

Town of New Paltz Planning Board

DRAFT Minutes

September 28, 2015

Agenda:

**PB 2013-15, Trans-Hudson Mgt./CVS, 12 N. Putt Corners Rd., Site Plan**  
**PB 2015-19, Bruce DuBois, 46 DuBois Rd., Site Plan for SFR**  
**PBC 2015-21, Tim Brooks, 66 Mountain Rest Rd., Subdivision**

**Present:** George Lithco, Dave Clouser, Mike Calimano, Lyle Nolan, Tom Powers, Lagusta Yearwood, Peter Muller, Adele Ruger

Board Member(s) absent: Amy Cohen

Chairman Calimano called the meeting to order at 7:02 pm.

**REVIEW AND APPROVAL OF MINUTES**

The September 16, 2015 minutes are presented.

Motion to approve the minutes is made by Tom Powers.

2<sup>nd</sup> by Lyle Nolan.

All others present in favor. Motion passed.

**PUBLIC HEARINGS, CONCEPTUAL REVIEWS AND BRIEFINGS**

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

Motion to open the public hearing for the night is made by Lagusta Yearwood.

2<sup>nd</sup> by Tom Powers.

All in others present in favor. Motion passed.

Peter Kaufman, of Pine Crest Rd, speaks to the Board about reiterating his request to do a full EIS on this project.

Lee Weaver, of Pine Crest Rd, speaks to the Board about her concerns with this proposed project. She would like to see a full EIS.

Susan Blickstien, Old Mill Rd, speaks to the Board on her concerns with the revised materials that were recently submitted. She feels this project warrants a full EIS.

Tova Weitzman, Duzine Rd, speaks to the Board about her concerns with this project, and the CVS corporation. She would like to see a full EIS.

Judy Mage, Huguenot St, speaks to the Board on her concerns with this project and how it relates to traffic, local stores, bike trails, etc. She sees no real benefits for a project like this.

Shari Lynn Goldstein, Van Kleek Ave, speaks to the Board about all of her concerns with regards to this project and the detrimental effects this will have on our community.

Michael O'Donnell, Gardiner resident, speaks to the Board about his concerns with this project. He also addresses mistakes that he feels are in their revised EAF.

Dan Torres, Town of New Paltz resident, thanks the Planning Board for volunteering for the Town. His comments tonight are being made as a resident of the Town. He reads his many concerns with this project, and the harm it will bring the Town. He feels that there should be a full EIS done.

Julie Lillis, Duzine Rd, speaks to the Board about her many concerns with regards to this proposed project.

Michael Zierler, Village of New Paltz, speaks to the Board over his concerns with this project, including impacts to traffic and the environment.

Kevin Borden, Calvin Blvd, speaks to the Board on with regards to his concerns with this project, including the fiscal impacts.

Neal Bettez, Elting Ave, speaks to the Board about his concerns with this project and its impacts on the head waters of the Mill Brook Preserve.

Matthew Maley, Enclave Manor, speaks to the Board about requiring a full EIS for this project.

Motion to close the public for the night is made by Mike Calimano.

2<sup>nd</sup> by Adele Ruger.

All others present in favor. Motion passed.

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

A High School student comments if there is anyone present who is in favor of the project. He is confused about the process, as it seems a one sided debate.

The broker and friend of the family who owns this property raises his hand that he is in favor. The owner of this property would like to move on with the sale of this property, they have spent a great deal of time waiting. They pay a lot of money in taxes for this land that they seem not to be able to do anything with.

Stana Weisburd comments that this is not a debate, it is a public hearing and the Board is hearing the public comments.

## **APPLICATION REVIEWS**

### **PB 2015-19, Bruce DuBois, 46 DuBois Rd., Site Plan for SFR**

Dave Clouser discusses the need for this to receive site plan approvals due to the wetlands on the parcel that cross the driveway. Mr. DuBois shows the relocation of the driveway. Dave Clouser states that this is an approved subdivision lot, but that they needed to be sure that what they were doing would be sensitive to the wetlands. George Lithco wonders if there is anything that would regulate a wetland's permit. Dave Clouser notes that if they stick to the old farm road that they will not be in the wetlands.

Mike Calimano notes that Stacy Delarede sent this to the Planning Board to be sure that it doesn't need a wetland's permit.

Mike Calimano tells the applicant that the Board will need to get back to him once they have the wetland's inspector review it. They will notify the applicant if they will require a special use permit to put a driveway in the buffer before the October 14 meeting.

### **PB 201-21, Tim Brooks, 66 Mountain Rest Rd., Subdivision**

Not present.

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

Mike Calimano introduces the new Wetland's Inspector to the Board members.

Norbert Quenzer from Bagdon Enterprises discusses how they review the materials, as well as review the site, in order to complete their review. Their report is a summary of their findings. It discusses how potential wetlands relate to the Town wetland's law.

Lagusta Yearwood questions how long the site was observed. Mr. Quenzer states that they are there for a day for the actual physical inspection. She then questions the vernal pool issues, as it was mentioned in the public hearing. He states that this was a good question, but that it truly was just a depression, though it did meet the minimal characteristics of being wet. He continues to discuss what makes an actual vernal pool. There is also discussion on the location of cat tails in the right of way.

Mr. Quenzer states that after doing thousands of these types of inspections. This parcel is truly an old farm type parcel that has reverted over the years due to successional forces.

Dave Clouser discusses the storm water drainage factors. There is currently run-off there now. However with the new storm water regulations, there are many more restrictions with regards to SPEDES permits. There is actually a reduction in the amount of run-off with this plan, as it now puts it in the ground.

There is a conversation on bio-retention areas. These are better than the regulations than those that were in place with the Mill Brook preserve development.

Mike Calimano states that all interested and involved parties were notified, and all have acquiesced, therefore the Planning Board has been acting as Lead Agency.

Motion to declare the Town of New Paltz Planning Board as Lead Agency is made by Mike Calimano. 2<sup>nd</sup> by Lagusta Nolan.

All others present in favor. Motion passed.

Charlie Badzylo, Justin Dates and XX come before the Board to discuss their recent submission. Dave Clouser goes over his review memo on the revised submission. He goes over point by point all of the changes that still need to be made with the applicant.

Lagusta Yearwood states her concerns again about the trees not being surveyed.

Mike Calimano questions whether the proposed Wildberry Lodge was included into the traffic studies. XX states that all the signals were studied from the Ohioville intersection to the Manheim intersection.

Adele Ruger questions the loss of the slip lane. She has heard that the slip lane was being removed by the DOT regardless of this project. XX states that the DOT did ask them to remove, but they understood that even if the project didn't go through, eventually the channelization was going to be removed due to accidents and the need to accommodate pedestrians.

Justin Dates addresses the Board with some changes that they did to the site plan, including moving the exit on N. Putt Corners Road. They also cut back on the amount of fill for the site. He also addresses the revised architectural changes that they would be making. They also logged in their soil testing with the UCHD.

Charlie Badzylo takes a moment to re-cap where they are in the process. They have addressed the public comments, it has been going on for almost a year, and it is becoming repetitive. They have changed the project to meet all of the zoning codes and do not need variances. He doesn't see the need for the public hearing to continue. Once the hearing is closed, the Board must reach a SEQRA determination. This project does not require an EIS. Though people would like to use that term, it truly doesn't qualify for an EIS.

Mike Calimano discusses the process with the Board.

Lagusta Yearwood goes over her list of concerns:

1. She would like to see the whole build out of the site addressed on the EAF. Mike Calimano states that this will be addressed in EAF part two.
2. Parking concerns. Mike Calimano states that this will be part of site plan.

3. Traffic management with regards to construction trucks. Dave Clouser agrees. George Lithco addresses how this was handled with Shop Rite, and it was part of the site plan conditions.
4. Fiscal impact study. Mike Calimano defines what needs to be studied. George Lithco questions if this fit in with past practice? There needs to be a logical rational. With Wilmore, it was due to a Pilot.
5. Noise concerns. This is addressed. It will also be addressed in review of the EAF Part two
6. Tree Waiver. This can be discussed in land use section.

Dave Clouser started looking at the impacts in Part two. He would like to divide up these impacts to be studied by the Board members. He would like to see if anyone has any objections to anything on the EAF that was listed as “no impact”.

Dave Clouser goes over the “no impact” areas:

Geological – No

Flooding – No

Air – No

Agricultural Resources – No (soil testing can be a condition of site plan)

Historical/Archeological Resources – No (nothing adjacent)

Open Space and Recreation – No

CEA – No

Mike Calimano states that they have received good information from the public to address their many issues. He would like to break these items up for review. He would like to close the public hearing, and allow written for written comments to be accepted for 10 days, in that way they could start reviewing the EAF Part II.

Peter Muller would like to keep the hearing open. Lyle Nolan states though good points have been raised, nothing new has been brought up at all, he doesn't feel that it needs to be kept open. People can comment at any meeting, and the Board can re-open a hearing at any time as well. George Lithco notes that if anything new comes up in the written comments, then the Board can bring them to the table to discuss at any time during a meeting.

Lagusta Yearwood, Adele Rugar and Tom Powers all agree it is time to move on.

Motion to close the public hearing, and accept written comments to be in by close of business October 13, 2015 is made by Mike Calimano.

2<sup>nd</sup> by Lagusta Yearwood.

All others present in favor. Motion passed.

George Lithco mentions that since Norbert Quenzer from Bagdon is here tonight, are there any other questions on the report that the Board members may have? There is a brief discussion on the bat

population and their summertime roost. It is suggested that any tree clearing be done between October 31 and March 31, when they don't use the trees for hibernation.

#### **OLD BUSINESS**

None

#### **PLANNING BOARD ADMINISTRATIVE DISCUSSION**

Amy Cohen wanted to discuss the Pledge of Allegiance, since she is not present, we will do this at the next meeting.

There is a discussion on going into Executive Session in order to discuss some issues with the Planning Board attorney.

The Planning Board goes into Executive Session at 9:32 pm.

The Planning Board comes out of Executive Session at 10:00 pm.

Motion to adjourn the meeting is made by Mike Calimano.

2<sup>nd</sup> by Lagusta Yearwood.

All others present in favor. Motion approved.

Meeting adjourned at 10:10 pm.

These minutes respectfully submitted by Kelly O'Donnell