

Town of New Paltz Planning Board

FINAL Minutes

June 8, 2015

Agenda:

PB 2015-07, Jewett Family Farms, LLC., Huguenot St., Subdivision
PB 2011-14, Gas Land Holdings, LLC, 490 Main St., Site Plan
PB 2013-15, Trans-Hudson Mgt./CVS, 12 N. Putt Corners Rd., Site Plan
PB 2014-02, LP Builders, 105 Route 208, Subdivision/Steep Slopes
PB 2014-08, New Paltz Properties/Shop Rite Plaza, 258-268 Main St., Site Plan
PB 2015-12, Collangelo, 300 Old Kingston Rd., Clearing and Grading
PB 2015-11, Crown Castle, N. Ohioville Rd., Simplified Site Plan
PB 2015-15, Cherry Hill Imaging, 3 Cherry Hill Rd., Simplified Site Plan
PB 2007-18, Rappa/Pony Hill, Horsenden Rd., Subdivision

Present: Dave Clouser, George Lithco, Peter Muller, Lyle Nolan, Tom, Powers, Adele Ruger, Lagusta Yearwood, Amy Cohen

Board Member(s) absent: Mike Calimano

Others present: Maurice Weitman, Village Planning Board Chairman; Michael Zierler, Village Planning Board; Liz Harschow, Village Planning Board; John Litton, Village Planning Board; David Gilmour, Village Planner; Kelly O'Donnell, Town Planning Board Secretary; Brogan O'Donnell, Village Planning Board Secretary.

Vice Chairman Nolan called the meeting to order at 7:01 pm.

JOINT REVIEW WITH VILLAGE PLANNING BOARD

PB 2015-07, Jewett Family Farm, LLC, Huguenot St., Subdivision

Maurice Weitman, Village Planning Board Chairman, calls his portion of the meeting to order as well.

Patti Brooks of Brooks and Brooks is present to represent the applicants. She goes over their application. She discusses the reason for the joint review. She also discusses the Conservation Easement that runs with the property that is held by the Wallkill Land Trust. She states that she wants to confirm that this will remain in place, and that this will never be further subdivided. It will be used only for farming.

Maurice Weitman has no comments, but he would like Ms. Brooks to address the comments that were submitted to them by the Village. Ms. Brooks discusses these comments. She also discusses questions that were asked by Mr. Gilmour, the Village Planner. She is looking for direction from the Village with regards to a site plan submission.

Dave Gilmour, Village Planner, does comment on the prior discussions earlier in the year. He states that he will have to check the approved minutes, to see if this case would have a site plan threshold. Patti Brooks states that she will adhere to whatever Codes that the Village has with regards to this new site plan approval code. Maurice Weitman states that he would prefer to check with their counsel regarding this possible site plan approval.

There is continued discussion on Mr. Gilmour's comment letter. Mr. Gilmour's recommendation would be that the Village deem the application complete first.

Patti Brooks continues to discuss the subdivision, the agricultural use and the Conservation Easement. She also discusses the residential footprint of the existing residential lot. There is a question on the ability to have farm worker housing. They will add this to the map notes.

There is a brief discussion on the eventual land swap with the Nyquist Foundation. This will require another application to both the Town and Village Planning Boards. Ms. Brooks also mentions the walking trail that will connect to the Sanctuary trails, and will be the start of properties that will eventually lead to the rail trail.

Maurice Weitman states that the Village Planning Board needs to be sure that the application is complete.

Motion for the Village Planning Board to declare the application complete is made by John Litton.
2nd by Liz Harschow.

Amended by John Litton to waive the requirement that the map be to scale is made by John Litton.
2nd by Michael Zierler.

All other Village Planning Board members present in favor. Motion passed.

There is a discussion on having one public hearing vs. each Board having their own public hearing, thus forcing interested parties to attend both. Patti Brooks suggests that the Village hold it on their meeting night this time, and have the Town Planning Board go to them. This could be done in the Village on July 7, 2015.

Motion for the Town Planning Board to hold a joint public hearing with the Village Planning Board on Tuesday, July 7, 2015 at the Village Hall, is made by Lyle Nolan.

2nd by Amy Cohen.

All other Town Planning Board members present in favor. Motion passed.

Motion for the Village Planning Board to hold a joint public hearing with the Town Planning Board on Tuesday, July 7, 2015 at the Village Hall, is made by Michael Zierler.

2nd by Liz Harschow.

All other Village Planning Board members present in favor. Motion passed.

There is a discussion on changes that need to be made to the site plan maps in advance of the public hearing.

Motion to adjourn the joint session is made by Michael Zierler.

2nd by Liz Harschow.

All other Village Planning Board members present in favor. Motion passed.

APPLICATION REVIEW

PB 2011-14, Gas Land Holdings, 490 Main St., Site Plan

Margaret McManus of Chazen Companies comes before the Board to discuss the final submission that was originally approved in 2013. She explains what happened in the interim, with the applicant meeting the items in the resolution. When applying for the building permit, it was found that there were tenant issues that would prevent them from beginning the project. These issues have since been resolved.

She shows the Planning Board the site plans.

Dave Clouser states that he did look and compare the site plans that were originally approved. He did note some small changes, and Ms. McManus believes that these were done as proposed in the Resolution. The existing conditions plan was brought up to date.

Lagusta Yearwood questions whether all of Al Wegener's notes on landscaping were in the plans. Ms. McManus states that this was all part of the Resolution, and all of his suggestions were met.

There is discussion that bringing the sign up to code, and applying for a building permit for this, will be a condition added to the Resolution.

Motion to grant conditional approval, subject to confirming with the sign ordinance, is made by Lyle Nolan.

2nd by Peter Muller.

All others present in favor. Motion passed.

FREE CONCEPTUAL REVIEWS

None

PUBLIC HEARINGS

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

Motion to open the public hearing for the evening is made by Tom Powers.

2nd by Peter Muller.

All others present in favor. Motion passed.

Lauren Koehler, New Paltz resident. Makes comments on her concerns with regards to the CVS Corporation and fair wages.

Michael O'Donnell wants to discuss his concerns with the CVS traffic study, and the need for a fiscal impact study.

Kevin Borden, is sorry for the loss in the family of the applicant's attorney. He would like to address his concerns with traffic and safety impacts, with regards to alcohol sales being added to this area; as well as third party leasing issues, and PBM's.

Katherine Stewart, reads a letter from Susan Blickstein, with regards to planning and environmental impacts, as well as segmentation with the possible third pad site.

Michael Lillis finishes reading the written comments submitted by Katherine Stewart, on behalf of Susan Blickstein.

Julie Lillis hands the Board some photos of the site. She then discusses her concerns with regards to waiving the requirement of mapping trees over 6", as well as the use of pesticides. She would also like to see better elevation views showing all of the buildings from all directions.

Samrat Pathania wants to speak about the issues he has with the numbers, in regards to CVS employees vs. their executives. These are not living wages.

Michael Zierler wants to address his concerns with regards to the potential third pad. This should all be considered under SEQRA now. He also has concerns that our traffic engineer, hired by the Planning Board, has in the past worked for CVS. This should have been disclosed. He feels a new traffic engineer should be hired. He also has concerns with the two submitted EAF's, these are the old forms. They should be using the new long forms.

Anne Quinn addresses the Board about her concerns with CVS and Five Guys with regards to community character. People come to this Town for the historic nature and character.

Joel Oppenheimer speaks about his concerns with the poor corporate citizenship of CVS and their avoidance of paying taxes, as well as their suspect lease agreements.

The applicant has requested that the public hearing be continued on June 22, 2015. As they were unable to be present tonight.

Motion to close the public hearing for the night continue it on June 22, 2015, is made by Lagusta Yearwood.

2nd by Amy Cohen.

All others present in favor. Motion passed.

PB 2014-02, LP Builders, 105 Route 208, Subdivision/Steep Slopes

Request received from applicant to continue the public hearing to June 22, 2015.

Motion to continue the public hearing to June 22, 2015, is made by Tom Powers.

2nd by Lyle Nolan.

All others present in favor. Motion passed.

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

None

APPLICATION REVIEWS CONTINUED

PB 2014-08, New Paltz Properties/Shop Rite Plaza, 258-268 Main St., Site Plan

Margaret McManus of Chazen Companies comes before the Board to represent the applicant. She brings the Board up to date on the fact that conditional approval was granted, but that tenant issues prevented them from getting the final sign-offs on the site plan. The property owner and the tenant, Shop Rite, have come to an agreement, which created some changes to the site. She presents the new site plan and discusses the new changes.

Dave Clouser notes that the parking has significantly changed from what was approved. Ms. McManus discusses the reason for these changes. Mr. Clouser notes that he does like the new layout, but it is not what was originally approved.

Tom Powers questions the entrances with regards to tractor trailer deliveries. She discusses having the drive aisles more defined, and that will be much safer. This is what happens today based on the existing site, they are just trying to manage it better.

There are an additional 18 parking spaces added back in to the new plan, at Shop Rites request. The amount of green space and landscaping has not changed. Lagusta Yearwood questions if adding this parking can be done. It is noted that though they are adding an additional 18 spaces to what was approved, it is still less than what is there now. Dave Clouser asks if they can remove any other spaces in order to add these requested spaces. Margaret McManus states that Shop Rite has agreed to have their employee's park in a noted employee parking area. It is noted that by adding this parking, they are still not adding pavement, they are actually removing pavement from what is currently there. The owners have decided to keep the remaining spaces retail, so as not to have to change the use of any spaces, thus triggering any other parking changes.

They will not be able to store any trailers on the property for more than 24 hours.

There is a discussion on the location of dumpsters.

There is a discussion on the location and design of the cart corrals. The carts will no longer be kept in front of the location that is currently a nail salon. There is also a limited outside sales area, this was inadvertently removed from this rendering, but will be added along with the bike racks.

George Lithco mentions running conduit for EV charging stations as per the updated code. They will add this along the one side of the building.

There is discussion on referring this to the UCPB since the plan has changed. George Lithco notes that it is a different plan. This could also be made part of the conditional approval.

Adele Ruger questions the comments on the parking spaces issue that was noted in Dave Clouser's memo. Shop Rite has it in their lease that the owner will provide 300 parking spaces.

They can add more signage, including a stop sign for trucks, as well as a limit to overnight parking no more than 24 hours. It is suggested that the language for the signage be run by the Building Inspector.

Dave Clouser goes over the SEQRA Typing thresholds. It is determined that there is no adverse environmental impact.

A motion to make a negative declaration under SEQRA is made by Lagusta Yearwood.
2nd by Adele Ruger.

All others present in favor. Motion passed.

Motion to grant approval, conditioned on the applicant addressing all of the items in Dave Clouser's review memo dated June 8, 2015; as well as pending referral to the UCPB and them having no further comments; adding conduit for EV charging stations; showing the trash compactor and dumpster location on the site plan; and not allowing truck parking as currently noted on the current site plan, is made by Lyle Nolan.

2nd by Peter Muller.

All others present in favor. Motion passed.

PB 2015-12, Collangelo, 300 Old Kingston Rd., Clearing and Grading

Bruce Donahue, an Environmental Design specialist, comes before the Board to discuss the application before the Board. They would like to log the land, and it is a very complex site. He shows the Board the site plans, overlaid with the Wetland's map, as well as the floodway. He would like to know what type of logging activities the Town would allow in between these areas. He would go out and map the wetlands as well as the buffers. He would also note the old logging roads. They are not looking to do a clear-cut, they are looking to make some money on their property.

There is discussion on who owns the rail trail, as they would need access over it, and do plan to repair anything done to the trail.

There is a discussion on whether this proposed logging is to pave the way for future development. Mr. Donahue states that with all of the wetlands, one would be hard pressed to find any use for this land. To his knowledge, the applicant is simply trying to log some of the wood to make some income off of his property.

It is noted that there are quite a lot of floodway regulations that would have to be followed.

Lagusta Yearwood mentions that there are other opportunities, using the land as a natural habitat, which the land owner could look into.

Dave Clouser suggests that they contact the ENCB with regards to this application. There are thresholds for clear cutting. Mr. Donahue states that they are not clear cutting.

It is noted that this operation could damage the wetlands. Mr. Donahue states that is why the work would be done in the winter.

George Lithco mentions a part of the Town Code that talks about stewardship. He suggests getting a clear idea of the wetlands then contact the DEC to see what they would allow. Then they could come back to the Planning Board with an exact plan. The DEC is more experienced in this aspect. There are also Habitat Assessment Guidelines that will need to be followed.

There is question on a Wetland's Inspector. The Town is still trying to locate another Wetland's Inspector.

PB 2015-11, Crown Castle, N. Ohioville Rd., Simplified Site Plan

Dave Clouser discusses this application. He and the Building Inspector both agree that it meets the requirements for a Simplified Site Plan.

Motion to grant simplified site plan approval is made by Lagusta Yearwood.

2nd by Tom Powers.

All others present in favor. Motion passed.

PB 2015-15, Cherry Hill Imaging, 3 Cherry Hill Rd., Simplified Site Plan

Dave Clouser goes over this application. He and the Building Inspector both agree it meets the requirements for a Simplified Site Plan.

Motion to grant Simplified Site Plan approval is made by Peter Muller.

2nd by Tom Powers.

All others present in favor. Motion passed.

OLD BUSINESS

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

Motion to grant an extension until the August 24 meeting, is made by Adele Ruger.

2nd by Lagusta Yearwood.

All others present in favor. Motion passed.

MINUTES

The May 27, 2015 minutes are presented. Motion to approve the minutes is made by Tom Powers.
2nd by Adele Ruger.

All others present in favor. Motion passed.

ADMINISTRATIVE DISCUSSION

None

Motion to adjourn the meeting is made by Tom Powers.
2nd by Lyle Nolan.

All others present in favor. Motion approved.

Meeting adjourned at 10:19 pm.

These minutes respectfully submitted by Kelly O'Donnell