

Town of New Paltz Planning Board

FINAL Minutes

April 28, 2014

Agenda:

**PB 2010-14, Wilmorite/SUNY Park Point, 141 Route 32 S.
PB 2014-06, Said Hassanzadeh, 216 Rte 32 N., Site Plan
PB 2014-08, Shop Rite, Main St., Façade Renovation
PB 2014-07, Sheeley, 90 Old Rte 299, Lot Line Revision
PB 2013-19, Wildberry Lodge, Main St., Site Plan
PB 2006-26, Vaccaro/Birches, O'Rourke Dr., Subdivision
PB 2009-08, Hampton Inn, 4 S. Putt Corners Rd., Site Plan
PB 2011-13, New Paltz Views, 16 Waring Lane, Subdivision
PB 2007-18, Rappa/Pony Hill, Horsenden Rd., Subdivision
PB 2011-03, Pyramid Services, Eugene L. Brown Dr., Subdivision
PB 2010-02, K & E Beverage, 255 Main St., Site Plan**

Present: Dave Clouser, George Lithco, Lynn Bowdery (alternate), Tom Powers, Tim Rogers, Lagusta Yearwood, Peter Muller, Lyle Nolan

Board Member(s) absent: Mike Calimano, Eileen Banyra

Vice Chairman Nolan called the meeting to order at 7:03 pm.

MINUTES

Minutes from April 7, 2014 presented.

Motion to review and approve the minutes was made by Peter Muller.

2nd by Lagusta Yearwood.

Lyle Nolan abstains.

All others present in favor. Motion passed.

PUBLIC COMMENTS

Dave Porter wants to notify the public that the NYS Judicial system overturned the Wetlands appeal. Therefore the Town of New Paltz Wetland's Law is back in effect. He would also like to comment on the many projects that have been in front of the Planning Board for the Plesser property, with respect to a case ruling from another town, wherein an IDA PILOT had been denied due to the fact that SEQRA had not yet been completed.

PUBLIC HEARINGS

None

APPLICATION REVIEWS

PB 2014-06, Said Hassanzadeh, 216 Rte 32 N., Site Plan

Dave Clouser goes over his review of the project proposed by Mr. Hassanzadeh. He states how they are very minor changes, but need to be corrected on the site plan.

Stacy Delarede, Building Inspector, speaks about the application, and how it will need a use variance. The applicant applied to the ZBA for a use variance. However, they were concerned that the site couldn't support the use, so they referred it to the Planning Board. In order for him to proceed forward, he will need site plan approval from the Planning Board. Ms. Delarede reviewed the site plan, and came up with other variances that he would need to apply for. He will need an area variance for proposed parking in his rear yard. They will also need an open space variance, and a sign variance, along with the use variance to go to retail. She continues to go over the previous uses of this building over the years.

Tim Rogers is comfortable with the parking variance, but he does have concerns with the signage. Stacy Delarede points out the proposed signage. There are no sign requirements, as normally signage is not allowed in this zone. There is conversation about the signage on the businesses in the area. However, these businesses are actually across the street in the B-2 district where signage is allowed. Mr. Hassanzadeh states that his sign proposal will be similar to what he has at his other place of business, My Market. Tim Rogers questions the mural type representation on the renderings. Mr. Hassanzadeh states how this is just an artist rendering, and he doesn't have to have that. Lyle Nolan states how line of site must be considered with regards to the signage.

Lagusta Yearwood has some concerns on the open space variance. She is not sure how to remedy this, other than taking out some parking. George Lithco states how they could limit parking in order to gain more open space if they wanted. Dave Clouser states that taking the entrance from Hummel Road and eliminating the parking there would also increase open space. He also feels this is a dangerous intersection. Mr. Hassanzadeh states how that side entrance and the two parking spots were for employees only.

Tim Rogers feels that the Board should be very specific when referring this back to the ZBA. George Lithco states that they could word the referral that they are in support of the variances being granted, but that the signage should follow the requirements of the B-2 requirements. Then the ZBA could take

action on the variances, and then it would go back to the Planning Board for site plan approval, as well as be referred to the Ulster County Planning Board.

Lyle Nolan states that a letter should be drafted from the Chairman, to the ZBA, which states that the Planning Board is referring the application to the ZBA for the requested variances.

Lyle Nolan leaves the meeting. Lynn Bowdery sits in his place.

PB 2010-14, Wilmorite/SUNY Park Point, 141 Route 32 S.

Lynn Bowdery states that she is sitting in for Vice Chair Nolan for the review of this application.

Tim Rogers has questions on the public comment at the beginning of the meeting. George Lithco comments on the case cited.

George Lithco states how he drafted the Resolution to adopt the Findings Statement. Tim Rogers questions the numbers with regards to the number of beds that is in this draft. George Lithco states that they can amend the FEIS to create another category.

There is a discussion on where the Planning Board goes from here with regards to the review of the site plan.

George Lithco believes that site plan review doesn't seem necessary at this point, once the resolution is adopted, which denies land use approvals. Being as though the Board just received the updated Findings Statement as well as the draft Resolution, it is suggested that they have time to review these documents. Therefore, it may be prudent to hold an additional meeting for the purpose of adopting this Resolution.

Peter Muller questions what constitutes the closing of the SEQRA process. George Lithco states that it is the adoption of the Findings Statement.

There is conversation on the need to reflect the IDA's statement in consideration of the Findings Statement.

Bob Hughes would like to ask the Board if they would again hear Mr. Porter's statement from the beginning of the meeting, since Lynn Bowdery had not yet arrived and didn't get to hear it.

Dave Porter repeats his statement from the beginning of the meeting. The Orange County's IDA findings statement was challenged when it came to the Huguenot Plaza project; in that since SEQRA wasn't completed, a PILOT could not be granted. A precedent from Hornell, NY was brought up for this challenge.

George Lithco states that with the other large projects before us, he and the Chairman were wondering the availability of the Board members to have an additional meeting next week.

There is conversation on other dates. Tim Rogers is not available other than Monday's for Planning Board meetings. Lagusta Yearwood doesn't see the harm in waiting until the regular meeting on the 12th. Peter Muller is not available next Monday.

Lynn Bowdery feels that the consensus of the Board is to consider action on the Findings Statement and the draft Resolution at the May 12, 2014 meeting. This will also give the Board's attorney time to review the Hornell findings and how it may relate to this application.

A motion is to consider action on the Findings Statement and the draft Resolution at the May 12, 2014 meeting is made by Lagusta Yearwood.

2nd by Tom Powers.

All others present in favor. Motion passed.

Lynn Bowdery leaves the meeting. Lyle Nolan returns to chair the remainder of the meeting.

PB 2014-08, Shop Rite, Main St., Façade Renovation

Anthony Coppola of Coppola Associates, Robert Palmer of New Paltz Property Development, Steve Gaba, Esq. and Margaret McManus of Chazen Companies come before the Board to present the application.

Anthony Coppola goes over the newly submitted façade renovations. They are simply changing the materials of the façade as well as colors. They are currently renovating the interior of the one store for Just A Buck. They have submitted their appropriate Building Permit applications. They are not addressing the end unit until they have a signed commitment from a tenant. They will only be re-painting the back, as well as the other two sides.

They will be bringing the site into compliance with the previously approved site plans, with regards to the cart corrals.

Lyle Nolan questions the parking of trailers in the front lot. They are sending a letter to the tenant, Shop Rite, that they may no longer use the front lots for storage trailers. George Lithco would like this noted on the site plan as well.

Tom Powers brings up the need for repairs to the existing entrance off of South Putt Corners Road.

Tim Rogers questions the future proposed bike lane.

Margaret McManus spoke with the DPW, and this will not actually be a bike lane, but a beefy shoulder. Tim Rogers has concerns on what was told to the Town as well as the School district, leading them to believe that there would be an actual bike lane.

George Lithco states that there is a letter in the file from the current owner of the property with regards to the Hampton Inn and added bike lanes/cross walks that were approved as part of their site plan. Mr. Palmer knows nothing about this.

Lagusta Yearwood questions the location of the required bike racks.

George Lithco mentions that now electric vehicle parking is also a requirement.

There is a conversation on the plantings of the abutting property.

The applicant feels that if they upgrade the façade, they can then in turn get new tenants, and then come back before the Board for future site plan upgrades.

Dave Clouser states how the lighting was never brought into compliance with the current approved site plan.

There is discussion on the type of cart corrals that will be used. Dave Clouser reminds them that there is to be no signage on these.

Stacy Delarede states how their Master Sign Plan was approved after the Town's sign plan laws changed. Therefore, they only need to follow their Master Sign Plan. George Lithco states how this should be a note on the site plan as well.

Tim Rogers wants to have a discussion with the County, because he feels that this bike lane issue is troubling because the county had a big presentation with the school district that there would be an actual bike lane, and not a beefed up shoulder as Margaret McManus referred.

Lyle Nolan made a motion to refer this to the UCPB.

2nd by Tim Rogers.

All others present in favor. Motion passed.

Anthony Coppola questions the next step, and if this will require a public hearing. George Lithco states that it is not standard to have a public hearing for this type of application.

PB 2014-07, Sheeley, 90 Old Rte 299, Lot Line Revision

Dave Dippel comes before the Board on behalf of the applicant. Dave Clouser goes over his comment memo with regards to this project. This does fall within three different zones, therefore the zone lines need to be shown. This is on the Town of Lloyd border, so it should they should be notified as well. Also, the parcel as it crosses Route 299 needs to be shown as well; and the septic area should be shown as well.

Lyle Nolan asks why the applicant wants to acquire this land. Dave Dippel states that the applicant just built their home, and they would simply like to acquire additional lands for their back yard.

George Lithco states that this application requires a public hearing as it is a subdivision.

Dave Dippel mentions that there was a wetlands delineation that the DEC signed off on when the owners bought this parcel.

A motion to set the public hearing for May 28, 2014 is made by Lyle Nolan.
2nd by Lagusta Yearwood.
All others present in favor. Motion passed.

PB 2013-19, Wildberry Lodge, Main St., Site Plan

Ross Winglovitz, Jennifer Van Tuyl, Steve Turk and Rocco Tammone come before the Board to present their application for Wildberry Lodge.

Ross Winglovitz gives a brief overview of the project. Including access, water, sewer, zoning and the EAF. This will all be addressed further in the EIS.

Jennifer Van Tuyl states that they will be doing a full EIS. They are working on a draft Scope. The Town Board has authorized their council to develop a draft zoning amendment. She has been working along with them on this overlay district. This is a recreation resort, and the zoning needs be specific.

Tim Rogers would like to see additional community outreach, more than just a once a year community week offered by other resorts.

Jennifer Van Tuyl agrees, but more needs to be addressed, as with traffic concerns, and if they are completely booked, etc., as this is a business.

Lagusta Yearwood is hoping green technology and sustainability will be addressed.

Lyle Nolan would like to have the Planning Board declare Lead Agency.

A motion to declare the Planning Board as Lead Agency is made by Lagusta Yearwood.
2nd by Lyle Nolan.
All others present in favor. Motion passed.

Discussion on the formula the NYSTA uses for allowing an exit.

A motion to ask the applicant to address an exit with the NYSTA is made by Tim Rogers.
2nd by Lagusta Yearwood.
All others present in favor. Motion passed.

OLD BUSINESS

Extension Requests:

PB 2006-26, Vaccaro/Birches, O'Rourke Dr., Subdivision

PB 2009-08, Hampton Inn, 4 S. Putt Corners Rd., Site Plan

PB 2011-13, New Paltz Views, 16 Waring Lane, Subdivision

PB 2007-18, Rappa/Pony Hill, Horsenden Rd., Subdivision

PB 2011-03, Pyramid Services, Eugene L. Brown Dr., Subdivision

A motion to grant a 90 day extensions for all of the above applications, until July 28, 2014 was made by Lyle Nolan.

2nd by Tim Rogers.

All others present in favor. Motion passed.

PB 2010-02, K & E Beverage, 255 Main St., Site Plan

Lyle Nolan notes that the applicant submitted a revised site plan today.

A motion to extend the application for 30 days, until May 28, 2014, and the applicant must take down the shed by then, as well as appear at that meeting with the proper site plan amendment, was made by Tom Powers.

2nd by Tim Rogers.

All others present in favor. Motion passed.

ADMINISTRATIVE DISCUSSION

Nothing

Motion to adjourn made Lyle Nolan.

2nd by Tim Rogers.

All others present in favor. Motion passed.

Meeting adjourned at 9:55 pm.

These minutes respectfully submitted by Kelly O'Donnell