

Town of New Paltz Planning Board

FINAL Minutes

May 9, 2016

Agenda:

**PB 2014-04, Mohonk Preserve, Route 299, Site Plan**  
**PB 2014-25, Mohonk Preserve, Butternut Rd., Subdivision**  
**PB 2016-03, Libolt, 290 Old Kingston Rd., Lot Line Revision**  
**PB 2016-04, D & D Woodworks, 61 S. Ohioville Rd., Site Plan**  
**PB 2016-05, Twin Star Orchards, Agricultural Site Plan**

**Present:** George Lithco, Lyle Nolan, Tom Powers, Lagusta Yearwood, Amanda Gotto

Board Member(s) absent: Mike Calimano, Adele Ruger, Amy Cohen

Others Present: Carol Knapp, Rhode Engineering

Vice Chairman Nolan called the meeting to order at 7:00 pm.

**REVIEW AND APPROVAL OF MINUTES**

The April 25, 2016 minutes are presented.

Not enough members present to approve, these will be held until the next meeting.

**PUBLIC HEARINGS, CONCEPTUAL REVIEWS AND BRIEFINGS**

**PB 2014-25, Mohonk Preserve, Butternut Rd., Subdivision**

Motion to open the public hearing for the night is made by Lyle Nolan.

2<sup>nd</sup> by Lagusta Yearwood.

All others present in favor. Motion passed.

Andi Weiss-Bartzyck speaks to the Board about her concerns with the Foothills development. She is concerned that it is a conflict of interest to have Dave Clouser participate in the review of this application. She believes this project review needs to be started again.

George Lithco notes that Dave Clouser recused himself in August of 2015. Karol Knapp notes that her firm was retained in September of 2015, and they did the entire EAF.

Irwin Sperber reads a letter that he will be submitting to the Town Board as well as the Planning Board. He too is concerned about a conflict of interest with Dave Clouser doing the review of this application.

Bruce Simon speaks to the Board about some things he believes the Board members might not know about including the building of a barn on the Glynwood Farm and the tearing down of the Studley barn by OSI, and the fire at Sam's Point. He also mentions the potential conflict of interest with Dave Clouser.

Lagusta Yearwood mentions that at a public hearing she does not engage with the speakers. Her job is to listen to both sides impartially.

George Lithco notes that the Board needs to consider SEQRA before they can close the public hearing.

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

Nancy Schindewind speaks to the Board about her concerns with the excessive size of the Foothills project. She would urge the Board not to restrict parking along the roadways. It limits access to members who have disabilities.

**APPLICATION REVIEWS**

**PB 2014-04, Mohonk Preserve, Route 299, Site Plan**

**PB 2014-25, Mohonk Preserve, Butternut Rd., Subdivision**

Ted Kolankowski, Michael Moriello, Ron Knapp and David Toman come before the Board to discuss their application.

Lagusta Yearwood makes a statement to the public about listening to both sides during a public hearing. They are there to listen to and digest the comments, and then use that information in the hearing transcripts to help make their decision.

Ron Knapp and Ted Kolankowski discuss handicapped parking and other parking comments made by the public. Mr. Knapp also addresses the comments made by Mrs. Schindewind.

Lagusta Yearwood wants it noted for the minutes that there is no slaughter house being proposed as part of the Glynwood Barn.

Mike Moriello discusses the Glynwood barn. It is a type II under SEQRA, it is agricultural.

Tom Powers wants clarification on the events policy. It is noted that it is the same policy as Mohonk currently uses, which is that all events must end one hour past sun down.

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George Lithco also states that it is not part of this application. Lyle Nolan notes that issues with the Studley barn are also not part of this application.

Lyle Nolan notes that the next meeting will be a workshop meeting, though this public hearing and application review will be continued to that meeting.

Motion to continue the public hearing for the Mohonk Subdivision to the May 23, 2016 meeting is made by Lyle Nolan.

2<sup>nd</sup> by Lagusta Yearwood.

All others present in favor. Motion passed.

#### **PB 2016-03, Libolt, 290 Old Kingston Rd., Lot Line Revision**

George Lithco notes that Mr. Libolt's father is a client of his firm. He offers to appoint another attorney. Lyle Nolan does not feel this is an issue.

Keith Libolt steps out until his father arrives, as he is the adjoining property owner.

#### **PB 2016-04, D & D Woodworks, 61 S. Ohioville Rd., Site Plan**

The applicants come before the Board to discuss their application. They would like to put up an additional building on their site. They also mention that they might like to subdivide off their portion of the property. They lease the land from their mother. It is noted that they would likely not be able to do this, as that back portion of the lot has no road frontage. The applicants go over their site plans.

It is noted that they will likely need the DEC to flag their wetlands. The applicant believes that the Town's previous wetland's inspector was already out there. They will still need a DEC permit.

The Board goes over Dave Clouser's review memo with the applicant. Lagusta Yearwood questions the parking. There is a discussion on his brother's tree service with regards to their parking and vehicles.

George Lithco notes that they need to talk to the DEC first.

They discuss the possibility of needing a variance for the distance between buildings. Mr. Lithco notes that they should discuss this with the Building Inspector.

George Lithco notes that this will need to go to the UCPB for GML review. Dave's notes will need to be added to the site plan, as well as the DEC flagging, before this can go to the UCPB for review. They will also need to meet with the building inspector and schedule a wetland's inspection. It is noted that the Board prefers they use the online DEC mapper for the EAF. This is an Unlisted action under SEQRA.

If they can get a re-submittal in by June 3, they will be placed on the June 13 agenda.

**PB 2016-03, Libolt, 290 Old Kingston Rd., Lot Line Revision**

Keith Libolt Sr. and Keith Libolt Jr. come before the Board to discuss their lot line revision application.

George Lithco mentions that Joe Moriello should act on behalf of the Planning Board as a conflict attorney. Mr. Lithco leaves the meeting.

Mr. Libolt Sr. discusses how he and his son bought these two abandoned homes, and they have since rehabbed them. He discusses how they simply want to straighten out the property lines, as the driveway on one parcel crosses over the other.

The Board discusses Dave Clouser's review memo. They discuss the need for waivers from the Code for sidewalks, street trees, etc., from code Section 121-17 b. They can put together a letter requesting all of the waivers that they want from this section.

There is a conversation on whether public hearing on this could be waived. The Board has no attorney present to tell them if they can waive public hearing. They will consult counsel and let the applicant know if they can waive the public hearing.

**PB 2016-05, Twin Star Orchards, 155 N. Ohioville Rd., Site Plan**

Patti Brooks comes before the Board on behalf of the applicant. She discusses the site plans as well as Dave Clouser's review memo. She also shows the Board some photographs of the current operation. The new owners originally thought the pizza oven and sale of food would be accessory to the farm market. The determination was that it did need site plan. She believes that the application is complete enough to refer to the UCPB. The current application is what they are presenting now, if they wanted to create more of a restaurant, they would need to come back before the Board. They currently plan on being open from dawn to dusk from April through November.

There is a discussion on the parking schedule.

There is a discussion on the septic and all of their Board of Health approvals. They are brand new systems that have been approved for a certain amount of visitors. They are large systems. The kitchen has also been approved by Ag and Markets. The distillery and fermentation tanks are designed small to supply cider for this site.

Lyle Nolan notes that there could be up to 45 cars per hour, at a speed of 45 mph. George Lithco mentions that they Board could refer this to the Town's Traffic Consultant. Lyle Nolan wonders if this would be necessary. Patti Brooks states that she could meet with the Town Highway Superintendent to take a look at sight lines, access, etc.

George Lithco notes that Ag and Markets requires that 35% of the products must be produced on site.

Motion to send this application to the UCPB is made by Lyle Nolan.

2<sup>nd</sup> by Lagusta Yearwood.

All others present in favor. Motion passed.

**OLD BUSINESS**

None

**PLANNING BOARD ADMINISTRATIVE DISCUSSION**

The next meeting will be a workshop meeting. There is a discussion of potential agenda topics, as this will be a joint meeting with the ENCB. George Lithco mentions that the ENCB might want to know exactly what the Board is looking for when they request advisory opinions from them. As well as the ENCB explaining to the Board what they hope to accomplish as well.

Motion to adjourn the meeting is made by Amanda Gotto.

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

All others present in favor. Motion approved.

Meeting adjourned at 9:10 pm.

These minutes respectfully submitted by Kelly O'Donnell