

Town of New Paltz Planning Board

Final Minutes

October 24, 2016

Agenda:

Public Hearings, Conceptual Reviews and Briefing

PB 2016-03, Libolt, 290 Old Kingston, Lot Line Revision (continuation)

PB 2016-06, Bolder Architecture/Masters Touch Church, 159-161 Rte 208, Site Plan

Application Reviews

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

PB 2016-06, Bolder Architecture/Masters Touch Church, 159-161 Rte 208, Site Plan

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

PB-2016-08, Bluemark LLC. 40 Sunset Ridge, Site Plan

Old Business

PB 2015-02 Taliaferro 3-lot subdivision 90 DAY EXTENSION REQUEST

Present: Mike Calimano, Lyle Nolan, Lagusta Yearwood, Amanda Gotto, Adele Rugar, Tom Powers, Amy Cohen

Also Present: Planning Board Attorney George Lithco, Planning Board Engineer Dave Clouser

Board Member(s) absent: none

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

REVIEW AND APPROVAL OF MINUTES

The September 26, 2016 minutes are presented. Motion to approve made by Lyle Nolan. 2nd by Tom Powers. All others present in favor. Motion passed.

Public Hearings:

PB 2016-03, Libolt, 290 Old Kingston, Lot Line Revision (continuation)

Motion to open the Public Hearing for Libolt application made by Lagusta Yearwood. 2nd motion by Amy Cohen. All others present in favor. Motion passed.

No one was present to comment on this application. Chairman Calimano announced no new maps yet from Libolt.

Motion made for Public Hearing to continue for Libolt on January 9, 2017 by Mike Calimano. 2nd motion by Lyle Nolan. All others present in favor. Motion passed.

PB 2016-06, Bolder Architecture/Masters Touch Church, 159-161 Rte. 208, Site Plan

Motion to open the Public Hearing for Master's Touch Church application made by Lyle Nolan. 2nd motion by Adele Rugar. All others present in favor. Motion passed.

Bill Healy speaks to the board about his concerns with the Masters Touch Church location in regard to safety in the 55 mph speed zone and the egress out of his driveway.

Dana Simmons addressed the board with his concerns on parking in front of the building and pickups/drop-offs.

No other member of the public wished to speak.

Motion to close the public hearing on Master's Touch Church is made by Adele Rugar. 2nd by Lagusta Yearwood. All others present in favor. Motion passed.

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

David Porter read his letter to the board dated October 21 on the CVS file Traffic Impact Study.

Kitty Brown read a list of her questions in regard to the CVS/Five Guys application in regard to an EIS be done for CVS.

Joe Lapenheimer would like to see an EIS completed for CVS.

Ray Lunati mentioned he avoids traffic in New Paltz by taking alternate routes.

Motion to close public comments made by Lyle Nolan. 2nd motion by Tom Powers. All present in favor. Motion passed.

APPLICATION REVIEWS

PB 2016-03, Libolt, 290 Old Kingston, Lot Line Revision (continuation)

Chairman Calimano indicated the board received nothing new from Libolt and won't be reviewing it tonight.

PB 2016-06, Bolder Architecture/Masters Touch Church, 159-161 Route 208, Site Plan

Janice Dixon and Pastor Christopher Williams approached the PB members as Dave Toder comes before the Board to discuss this application's updated plans. Dave reviewed the ZBA approval of the 3 variances, mentioned he met with the New Paltz Fire Chief in regard to his request for a wider aisle in front of the building from 21 feet to 23 feet and approves the rest of the site plan meets for fire truck access. Dave also mentioned he received a letter from Barry Medenbach, a civil engineer confirming the

light in rear parking lot is correct and meets UC standards. The bald eagles in the vicinity were also addressed by the DEC and determined they would not be affected by the construction activity at the site. Dave read an email from Patti Brooks in regard to site lines and site distances determination which meets standard operating procedures. He also said highway improvement plan met DOT approval.

Matt Eyler read from the traffic report in regard to accidents in last 5 years from office of traffic safety and mobility at NYS DOT, of which reports accidents for municipalities and he noted there were 10 accidents in the last 5 years near the site mostly involving deer.

Chairman Calimano asked if there were any further questions on the Accident report. Lagusta Yearwood commented she is happy to see the report. She also commented on her personal travel on 208.

Janice Dixon commented that no one will park in front or on Route 208 and church sign will help.

Lagusta Yearwood agreed that the sign is a good idea to help slow down drivers.

Adele Rugar asked if accessing through Cedar Ridge had been considered and explored.

Discussion followed on entering and exiting through Cedar Ridge and budget with cost. Future changes will be considered by the applicant.

Amy Cohen commented that perhaps the landowner would consider offsetting some of the cost of moving the entrance to Cedar Ridge.

Janice Dixon replied that the bank approvals were done and now budget was being considered. They couldn't do any additional costs at this time.

Chairman Calimano estimated the cost between \$15,000 to \$20,000 minimal to change the entrance to Cedar Ridge from 208.

Chairman Calimano reviewed the results of discussion in regard to landscaping height in the front of the building to prevent clear view of 208, length of time to dropoff in front of building, DOT speed limit, site distance for coming out going north on 208, no parking in front and no parking on 208 with consideration for parking south of the site.

Janice Dixon said she will be there to monitor during dropoff and parking is in back. She stated she would be there to monitor for safety.

Amy Cohen commented that it may be an opportunity for reducing the speed limit in that area and the Traffic Information Committee is meeting on November 15 at the Community Center at 11:15 am may help and suggested neighbors and church members get together to help support to lower the speed limit in that area. She feels that part of town needs attention.

More discussion followed on the 55 MPH speed limit in the area.

Pastor Williams commented that traffic avenues were being explored, and noted a similar problem with Marlborough that has a police officer directing traffic there.

Amy Cohen asked if he was considering hiring a security guard, also mentioning vests and training.

Pastor Williams spoke about the safety on the turn and wants to work with the neighbors to bring safety to the area.

Adele Rugar commented that the Cedar entrance would make a difference to the neighborhood.

Lyle Nolan mentioned the plan showed dumpster blocking line of site. Mentioned it could be moved to the back parking area. Additional discussion on the garbage truck turning around in the back parking area followed as well as modifications to the landscape plan to ensure no impact to visibility pulling onto 208. Tom Powers also commented about moving the dumpster angle.

Chairman Calimano noted to relocate the dumpster.

Discussion also included additional parking space with church growth.

Chairman Calimano commented if the church needs additional parking it should come back before the PB.

Dave Clouser read the Short EAF Part 2 Impact Assessment questions and answered with the following:

1. No
2. No
3. No
4. No
5. No DOT permitting use on the Church times of use
6. No
7. No Septic system to be repaired
8. No
9. No
10. No
11. No

Motion 1 by Lagusta Yearwood for a Negative Declaration for Master's Touch Church site plan. Motion seconded by Lyle Nolan. All in favor present, motion approved.

Adele Rugar asked if there is an opportunity to change the entrance after Motion of negative declaration. George Lithco noted that could be addressed during site plan review.

Chairman Calimano next reviewed the Site Plan.

Discussion followed on whether Cedar Ridge should be considered for future entering and exiting the site.

Chairman Calimano reviewed the site plan approval and conditions.

1. Line of site easement with nothing over 1 foot high in landscaping.
2. Security being present during services.
3. Any additional parking, another exit/entrance on Cedar Ridge come back to PB
4. DOH signoff on septic and water;
5. DOT highway permit evidence
6. Line of site dumpster

Motion 1 by Mike Calimano to approve the Site Plan with Conditions.

Motion seconded by Tom Powers. All in favor present, motion approved.

Bluemark LLC Simplified Site Plan
PB 2016-08, 40 Sunset Ridge Road

Discussion on the renovation of the first floor of the office building at 40 Sunset Ridge Road. Chairman Calimano said it is a Type II SEQRA action. He stated it does not require any enlargement, extension, relocation or reduction of the existing building, structures, parking areas, or exterior lighting on the site.

Dave Clouser commented it is a simple renovation plan. Nothing being done outside at all.

Chairman Calimano stated it meets all requirements of a simplified site plan with no impacts. Per Building Inspector's memo, he asked if there are any further questions on this application.

Motion 1 by Tom Powers to authorize waiver for Site Plan Review on Bluemark LLC First Floor first floor renovations

Motion seconded by Amy Cohen. All in favor present, motion approved.

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

Chairman Calimano commented that the PB will be discussing the application. EAF Part 3 from February/March timeframe, the last 6 months there's been additional issues and questions raised that have come up since that need to be edited. He stated a negative or positive declaration for SEQRA has to be written. He wants the board to decide on it with the issues the way the majority of the way the board feels it should be written.

Lagusta Yearwood stated the board should just start out with what they were asked to prepare and bring with them for this discussion.

Discussion followed on the EAF Part 2 and Part 3.

Chairman Calimano polled the board members, asking each member what their response for negative or positive declaration and why.

Amy Cohen – Negative – proper in our zoning, almost 4 years of study, cost and time issues, no issues with Rite Aid an equivalent type business, ensuring the fill to come is safe and how its delivered, ready to move forward

Amanda Gotto – Positive – a lot of issues, traffic studies need to be broader in scope, additional environmental information on habitat and impact

Adele Rugar – Positive – agrees with Amanda, more investigation for emergency services, bicycle lanes, economic impact

Lagusta Yearwood – Positive – long time getting required info, need an EIS, traffic and habitat studies need more scrutiny

Tom Powers – Positive – traffic situation, community character needs to be addressed, issues with site

Lyle Nolan – Negative – habitat and traffic expert reports he is satisfied

Chairman Calimano - declared he is neutral on his vote

Chairman Calimano declared that since 4 members favor Positive Declaration, he would ask them to work with Dave Clauser and George Lithco to write up a draft Part 3 providing the rational for the Positive Declaration and get in the comments and points discussed.

Chairman Calimano, when asked, declared he was neutral but pointed out he agreed on two of the points made by members – traffic light control for emergency vehicles and the economic impact or triple net (of which the materials supplied were other than for NY).

Further discussion followed on litigation and bike lanes.

George Lithco pointed out that SEQRA requires that the determination of significance include a reasoned elaboration, which must be based on facts supported by evidence.

Amy Cohen brought up an issue that keeps popping up and that is confusing folks about the slip lane and bike path, expressing that some think we are losing a slip lane if we get CVS. She asked if that's correct.

Chairman Calimano stated we're not losing a right turn lane. It will be controlled by the traffic signal, and will no longer allow the present uncontrolled turning movement. DOT will required that safety measure because of the bike lane that is being planned.

PB 2015-02 Taliaferro 3-lot subdivision 90 DAY EXTENSION REQUEST

Motion 1 by Amy Cohen for request for 90 day extension for Taliaferro 3 lot subdivision. Motion 2 by Adele Rugar. All present in favor. Motion approved. Chairman Calimano stated that they are approved with condition that they comeback January 9, 2017 to PB to give update to their application.

Town Moratorium:

Chairman Calimano discussed the upcoming October 27th Town Board meeting to discuss moratorium law. He feels that simplified site plans should be allowed to continue and the Gateway area should include the whole B-2 zone along Route 299.

Adele Rugar asked why a master plan is not being done.

Amy Cohen suggested, and Chairman Calimano invited Supervisor Neil Bettez to approach the board. He explained about the substantial costs involved in doing a Master Plan for the Town, and the length of the process that would be involved, stating it's approximately a 10 year process.

Adele Rugar commented it's a 12 month process for a master plan.

Amy Cohen stated she watched the Town Board meeting and commented the board members thought it was several hundred thousand dollars, and they didn't feel it was discussed with them. She feels that Neil represents them and since he is fiscally responsible to taxpayers, we need to discuss what the law is going to really cost.

Chairman Calimano asked for time out.

Supervisor Bettez stated that if you watched the meeting, we didn't really know what this would cost so he made the best estimate he could of the cost.

Amy Cohen continued on in reference to Chairman Calimano's 299 comments talking about it like its painting your house, painting one wall – you realize the other wall looks terrible. She thinks the law, even though she's not for this law, should include B-2 and indicated that there is another problem on South Putt Corners, a big problem from about 2 years ago, sewer gate or a sewer center on South Putt Corners being built. People were very concerned about parcels being marked for light industrial, voiced her concern for students for safety with these parcels, and she recommended that South Putt Corners be included in the law. She asked if this has nothing to do with this development, asked if correct.

Chairman Calimano requested that the Planning Board members write down their comments on the moratorium, and he will try to draft a consensus statement and then give it to the board.

Supervisor Bettez stated that the Town Board values the input from the planning board. Supervisor Bettez stated its time to update the law to what people of New Paltz want. He emphasized that was the goal of the moratorium. He stated that its time to update the zoning so that it reflects what the people of New Paltz want.

Tom Powers asked if the moratorium law if passed will affect the empty buildings by Shoprite.

Supervisor Bettez said if the law is passed, simplified site plans would be considered agreeing with Chairman Calimano's suggestion they be exempted from the law.

Amy Cohen asked if people know what they want.

Supervisor Bettez stated people have a right to state what they want.

Chairman Calimano discussed the residential units proposal for the moratorium law. Discussion followed. He stated he would like the planning board to focus on the items and give their perspective to the town board.

Amanda Gotto questioned a note she had on oil companies, or Gasland.

Chairman Calimano stated that Gasland is building behind the Citgo gas station, building permit to build and office, site plan modifications. Shoprite is another in progress plan that he would like to see the new owner commit to the work that has been proposed for the plaza which all had site plan approval by the planning board.

Chairman Calimano stated the PB will draft up a response with its review and recommendation at next meeting on November 14, then give that to Supervisor Bettez.

Adele Rugar commented on her role on the Master Plan Committee. She also commented on the role the PB would have on helping write the law, or if the law would be feasible.

Lagusta Yearwood commented on not being able to do a Master Plan, then doing a small portion is a step.

George Lithco commented that he understood the Town Board has referred the moratorium law to the Planning Board for review and report, in accordance with section 140-56 of the Town Code. He added that the PB members may wish to review that section to better understand the purpose of the review.

Chairman Calimano discussed the code, and the PB guidelines.

Amy Cohen stated she thinks if we're open to considering exempting existing applications and she would be more open and supportive for moratorium, but with these applicants here for 4 and half years and we're possibly facing repercussions it's like we're putting our head in the sand. She said she watched the meeting, 8% raise on budget and no budget for the lawsuits, and wondering where the money is coming from when there's no money for the pool, center.

Chairman Calimano stated this is more personal and public comment for the Town Board, and not for the Planning Board, which has the role of reviewing the law, and making recommendations on any planning and zoning concerns with the law.

Amy Cohen commented that she'd like to see existing people exempted from the moratorium. She stated that is her point, and she would appreciate it she has a right to speak as a member of the board she has a right to ask questions. Another comment Amy addressed was the uncomfortable lack of transparency in these different ad hoc groups that were selected and would like to see in the future advertising for everybody in the town for all types of citizens be part of the process.

Councilwoman Julie Seyfert-Lillis commented on the selection process for the ad hoc committees, stating she relied on advise from Dan Torres, they checked with every chair, stated that they didn't mean for this to be an incorrect procedure. There was no intention for any improprieties. She also stated there will be a new committee if the moratorium goes through.

Supervisor Bettez commented on the question of transparency stating that people of New Paltz will have a say.

Chairman Calimano asked members to send him a list of comments on the moratorium by next Monday 10/31 and will put it together with a list of everybody's comments and will be on the next PB meeting for the town law.

Chairman Calimano mentioned a Fall Planning seminar by County followup meeting on November 10 at Marlboro Town Hall entitled **Building A Good Record**. He stated it was held on September 26th. It is open to PB members and two hour credits. Would like a headcount for attending.

Discussion for 4 board members to meet with Dave Clauser for EAF Part 3 draft meeting for positive determination tentatively set for Thursday, October 27

Motion to adjourn the meeting is made by Mike Calimano. 2nd Motion by Tom Powers. All present in favor. Motion approved.

Meeting adjourned at 10: 33pm

These minutes respectfully submitted by Patricia Atkins