

Town of New Paltz Planning Board

Final Meeting Minutes

January 14, 2019

Attendees: Adele Ruger, Amanda Gotto, Lyle Nolan, Stana Weisburd, Matt DiDonna, Amy Cohen (remote facetime)

Also attending: Planning Board Attorney Richard Golden

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

Chair Ruger stated she is going to make an adjustment to the agenda.

Meeting Minutes

Motion 1 by Lyle Nolan to approve the minutes from November 26

Motion 2 by Matt DiDonna. 5 votes in favor, 1 abstain (Amanda Gotto). Minutes approved.

Public Comments

Kitty Brown of Van Kleeck Avenue spoke about her emailed chart in regard to the traffic flow up and down 299 to North Putt, the Empire State Trail coming through New Paltz and the area of North Putt, asking the PB to find out if the EST is considered a state park, and also added Freihofer's was not included in the traffic study provided by Trans-Hudson. Ms. Brown also asked if Trans Hudson would be conducting another traffic study, and if they could place flags where the entrance to the proposed CVS would be. Ms. Brown also mentioned the letter from David Porter dated October 9, 2018, hoping that since his passing, if his comments would be considered and addressed that he had noted in his letter.

Michael Zierler, Project Coordinator for the 299 Gateway Rezoning project, appeared before the Board to give them an update on the progress of the project. Mr. Zierler mentioned that a study will be conducted by Hudsonia, a not-for-profit company that reports on a number of things including wetlands, habitats, and natural resources, on the 230 acres of the Gateway district. Mr. Zierler also noted that Alta Planning and Design will be also providing a proposal for a traffic and transportation study. Matt DiDonna asked if the study would consider and include the local and state wetlands law. Mr. Zierler noted he would include that information in his request. Matt DiDonna asked about the buildout of the area, of existing and potential builds, and if that would be included in the reports. Mr. Zierler noted he wasn't sure, and Attorney Golden commented that the build out model will be explained for the build out analysis for the public to understand.

Joel Oppenheimer of Gardiner commented on all the development in the town, and along the corridor (299), and noted South Putt Corners development with the traffic, commented on scary things with the bike lane, South Putt Corners, Rt. 299, North Putt Corners, the bridge, additional pedestrians, bike traffic, and asked the PB to be vigilant on the SEQRA process.

Chair Ruger closed the public comments.

Public Hearing

Motion 1 by Adele Ruger to open the public hearing for the Bird Lot Line Revision application.

Motion 2 by Matt DiDonna. All present in favor. Motion approved.

No comments from the public.

Motion 1 by Adele Ruger to close the public hearing.

Motion 2 by Matt DiDonna. All present in favor. Motion approved.

Application Reviews

PB 18-270 Bird Lot Line Revision

Attorney Zand approached the Board, who is representing both Mary Jane Curry, and Kyle and Kenneth Bird for this application. Attorney Golden commented that comments by Rebecca were addressed all but two with revised maps, as the report of hazardous materials which had no relevance to this and the easement for utilities is not required so Attorney Golden advised the Board to they need to approve the resolution that was sent out to them for review for this application.

Motion 1 by Lyle Nolan to approve the resolution.

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

Pat to update the resolution for final review then Chair signature.

PB 18-313 Moriello Lot Line Revision

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Michael Moriello approached the Planning Board. Chair Ruger noted that Andy Willingham had provided the Board just today with his review of the application.

Mr. Moriello stated to the Board that the map he provided is surveyed with 130 acres, and the other side is not surveyed. He noted that the real property on the map is identified as Lot 1 and Lot 2. An updated checklist was given to the Board members. Mr. Moriello noted that the property has no physical changes, and he had marked on the checklist those that were not applicable as NA. After discussion on the checklist, Attorney Golden stated that the Board can waive those requirements on the checklist if the Board is satisfied with what is on the map. Lyle Nolan commented that these are buildable lots. After discussion on the property, with Mr. Moriello stating there is no development plan, Attorney Golden noted that a condition of approval can be added in regard to future development. Mr. Moriello noted he is aware for anything in the future he knows he will have to come back (to the Board).

Attorney Golden noted that this application is exempt from Ulster County Planning Board referral since it is less than 5 lots subdivision.

Motion 1 by Adele Ruger to assume lead agency.

Motion 2 by Stana Weisburd. All present in favor. Approved

Motion 1 by Adele Ruger to declare this an unlisted action.

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

Motion 1 by Adele Ruger to set the public hearing for February 11, 2019

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

Attorney Golden noted that since there is no development, a condition to waive sidewalks can be considered by the Board.

Chair Ruger stated the Board will go through the waivers next time.

Motion 1 by Adele Ruger to set escrow at 5000.00 with a replenishment amount of 2500.00

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

Chair Ruger stated they will review Andy Willingham's memo at the next meeting.

PB 19-03 Shoprite Plaza Simplified Site Plan

Chair Ruger asked if there were any questions on this Simplified Site Plan (which was for interior modifications only). Amanda Gotto asked if they will have a sign. Matt DiDonna commented that the sign application has nothing to do with the structure, and will go through Stacy. Amanda Gotto asked about water and sewer as well as parking spaces. Chair Ruger stated that was all addressed in Stacy's review memo.

Stacy Delarede phoned Chair Ruger, while on speaker, said on the application all the boxes are checked and signed, and are the recommendations are from her. It was noted that only Pat had that original application, no Board member had a copy from Stacy. No further discussion.

Motion 1 by Adele Ruger to waive site plan review.

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

Administrative Discussion

ZBA Variances – McDonald's Renovation

Chair Loza from the ZBA (Zoning Board of Appeals) was asked by Chair Ruger to help the PB understand the waivers requested to the ZBA.

Chair Loza reviewed each variance request by number with the Planning Board asking for the recommendation from the Planning Board for the ZBA consideration towards determination.

ZBA 18-260: Chair Loza thanked the PB for their letter of recommendation for the double striping.

ZBA 18-285 referred to as #1 of 7 at the meeting: Chair Loza stated this variance is for the outside digital board in the drive-thru that will remain at the rear of the building. Chair Loza stated they are asking for a waiver because it's a digital sign. After discussion, Attorney Golden commented that the Board would input to the ZBA and the input is not to take over their role to give variances or not, but to give

Chair Loza stated it's a substantial one, contrary to the code, but small impact.

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ZBA 18-286 referred to as #2 of 7 at the meeting: Chair Loza stated this is for the logon sign on the East side of the building, the letter M that is 4 x 3.5 feet, mounted on the East Side, and is illuminated.

ZBA 18-288 referred to as #3 of 7 at the meeting: Chair Loza stated this is the Gateway clearance sign that is not illuminated, on a pole (in the drive-thru lane).

ZBA 18-289 referred to as #4 of 7 at the meeting: Chair Loza stated this is the Pre-Sell menu board, and will remain in the rear of the building, and is backlit.

ZBA 18-290 referred to as #5 of 7 at the meeting: Chair Loza stated this is the PLAYPLACE sign on the West side of the building, and is 2 feet wide, and 10 feet long, illuminated with LED lights in two colors, white and gold.

ZBA 18-291 referred to as #6 of 7 at the meeting: Chair Loza stated this is Arch logo in front of the building, on the front wall, approximately 4 x 3.5 feet.

ZBA 18-292 referred to as #7 of 7 at the meeting: Chair Loza stated this is located on the West side of the building, 2 feet x 8 feet deep, the word MCDONALDS.

Matt DiDonna commented that coming up Main Street, you see two McDonald's signs, the drive in and out remaining signs, which Chair Loza stated are directional signs and are remaining.

The Board discussion was how to refer to these, as 1-7 or as a specific numbering and how to respond back to the ZBA. Chair Ruger asked of what date they needed their response by. Chair Loza responded with a date of February 12 for the next ZBA meeting, with the public hearings extended so the ZBA could get the recommendations from the Planning Board.

Chair Loza also reminded the Board about the January 28 SEQRA training class at 6:00pm before departing the meeting after being thanked for attending.

Chair Ruger continued with how they should respond with issues or comments on the signs requests, such as safety or impacts that may impact the site plan. Attorney Golden stated he would compose the proposed memo with input from the Board members in the minutes.

Attorney Golden commented to the Board that per code for Site Plan approval (140-52) which he read, they should assess and consider the impacts on site plan, and respond back to the ZBA with recommendations.

Chair Ruger to go back through each now for discussion and note the comments:

ZBA 18-260 – for double striping, no problem with this one.

ZBA 18-285 1. Menu board in back; need more info but can't see how it would affect site plan. They need a menu board.

ZBA 18-286 2. Arch Logo; this type of sign is more of concern. Two of the same signs, on both sides. A distraction. Too many, one is sufficient. Attorney Golden stated it's an impact on distraction and safe flow of traffic on site. Visual impact. The more you have to read the more your eyes are off the road.

ZBA 18-288 3. Clearance sign: East side of the building, safety issue

ZBA 18-289 4. Presale Board, specials menu, has been there. Doesn't think it's necessary. Think about what was done for the place across the street (Burger King). Do we care it's in the back of the building?

ZBA 18-290 5. PLAYPLACE sign; Attorney Golden stated it would be helpful to the Board for a site visit to see the sign. This sign looks like the name of the business if one didn't know it's McDonalds, offer options, not necessary to have the sign, describe everything business does in a sign, distracting. Smaller sign. On west side, left hand turn into McDonald's. Way outside of the norm. Not necessary to have this sign, do not need to describe the business on a sign outside. Visually distracting; the size, placement, doesn't serve them well.

ZBA 18-291 6. Arch Logo; Arch on front is redundant but okay, is not unusual, on the East side only 1 M. Out of character with the rest of the stores with signs on the side of buildings.

ZBA 18-292 7. McDonalds name; 2 x 18 feet wall sign, not necessary, the amount of signs, size is way too much.

Lyle Nolan recommended to table the discussion, look at the comments the next two weeks, then come back to discuss on the 28th, do our homework and come back. Chair Ruger commented to table the comments to continue to the next meeting. Pat to send Stacy's review comments of the variance applications to the Board.

Chair Ruger reminded everyone on the January 28th SEQRA training from Attorney Golden.

At 9:01pm **Motion 1 by Adele Ruger to go into Executive Session to discuss an appointment of a particular person.**

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

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At 9:12pm **Motion 1 by Adele Ruger to come out of Executive Session.**

Motion 2 by Lyle Nolan. All present in Favor. Approved.

Motion 1 by Amanda Gotto that the Planning Board send a letter to the Town Board recommending that they re-appoint Tom Powers to the Planning Board.

Motion 2 by Lyle Nolan. All present in Favor. Approved.

Motion 1 by Adele Ruger to adjourn.

Motion 2 by Lyle Nolan. All present in Favor. Approved.

Quorum Check for 12/10 – 5 attendees. Next meeting after December 10 is January 14.

**Motion 1 by Lyle Nolan to adjourn. Motion 2 by Amy Cohen. Meeting Adjourned at 8:51pm.
Minutes submitted by Patricia Atkins**