie Badzylo questions whether this is ready to forward to the UCPB. Dave Clouser states that it might be better to get Ken Wersted's comments on this first.

Motion to send this application to the UCPB, with the note that Ken Wersted's comments will be following, made by Lyle Nolan.

2<sup>nd</sup> by Tom Powers.

All others present in favor. Motion passed.

There is discussion on outstanding issues in order to make a SEQRA determination. Dave Clouser questions whether or not they should revise their EAF to the new form, even though it was submitted before the new form came out. Mike Calimano agrees that they really should re-submit using the new EAF form.

## **OLD BUSINESS**

None

## **ADMINISTRATIVE DISCUSSION**

There is a discussion on the joint Town and Village Planning Board meeting on March 23. Mike Calimano states how we will be discussing the rezoning of the Village portion of Route 32 North. He would like to draft an agenda to forward to the Village Planning Board Chair. Please get any items to him as soon as

possible. Dennis Doyle from the County will be present as well. Jeff Logan states that on March 11, there will be a steering committee meeting to address the new bridge at 2 pm at the Community Center.

Jeff Logan discusses an annexation application that was made for some property on Route 32 N. The applicant does need to come back to both Boards with more information.

Motion to adjourn the meeting is made by Lagusta Yearwood.  
2<sup>nd</sup> by Adele Ruger.  
All others present in favor. Motion approved.

Meeting adjourned at 9:35 pm.

These minutes respectfully submitted by Kelly O'Donnell