

Town of New Paltz Planning Board

FINAL Minutes

May 27, 2015

Agenda:

PB 2013-15, Trans-Hudson Mgt./CVS, 12 N. Putt Corners Rd., Site Plan
PB 2015-08, Piliero, 239 N. Ohioville Rd., Accessory Apartment
PB 2015-09, Mehlich Investments, 232-236 Main St., Simplified Site Plan

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

Board Member(s) absent:

Chairman Calimano called the meeting to order at 7:04 pm.

MINUTES

The May 11, 2015 minutes are presented. Motion to approve the minutes is made by Peter Muller.
2nd by Amy Cohen.
All others present in favor. Motion passed.

FREE CONCEPTUAL REVIEWS

None

PUBLIC HEARINGS

PB 2013-15, Trans-Hudson Mgt./CVS, 12 N. Putt Corners Rd., Site plan
Motion to open the public hearing for the evening is made by Lyle Nolan.
2nd by Peter Muller.
All others present in favor. Motion passed.

Lauren Koehler, New Paltz resident, speaks about her concerns with the CVS project. She feels a project like this doesn't have a large enough pay off for the community.

Joel Oppenheimer, New Paltz resident, speaks about his concerns with the CVS project. He doesn't see it benefiting New Paltz in the future.

Susan Blickstein, Town resident, speaks about her concerns with regards to the CVS project. She has a four page statement. She won't read the entire thing, but she will touch on some things. She also has concerns that there wasn't enough time for the public to review the latest documents that were just submitted. She would like to see the public hearing held open.

Katherine Stewart, Town resident, presents three different letters. She reads the first letter that she wrote. She encourages the Board to leave the public hearing open. She then reads a letter from Tim Olsen.

Ralph Stewart, New Paltz resident, speaks on his opposition to the CVS project.

Carma Haas, New Paltz resident, speaks on her concerns with regards to the CVS and a Five Guys. We don't need a fourth pharmacy, and we have many other vacant structures where a Five Guys could go.

Ira Margolis, Town resident, would like to remind the Board that this is a Town project, not a village project, he feels we should be more mindful of projects that benefit the Town. The Town does subsidize the Village projects.

Joe Haas, Town resident, speaks with regards to his concerns with this non-pedestrian friendly development.

Christina Vazquez, Town resident, is here to speak out in opposition to the CVS project.

Michael Cherry, Town resident, would like to express his opposition to the proposed CVS project.

Tracy Clark-Cherry, Town resident, would like to speak about her concerns with regards to the CVS project. She too is opposed. Her main concerns are traffic.

Laura Wyeth comes before the Board to speak about her concerns with protecting our local businesses.

Tova Weitzman comes before the Board. She just wants to add her voice to the numbers who are speaking out against this project.

Laura Denay, member of the ENCB, she is the liaison to the Planning Board. She reads some of the statements that the ENCB will be submitting to the Planning Board. They have concerns about the wetlands. They also want to be sure this project is MS4 compliant.

Liz Bonhag, Town resident, wants to speak out in opposition to the CVS project.

Michael Zierler, New Paltz resident and Village Planning Board member, speaks about his concerns with the impacts of this CVS project. He reads his written statement.

Kevin Borden, Town resident, thanks the Board for their service. He does have many concerns with the proposed CVS project, most especially the adverse economic impacts.

Janice Cyr and Dave Morgan come before the Board to speak about the many questions they have with regards to this project and the Town and Village future plans.

Kitty Brown, Town resident, comes before the Board to speak about her concerns with regards to the correct version of the narrative. She would also like to know the results of the applicant's meeting with the heads of EOS. She discusses her many other concerns.

Julie Lillis, Town resident from Duzine Road, updates the Board on the petition she started. They have a total of 1,085 signatures. It is still on-line and growing. The petition also contains a lot of public comments. She also discusses her many other concerns.

Bridgett Lillis, Town resident, reads her statement about her concerns for the connection to the Millbrook preserve.

Stana Weisburd, New Paltz resident, thanks the Planning Board for their hard work. She reads her statement expressing her concerns with the CVS project.

Seth McKee, New Paltz resident who lives on Duzine Road, speaks on his many concerns with regards to traffic impacts.

Meresa Volante presents a letter from Mark Portier. She also makes her own comments about her opposition to the CVS project.

Karen Seyfert comes before the Board to discuss her concerns over the proposed CVS, especially with regards to the destruction of the natural environment that helps to ease the noise of the Thruway.

Richard Miller thanks the Board for spending time on this project. He is a lifelong resident of New Paltz, as well as an architect. He feels that this project is inappropriate for New Paltz on every aspect.

Mike Russo, Town resident, comes before the Board to thank the Board for their service and for the public hearing. He wants to urge the Board to keep the hearing open until the SEQRA process is finished. He also speaks on his other concerns with regards to this CVS project.

Motion to close the public hearing for the night is made by Peter Muller.

2nd by Lyle Nolan.

All others present in favor. Motion passed.

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

Irwin Sperber would like to make comments from the Sierra Club Mid Hudson Group with regards to the proposed Mohonk Preserve project. He reads a statement.

Kitty Brown, Town resident, speaks to the Board about the memo that was just read. She doesn't feel that that letter was approved by all members. She doesn't feel that Mohonk Preserve adds to the traffic impacts.

Arlene Simon, of Butternut Road, speaks to the Board about the Mohonk Preserve project. She feels it should have a Full Environmental Impact Statement.

Seth McKee, Town resident, speaks to the Board about Mohonk Preserve project. This project is basically about a trail head. It is not a CVS. These people are already coming, they are developing 1% of the entire parcel.

Rich Gottlieb speaks to the Board about the Mohonk Preserve project. He likes to see positive things happen in New Paltz. He feels what the Preserve is proposing fits our community direction.

John Underkoffer, Officer of Citizens of the Shawangunks, they are simply asking for an EIS. They would like to have answers.

APPLICATION REVIEWS

PB 2015-08, Piliero, 239 N. Ohioville Rd., Accessory Apartment

Mrs. Piliero comes before the Board to discuss her application for her accessory apartment. Stacy Delarede, Building Inspector, is also present. She was out at the site, and there is plenty of parking and a separate drive to the apartment. The apartment meets all of the criteria of the Town Code. There is discussion on the lighting. There are no exterior changes. Dave Clouser states that he did originally have questions on the square footage, but Stacy did go out and measure, and it is fine.

Motion to grant a special use permit for an accessory apartment is made by Lagusta Yearwood.

2nd by Peter Muller.

All others present in favor. Motion passed.

PB 2015-09, Mehlich Investments, 232-236 Main St., Simplified Site Plan

Rob Mehlich of Mehlich Investments is present for his simplified site plan application. Stacy Delarede and Dave Clouser have both reviewed his application to renovate a former store, by cutting the space in half to be used for a credit union. He is subdividing the square footage. There is no external work going on. There are no required changes to the parking. The credit union has said that they will have an ATM, but it will be interior, so it will not change the lighting requirements. There is a brief discussion on bathrooms.

Motion to waive full site plan review made by Peter Muller.

2nd by Tom Powers.

All others present in favor. Motion passed.

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

Charlie Badzylo discusses the submittals that were requested at the last meeting. He feels that he has heard nothing new at this public hearing than what he heard at the last public hearing. Lagusta Yearwood states that she counted 29-30 people who spoke today, and only six people spoke at the last meeting. Mike Calimano discusses outstanding issues, like any feedback from the DOT, etc. Phil Grealy of Maser Consulting speaks about the DOT's idea to remove the slip lane, regardless of CVS. They are continuing to review this. He states that coordination of the traffic signal with the Thruway ramp signal is still not complete. They have it coordinated west of this intersection, but they are still working east. Mike Calimano asks if there could be any coordination with the Ohioville intersection, all three of these intersections must work together. Mr. Grealy states that they are working on that. There is a discussion on the left turn lane from N. Putt Corners Rd. onto Main Street.

Lagusta Yearwood discusses the idea of keeping the slip lane and re-routing the bike lane.

Tom Powers asks if the DOT is focusing on current conditions. Phil Grealy states that they look at current conditions and the future improvements. He states that the DOT likes to see the applicant do the correct improvements, so their future plans don't require changes a second time.

There is continued discussion on the DOT's conceptual plans for the Route 299 corridor.

Adele Ruger questions why there can't be an entry and exit on Route 299. Phil Grealy believes that the DOT thought that there would be too much weaving with people exiting and people trying to get into a lane to make a right on N. Putt Corners Road. Mr. Grealy suggests that the Town's consultant ask the DOT if this is a possibility. Mike Calimano states that this is the same thing that the DOT had Lowes do on Route 299. You can get in to Lowes on Route 299, but you can't exit from Lowes onto Route 299.

There is discussion on the additional pad that was originally on the site plan. Mike Calimano stated that the Board has always instructed any applicants to show an entire build out of the site. That is why they originally submitted a plan showing a second pad. It was shown based on what the Board asked. George Lithco discusses segmentation. At the present time, the applicant doesn't have another tenant for the site. Mike Calimano states that anything that wanted to go on that site after this applicant, would need to go through the exact same approval process as they are doing right now. It too would require a full review. It is noted that without knowing what any intended use may be, it is impossible to know the impact now.

Tom Powers questions why the DOT doesn't look further down the road, rather than just focusing on current projects. George Lithco states that the DOT does take into account the traffic that could be anticipated from undeveloped properties, based on develop allowed by existing zoning so they can make a projection that is based on pending projects and on possible uses in that zone, when trying to make their determinations.

Peter Muller asks if they should take into account the possibility of a third business on the site. Mike Calimano states that rather than speculate, they do take into account total build out, but anything else would trigger a full site plan review.

Lagusta Yearwood asks if the traffic study includes a crash analysis, and if that also includes bikes and pedestrians. Phil Grealy states that any recorded accident is included in that study. She would also like to know about the truck restrictions on HW DuBois. It is believed that there is a weight restriction that

is in effect. She also questions when it would be possible to have shared parking between the two businesses, even though it might require a variance for less than the required parking. In this way there is less impervious surface, etc. There is discussion on land banking spaces.

Adele Ruger questions the ability to do an economic impact study.

Amy Cohen would like to see a visual coming from the thruway from Kingston, in order to see how it looks. Justin Dates states that they are working on a visual coming from the thruway, which will show the rear corner of the site.

Mike Calimano would like the applicant to think about looking at that site from the rear, what will be done there? Justin Dates states that they will not be clearing anything other than what is being developed. Mike Calimano would also like to see more information on the thruway buffer, and wonders about the slopes along the eastern edge of the property, due to the amount of fill that is required to bring the property up to the proposed elevation. Justin Dates states that they did discuss this in their earthworks memo. It will all be secured.

Lyle Nolan discusses the driveway on N. Putt Corners Road with regards to the visibility and the slopes. He doesn't feel it works. He also discusses other issues he sees with the intersection.

Tom Powers asks about any responses from Emergency Services. Justin Dates states that he did meet with all three chiefs at the site. He also did send them the traffic study. They have only received a written response from the Police Chief. They will forward anything else they receive.

George Lithco questions when they last spoke with the DOT. Phil Grealy states that they spoke with them yesterday. Mr. Lithco suggests that they discuss their conversations with Ken Wersted as well.

There is a conversation on the continuation of the Bike Path from Highland to New Paltz.

OLD BUSINESS

None

ADMINISTRATIVE DISCUSSION

Mike Calimano discusses the timeline for site plans. He explains how they gather the information, get their questions answered, etc. Once they feel they have all the documentation, they start SEQRA. Then they document the part II of the SEQRA determination. There are times when they do find items of significance even if it is a negative declaration. Once they feel they have all of the sign-offs necessary, that SEQRA suggests as threshold levels, they can then make a determination of significance. Assuming it is a negative declaration, the Board can refer the application to the UCPB.

Adele Ruger asks when they allowed to ask for expert opinions. Mike Calimano states that anytime during SEQRA, they feel they need additional advice, they can ask for it. Lagusta Yearwood wonders if someone can be hired to study the economic impacts, as well as a wetland inspection. Mike Calimano

states that we can look at the fiscal impact, but not the actual economic impact. It is mentioned that retail uses are not usually eligible for a PILOT. There are circumstances where a service, which is not provided in a community, could apply for a PILOT. Lagusta Yearwood questions why they can't hire someone to study the fiscal impact to the community. George Lithco states that in order to ask the applicant to pay for this, it would be necessary to show a nexus between the project and its anticipated environmental impact.

Mike Calimano notes that though the Planning Board approves the footprint of the site, they can't approve the tenant. Just because people don't like CVS, doesn't mean we can deny the tenant.

Tom Powers mentions the drainage from the site into the Millbrook Preserve and suggests that this would need wetland inspection.

Dave Clouser mentions that the Town is looking for alternate Wetland Inspector. He states that he did inspect the site and found no wetlands. There is a culvert that will take some water from not just the site, but from the surrounding roads as well. This run-off will be treated as we are an MS4 community now. There is a brief discussion on discharge into Tributary 13.

Peter Muller questions whether creating more impervious surface would mean more run-off? Dave Clouser mentions that with MS4, they look at volume, not just rate, so there will actually wind up being less.

Adele Ruger questions whether the Planning Board can write a letter about the architectural design of the building. She would like to see this done.

Amy Cohen is also concerned about the design. There are many much more attractive designs that she has seen. She would like to ask this applicant to be a good neighbor, and make changes to their architectural design, not just the colors, but the materials as well. Peter Muller mentions the Woodstock CVS, and how it fits right in with the design of the street.

George Lithco mentions that the proposed letter should reference the standards that are in the Town Code

Mike Calimano proposes that since the information that they just received on Friday still needs a bit more time for review, that the Board continue the public hearing until the June 8 meeting.

Tom Powers questions that if after the public hearing is closed, and they are doing the SEQRA review, if they find new questions, could the public hearing be re-opened. George Lithco answers that if there were changes to the site plan that reflect concerns that were previously discussed, the Board need not re-open the hearing; however, if the site plan is changed in significant ways that involve totally new ideas/submissions come into play, the Board can re- open a public hearing.

Amy Cohen would still like to see parking in the rear of the building.

Mike Calimano mentions that we already learned that from a safety stand point, that a pharmacy needs to be in the back of the store, and they can't put a back door in for security. There is also the issue of handicapped parking, and parking in the rear of the building would make it difficult to get around to the front.

George Lithco hands out an outline on SEQRA thresholds.

Motion to continue the public hearing until the June 8 meeting, in order to review recently submitted documents, and then close it and allow for 10 day written comment period, is made by Mike Calimano. 2nd by Peter Muller.

All others present in favor. Motion passed.

Motion to adjourn the meeting is made by Mike Calimano.

2nd by Peter Muller.

All others present in favor. Motion approved.

Meeting adjourned at 10:45 pm.

These minutes respectfully submitted by Kelly O'Donnell