

Town of New Paltz Planning Board

Final Meeting Minutes

February 11, 2019

Attendees: Adele Ruger, Amanda Gotto, Lyle Nolan, Stana Weisburd, Matt DiDonna, Jane Schanberg,

Absent: Amy Cohen

Also attending: Planning Board Attorney Richard Golden, Planning Board Engineer Rebecca Minas, Planning Board Engineer Andy Willingham

Chair Ruger called the meeting to order at 7:00 pm

**Meeting Minutes**

**Motion 1 by Amanda Gotto to approve the minutes from January 28, 2019**

**Motion 2 by Jane Schanberg. All present voted in favor. Minutes approved.**

**Public Comments**

None

**Public Hearing**

**PB 18-313 Moriello (JAM) Lot Line Revision**

**Motion 1 by Jane Schanberg to open the public hearing for Moriello Lot Line Revision.**

**Motion 2 by Lyle Nolan. All present in favor. Approved.**

John Rawlins of 20 Hawk Hill Road commented he was there to find out what the public hearing was about.

Chair Ruger asked for a motion to close the public hearing for today.

**Motion 1 by Jane Schanberg.**

**Motion 2 by Matt DiDonna. All present in favor. Approved.**

**Application Reviews**

**PB 18-313 Moriello (JAM) Lot Line Revision**

Applicant Mike Moriello commented about his application, that he had brought along TOPO maps if the Board wanted them or waive that. Mr. Moriello stated that it was one tax parcel now with the Town, and wanted to separate the parcel into two parcels, adding he was beginning estate planning. Chair Ruger asked if anyone on the Board had any questions. Amanda Gotto asked if UC was good with his plans. Andy Willingham stated that Mr. Moriello had addressed his comments (from the review) and could file the map as it is.

Attorney Golden stated that there the Board can vote on issuing a negative declaration for the notice of determination of non-significance with no significant adverse effect on the environment and no DEIS will need to be prepared.

**Motion 1 by Stana Weisburd.**

**Motion 2 by Jane Schanberg. All present in favor. Approved.**

Attorney Golden noted that if there was no further discussion on the draft resolution before them, it can be read.

Stana Weisburd read the draft resolution Special Conditions:

1. As noted above in "Findings," sidewalks are not needed for this application for a non-development subdivision. However, should the lands in question be further developed in the future, the Planning Board reserves the right to require sidewalks in accordance with the Town Code.
2. The notation on the plat referencing "Relocatable 50-Foot Right-Of-Way" must be modified prior to the signing of the plat to read: "Relocatable 50-Foot Right-Of-Way with Planning Board Approval" in order to ensure that such relocation would not prohibit proper future development.

**Motion 1 by Jane Schanberg that the subdivision application is complete and we approve the resolution before us.**

**Motion 2 by Lyle Nolan. All present in favor. Approved.**

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Mr. Moriello added that he would need to pay the Town's recreation fee (of 5500.00). Mr. Moriello also asked for Chair signature if 1 mylar map and 4 paper maps were required, which Pat stated 2 mylar maps, and 4 paper are required for the Town. Mr. Moriello asked if two signatures were required, which Pat stated only one is required. Attorney Golden stated he would follow up and respond to recreation fee requirement.

#### **PB 19-15 AT&T Simplified Site Plan**

Chair Ruger stated that they had all received the recommendations from Stacy and Andy in reference to the application. No Board comments.

**Motion 1 by Lyle Nolan to waive site plan approval.**

**Motion 2 by Matt DiDonna. All present in favor. Approved.**

PB Engineer Andy Willingham noted that he had looked at the application (in his review) and it had met the requirements for a simplified site plan.

#### **PB 18-253 TowRific Auto Site Plan**

Adele Ruger recused herself from this application, and alternate Board member Brendan McLaughlin will review this application.

Jay Samuelson, consultant for the applicant, reviewed their application as a 5000 sq. feet auto repair shop, located in two zoning districts; B2 in the front (on Rt. 32), and R1 in the back. Mr. Samuelson stated they had revised the plan from the previous appearance with the Board, reduced the building size to 3000 sq. feet with approximately 500 sq. feet of office, relocated all development into the business zone (B2) and nothing proposed in the residential zone (R1) other than the well, with reason being to meet the required separations and proposed away from neighbors' septic. He added they are at the sketch plan stage, before they get into the design stage and SWPP, septic, building description, etc., as this is just a sketch presentation to get comments on the revised layout.

Amanda Gotto stated that they had a lot of comments from the Engineer (Rebecca Minas).

Rebecca Minas, stated there were a couple of things discussed previously, one now is no longer an issue is the back access road which they're not proposing anymore. Another concern is the vehicle parking area and the turning radius for the big vehicles in a tight site. Rebecca added that the Town Code does not have specific requirements for parking for auto repairs shops as this is considered retail use with office space and could use Light Industrial for auto repair building, and then it's appropriate to consider it appropriate to consider company vehicles as well as employee vehicles on top of that value, and they could consider looking at other Town's codes.

Mr. Samuelson stated he could get samples of other Town's use for auto repair for the Board.

Amanda Gotto asked if 9 parking spaces are proposed for that zone.

Mr. Samuelson stated that they had decided on Light Industrial use to be shown after last Board discussion but they can switch back to retail use to add more parking if required.

Rebecca Minas stated she had a discussion on the code with Stacy (Town Building Inspector) about the parking and since the code is not specific, using an example of another auto repair shop, it wasn't based on the code, it was specific consideration of their business model, and ended up with 40 spaces. Vehicle storage area was another comment offered by Rebecca to address in regard to what vehicles other than towed cars would be stored there. Mr. Samuelson stated that employee and customer vehicles won't be stored there, and maybe for company vehicles, adding he may leave a tow truck in there with a towed vehicle.

Amanda Gotto asked about the number of employees. Mr. Samuelson stated 2 or 3 and wasn't sure if the owner was adding more. Amanda Gotto asked about the number of company trucks. Mr. Samuelson stated he wasn't sure on how many company trucks but could get that. Amanda Gotto asked about the breakdown of the 3000 sq. feet. Mr. Samuelson stated 500 sq. feet is office space, and the other 2500 sq. feet is for the 5 bays. Rebecca Minas commented it is still a tight fit, and wasn't sure how one space per 200 sq. feet required parking space would fit. Mr. Samuelson stated he'd work with the owner and see if they can shrink something maybe the building. Rebecca Minas commented that on the update (of the plan) showing what can actually fit in that graveled area should be shown, turn radius for the tow trucks.

Rebecca Minas added that it is less than an acre site and a full SWPP is not required but an erosion and sediment control must be shown on the plan, adding that since it's a wooded site, the plan should show single trees with a diameter of 12 or more inches. Rebecca Minas added they are not yet at the stormwater plan, which Mr. Samuelson confirmed. Jane Schanberg commented about the flooding from Hurricane Irene, near the area, and how it was

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flooded and impassable for 5 days, and wanted to see that addressed. Rebecca Minas commented that there are low points on the property and to add 2 foot contours within 50 feet of the property boundary.

Rebecca Minas asked about the wetlands inspection. Mr. Samuelson stated he would get that. Amanda Gotto asked if it were an archeological site. Mr. Samuelson stated he can have an archeologist look at the site.

Amanda Gotto stated if we don't understand the parking, then we can't understand the building. Amanda also mentioned the ENCB would be giving their review.

ENCB Chair Haeckel mentioned they (the ENCB) would give their review comments after their Board meeting on Wednesday night.

Lyle Nolan commented it didn't seem like enough space to turn a tow truck around, and if they would be backing into the yard, not backing on onto the front side (of Rt. 32).

Amanda Gotto asked if the well and septic location have been determined. Mr. Samuelson showed on the map where the well and septic are located. Jane Schanberg asked if they'd considered the location yet for the bulk petroleum storage tanks on the site. Mr. Samuelson stated they are not proposing that yet as he will work all those elements into the plan.

Stana Weisburd stated she didn't see a vehicle charging station. Mr. Samuelson noted that.

Matt DiDonna stated that he felt it was great he was trying to maintain the Zoning law. Mr. Samuelson stated he heard his comments. Matt DiDonna stated the parking needs to be looked at and what they're capable of it, knowing it's tight. Mr. Samuelson stated they'll address the wetlands as well. Stana Weisburd stated she was concerned about the parking in a very small space. Mr. Samuelson thanked the Board for their comments.

Adele Ruger returned to the Board.

**PB 19-17 Mid-Hudson Sporting Clays Site Plan**

Daniel Le Fever, project coordinator for the owner, came before the Board with George Galgagnini, the National Delegate to the National Sporting Clays Association. Mr. LeFever commented that they were expanding the existing shooting range onto an adjacent property for additional clay shooting stations, with a gravel access path and drainage.

Amanda Gotto read from the Wetlands Violation Report provided by the Town's Wetlands Inspector (dated 11/27/2018 from Milone and MacBroom), and stated that the applicants' are seeking a federal wetland permit from the Army Corp of Engineers, asking if they have applied yet for that permit. Mr. LeFever stated they have not applied. Discussion followed on the wooden structure, or cage, as Mr. Galgagnini called it, which can be moved around and is not permanent, and provides safety features. Mr. Galgagnini also stated that Mid-Hudson is one of few places for competition shooters to hone their skills.

Rebecca Minas read from her review memo, stating that clarification was needed in regard to the two parcels which had two separate owners. Rebecca noted that she did not see a determination letter from the Wetlands Inspector. Chair Ruger stated that would need to apply for the permit. Attorney Golden noted that they had code violations to address. Lyle Nolan asked what they (the applicants) were doing about the lead. Mr. LeFever stated they neutralize the ph with lime. Lyle Nolan stated they can't lime wetlands. The Board determined that an expert to help them with wetland impacts, mitigation and permitting requirements would be needed.

After a brief discussion on the soil acidity, Attorney Golden stated that they would need to provide a full environmental assessment form (EAF).

Chair Ruger stated they needed to establish escrow.

**Motion 1 by Stana Weisburd to establish escrow at 5000.00 with a replenishment of 2500.00.**

**Motion 2 by Lyle Nolan. All present in favor. Approved.**

Attorney Golden noted that they need to explain and address on the application the 2 separate properties with 2 separate owners for the one business.

Amanda Gotto noted that penalty for violations against Town code are fines and even jail.

ENCB Chair Haeckel read an excerpt about shooting over wetlands or other bodies of water from the EPA.

Amanda Gotto commented that the ENCB can also give their comments.

At review completion, applicant signed the tracking sheet.

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**PB 15-04 Taliaferro Site Plan – Resolution Approval**

Chair Ruger asked if anyone had any questions on the Taliaferro draft resolution.

**Motion 1 by Adele Ruger to approve the resolution.**

**Motion 2 by Amanda Gotto. All present in favor. Approved.**

**Administrative Discussion**

Amanda Gotto mentioned Ulster County SEQRA course, moved to February 14<sup>th</sup> due to the weather, held at SUNY Ulster.

**Motion 1 by Jane Schanberg to adjourn.**

**Motion 2 by Amanda Gotto. All present in Favor. Approved.**

**Meeting Adjourned at 8:16pm.**

**Minutes submitted by Patricia Atkins**