

Town of New Paltz Planning Board
Final Meeting Minutes
September 9, 2019

Call to order: 7:00pm by Chair Adele Ruger

Attendees: Adele Ruger, Lyle Nolan, Stana Weisburd, Amanda Gotto

Also Attending: PB Attorney Rich Golden, PB Engineer Skip Francis, PB Architect Kurt Sutherland

Absent: Amy Cohen, Matt DiDonna, Jane Schanberg

Chair Ruger stated to hold the approval for the minutes until the next meeting.

Public Comments

Dan Schniedewind of 546 Albany Post Road, read his memo he had submitted to the Board in regard to Bike Path and public safety.

Rich Whitney, ENCB member read the ENCB memo for the Board to consider in regard to Trans-Hudson application porous pavement, tree buffers along the Thruway, and re-routing the Empire State Trail.

Susan Blickstein read a memo from Lagusta Yearwood, which contained comments on the Trans-Hudson site for the proposed entrance off Rt. 299 and to consider the ENCB's comments on the application for porous pavement.

Susan Blickstein of 3 Mill Road commented on the applicant's traffic consultant, and spoke about public safety and the entrance off Rt. 299 onto the site.

Application Review

PB 13-15 Trans-Hudson/CVS Site Plan

Attorney Charles Bazydlo summarized that the last time before the Board was back in July, and noted that they have provided in their August 26th submission answers to questions raised during the July meeting, noting they had provided renderings to the Board's architect to review, and hoped that the Board tonight would authorize a resolution for a decision about the project.

PB Engineer Skip Francis commented on his review memo, noting that the SWPP will need to be reviewed after updates are made, noting that Traffic and Renderings/Architectural Elevations will be addressed separately by the Board's designated consultants, utility plans/details need to be addressed before submission to UC DOH, noting that the surface access ports and risers have no access cleaning detail for the septic tanks. Skip Francis continued to review his memo, noting that previous comments for water and sewer hookup to the Village were no longer necessary, and the ENCB would not be issuing tree permits. Attorney Golden noted that in the Town Code, the ENCB will not be issuing the tree permits as the Board issues Site Plan approval, you don't need an additional approval from the ENCB.

Chair Ruger noted that the Board's traffic consultant has received the latest applications, and public comments submitted and hopefully will have his review comments back soon. Chair Ruger also noted an upcoming meeting she will be attending on September 17th with Supervisor Bettez, New Paltz Bike/Ped, DOT and Trans-Hudson to discuss ways to incorporate the bike trail into the Trans-Hudson property. Chair Ruger asked the Board for any comments she can bring to the meeting.

Amanda Gotto commented that the roosting period under threatened or endangered species per the DEC regulations is November 1st through March 31st for winter months, not October 1st as mentioned in their review memo of August 26th. Amanda also noted that for the SWPP, the ENCB had noted that the area was a large bio-retention area for landscaping. Justin Dates explained the SWPP. Amanda Gotto noted that under documents to be submitted/reviewed #39 that the Integrated Pest Management plan needs to be clearer, and #38, that a developer's agreement was needed, especially noting the Construction Traffic Management plan that citizens would find it important. Attorney Golden explained the developer's agreement and that it did not have to be done prior to the approval, can be a condition of approval, but also he noted that he has not seen any developer's agreement, and suggested that they put one forth. Amanda Gotto noted that that the traffic management portion of the developers agreement is important with so many public comments. Attorney Golden noted that the traffic improvement plan is part of the approval plan and has to be addressed by the Board. Amanda Gotto noted that on the tracking sheet to add the constructions traffic management plan, 299 access, SWPP to be revised.

PB Architect Kurt Sunderland noted that he wasn't sure how much the Board will require as the renderings presented he was looking at them for shape and quality and doesn't now the specific materials, asking the Board if they would like that. Amanda Gotto stated that it would be helpful to see all that. Justin Dates stated he could get that.

Amanda Gotto asked about pervious pavement. Justin Dates explained the porous pavement and how it wouldn't work because of the fill to be used on the site. Stana Weisburd commented it was interesting to her that porous pavement has been used in lots of places and they've found barriers for not using it. Justin Dates noted for a flat site

it would work. Skip Francis noted that the applicant had provided justification for not using porous pavement. Amanda Gotto asked Rich Whitney to explain this to the ENCB.

Amanda Gotto noted to add the Traffic consultant report, which Chair Ruger noted that they were hoping to get it soon. Attorney Zaltantis noted that the traffic report was submitted over two years ago, and wasn't an issue and wants to move this forward, with very few little issues left. Stana Weisburd stated it is not a little issue, it is a big issue. Attorney Zaltantis asked why the Board wouldn't consider recommending their attorney drafting a resolution at this point, and Stana Weisburd disagreed that they didn't have enough information to get there yet, as traffic consultant comments coming back, and the bike path discussion. Attorney Golden noted that the PB Traffic Engineer is not holding up the process but noted that he recommends that the application be referred to Ulster County Planning Board.

Motion 1 by Lyle Nolan to refer the application to Ulster County Planning Board. Motion 2 by Amanda Gotto. All present in favor. Motion carried.

Attorney Bazydlo noted for the record that they object to that referral as this project has gone on for a number of years and has been reviewed by UC PB already, and now as this will delay another 30 day lag time. Attorney Golden disagreed. Attorney Bazydlo added that they have provided all the information asked for, and all they are asking is that the Board begin to develop the resolution on the project not approve it now, especially with the UC PB in 30 days, and resolution may be in October when that happens, possibly November. Attorney Golden stated he is advising the traffic has changed since 2016. Attorney Bazydlo asked why this comes up now, why not back in July. Stana Weisburd stated they are working with them, taking their attorney's advice, and takes real offense to what he stated. Attorney Bazydlo stated for the record if this was such a procedural issue why wasn't it brought up then. Attorney Golden stated he has advised the Board, and that they are tracking what is needed for the resolution and will advise them when that time occurs. Attorney Zaltantis added one final comment about the zoning compliance table.

PB 18-215 McDonald's Renovation Site Plan

Consultant Alan Roscoe, from Core States Group, comes before the Board and handed out the true color drawings recently submitted. PB Engineer Skip Francis noted the lighting plan and the pole sign detail as both being addressed and acceptable. Amanda Gotto noted that on the drawings the overhang is not supposed to be white. Mr. Roscoe stated that the overall color is a light grey, as the colors are toned down, and the Brand wall has been toned down too. Amanda Gotto asked about the white awning. Mr. Roscoe stated that the white is the front canopy element. PB Architect Kurt Sunderland stated there has been a great improvement in the drawings, but stated there is some trim details that could still be addressed, and suggested adding mullioned insulated glass that would help with the scale of the building. Kurt also asked about the eve of the roof that comes down on the front playroom part, on what would it look like. Kurt also asked about the white canopy facing the street (Rt. 299) as to what it would look like, how far out does it extend, and what are the materials. Mr. Roscoe produced the drawings to review with the Board. After discussion, the Board agreed that they change the pitch of the canopy, so it is not flat, along with updating the plan to show roof edge details; is there gutters, soffit and lower edge detail. Chair Ruger stated that they are 99% there. Mr. Roscoe agreed to sketch in their requests and go back. Amanda Gotto asked about putting mullions throughout, with panes of glass. Kurt noted that letting their designer take a shot of what it would look like. Kurt asked about the spacing between the seams on the roof, which Mr. Roscoe stated he would provide. Attorney Golden noted at this point the draft resolution, the architectural detail submitted offline, then submitted to the Board, add whatever provisions you have to. Mr. Roscoe wanted an agreement. Attorney Golden stated that the Board has to approve the site plan. Mr. Roscoe stated he wished these had come out in the August meeting. Lyle noted that the next time you come you'll have approval. Discussion on the next meeting date, which is the workshop scheduled for September 23rd which Mr. Roscoe had a conflict; Chair Ruger stated he did not have to attend. Amanda Gotto noted on the draft resolution one minor change; 2nd paragraph under Findings to remove the word *thoroughly* from the sentence. After no further comments, Chair Ruger noted that they appreciate him working with the Board's architect to have a nice McDonalds in our town.

PB19-185 Institute for Family Health

Applicant George Salinovich stated this is for interior renovations to expand their call center, and also noting that they will be submitting a site plan for exterior work to add an AC unit and emergency generator. After questions from Amanda Gotto were answered and discussion on planned renovations, and both Lyle Nolan and Stana Weisburd referencing that Stacy (Delarede) had approved this for waiving site plan approval. Chair Ruger asked for a motion to waive site plan approval.

Motion 1 by Stana Weisburd. Motion 2 by Lyle Nolan. All present in favor. Motion carried.

Administrative Discussion

299 Gateway Rezoning

Michael Zierler came back before the Board. Chair Ruger noted that the individual comments be put in the final letter to the Town Board, and noting that one member said, most members said, etc., Chair Ruger read Amy Cohen's email as she could not attend tonight's meeting:

1. Will applicants be "Grandfathered in" i.e., Trans-Hudson who has been before us for 7 years?

Mr. Zierler noted that this would be something that the Town Board, as there is no exceptions for applicants at this time for applications that are before the PB at the moment.

2. I have sent several dozen articles out to the boards regarding zoning for housing located on New York State Thruway. One can easily google this topic & find THOUSANDS of articles about the health risks. As a town we stick up for our most vulnerable citizens- WHY are we about to encourage building & housing @ a location which is clearly a health hazard? We have a beautiful town so WHY NOT encourage housing in a HEALTHY environment?

Mr. Zierler stated he tried to address it a little bit, in the mixed use zoning, and believes that the zoning is implemented and effective and will be extended westward. Mr. Zierler might well be the Town but not sure if, that Town will have the ability allow the PB to have the authority to allow you to address potential health impacts. After Board discussion, most Board members present agreed that non-residential zones be established for parcels located by the Thruway.

3. I am curious about the "camping" in the "resort overlay": Does this seasonal include RVs? What would "amenities" be like for a "campground"?

Mr. Zierler made note of that question.

Amanda Gotto referred to the previous comments from the Board in the memo in regard to architecture, specifically stucco not being deleted as building material. Mr. Zierler to ask Stacy about it. Amanda Gotto asked about under Planned Resort Overlay District, Area and Bulk Regulations, Mandatory elements for height requirements not to exceed 40 feet from most members, and as most members wanted 150-200 rooms, even though some members felt 200 rooms or more could be appropriate. Amanda also noted that most Board members asked for a definition of expected types of use for a campground under Permitted Uses.

Mr. Zierler also noted they had set the Public Hearing for September 19th. Mr. Zierler stated he'd like a letter for the Town Board before September 19th if at all possible. Chair Ruger noted for the Board to send concerns to Pat who will compile everything for the Board members who agree, to review, (especially for those absent tonight to provide any feedback).

Village Board Emails

Chair Ruger commented on the emails from Mayor Rogers in regard to the Trans-Hudson application. After discussing the two letters, Stana Weisburd suggested drafting a letter to respond to them. Chair Ruger stated they are not questions. After further discussion, Attorney Golden noted that the Board has their traffic engineer looking at this, who is an expert to look at this in regard to the comments on cars, pedestrians and bicycles. Chair Ruger stated to wait and see what we get. After discussion, Chair Ruger stated that she had a car accident near the carwash on 299 pulling in with pedestrians in the bike trail and she stopped, but got rear ended.

Chair Ruger also noted that to get a better idea of the how to proceed with New Paltz Storage, she asked for a picture of the new Firehouse that is planned on North Putt Corners by the Village, which the Board had no say into it.

Chair Ruger noted a session for an all-day class on Complete Streets at the Village Hall that will be sent out by Pat.

Motion 1 by Adele Ruger to adjourn. Motion 2 by Lyle Nolan. All those present in favor. Motion carried.

Meeting adjourned at 9:21pm.