

Town of New Paltz Planning Board

FINAL Minutes

November 23, 2015

Agenda:

PB 2014-02, LP Builders, 105 Route 208, Subdivision/Steep Slopes
PB 2015-19, Brooks, 66 Mountain Rest Rd., Subdivision
PB 2014-04, Mohonk Preserve, Route 299, Site Plan
PB 2014-25, Mohonk Preserve, Butternut Rd., Subdivision
PB 2015-13, Thomas Wanning, 320 Route 32 N, Subdivision
PBC 2015-22, Cellco (d/b/a Verizon Wireless), 246b Main St., Site Plan
PB 2015-07, Jewett Family Farm, Huguenot St., Subdivision – Extension Request

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

Board Member(s) absent: Amy Cohen, Peter Muller

Others Present: Carol Knapp, Rohde Engineering

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

REVIEW AND APPROVAL OF MINUTES

The November 9, 2015 minutes are presented.

Motion to approve the minutes is made by Lyle Nolan.

2nd by Tom Powers.

All others present in favor. Motion passed.

PUBLIC HEARINGS, CONCEPTUAL REVIEWS AND BRIEFINGS

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

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

2nd by Adele Ruger.

All in others present in favor. Motion passed.

John Bodendorf of Hudson Land Design speaks to the Board on behalf of Mr. Stutt whose property is down slope of this parcel. He discusses his concerns with the steep slopes with regards to the water systems being proposed. They have many other concerns with ground water, etc. They suggest a hydro geologic study. He would like to have more time to study the revised submission.

John Lyons of Grant and Lyons, and attorney for Mr. Stutt, speaks to the Board on behalf of their findings of the revised plans submitted. They did submit a letter outlining their concerns. This property has steeper slopes than noted. There are still a lot of significant problems with this property that have yet to be addressed. There is the big question on whether or not these systems will be maintained, and by whom. They are requesting more time to review this submission.

Eric Stutt of 28 Cedar Ridge speaks to the Board about this project. He is representing himself, as well as his neighbor, Mr. Rouff. He discusses the problems that have occurred on his property with development in this area. He feels this project will continue to increase the continuous die-off of trees on his property.

Joe Eriole, attorney for Mr. Pepaj, speaks to the Board about his clients efforts to meet all of the requirements that the Board has requested. They will meet all of the proper requirements, including the BOH approvals. He discusses the fact that they did submit their revised submission in the timeline determined by the Board. He feels that the Board should set some guidelines for timelines, so that they can also have a chance to be fully prepared with responses to letters submitted by neighbors.

John Lyons notes that this public hearing has been going on for a very long time.

Motion to close the public for the night is made by Lyle Nolan.

2nd by Lagusta Yearwood.

All others present in favor. Motion passed.

PB 2015-19, Brooks, 66 Mountain Rest Rd., Subdivision

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

2nd by Lyle Nolan.

All in others present in favor. Motion passed.

Adele Ruger excuses herself.

No one is present to comment on this application.

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

2nd by Tom Powers.

All others present in favor. Motion passed.

Adele Ruger returns to the meeting.

PB 2014-04, Mohonk Preserve, Butternut Rd., Subdivision
PB 2014-25, Mohonk Preserve, Route 299, Site Plan

Motion to open the public hearing for the evening s made by Lagusta Yearwood.
2nd by Lyle Nolan.
All in others present in favor. Motion passed.

Mike Calimano notes the areas that are being reviewed tonight, and he would like to see comments that reflect these subjects only.

Patty Madison, of High Falls and a native of New Paltz, speaks to the Board about her support of this project. She is fourth generation of the Smiley family. She has no problems with what the Mohonk Preserve is proposing. She feels past generations would feel the same way, which is why they sold it for land conservation and not to a developer. This land would have been incredibly profitable.

Jim Longbotham, High Falls resident, speaks to the Board in support of the proposed project. He is a former Park Ranger, and he used to live on Spring Farm. He appreciates this land, and how it is being preserved. As a local teacher, he feels blessed to have the Mohonk Preserve available to his students for field trips. These are amazing opportunities, and he looks forward to the opportunities that will come from this new project.

Cara Lee, New Paltz resident, and part of the Nature Conservancy, speaks to the Board on her support for this project. It is important to continue to preserve nature on this land. This project addresses great management plans. This is not a development project, but a continued conservation project.

Lynn Bowdery, New Paltz resident, speaks to the Board in support of the Foothills project. She is a John Burroughs National Society member, and the findings of their sensitivity report, is exactly what the Preserve has done. Sensitive and well informed thought has gone into the planning of this project.

Andy Weiss-Bartzyck, Gardiner resident, speaks to the Board with regards to this project. She mentions the changes after the Mohonk Preserve purchased this land. This is still development of a quiet, green area. It is a change to the neighborhood.

Joe Bridges, Esopus resident and Preserve research associate, speaks to the Board in support of this project. He speaks of all of the bio-diversity surveys that have been done by the Mohonk Preserve over the years. This is a well researched and though out plan.

Matt Logan, New Paltz resident and member of the Gunks Climbers Coalition, speaks to the Board in support of this project. He states that we are lucky that the Preserve is so good at balancing recreational use and conservation of the land.

Tom Carrano, member of the Mohonk Preserve, speaks to the Board with regards to his support of this project. As a former Planning Board member, he feels that this applicant has submitted the most complete application he has seen with regards to their research and planning. He is concerned that those who speak out against this project, are the ones who leave after the public hearing is over. They

never stay around to see the applicant's presentation and the Boards actual review of this important information.

Irwin Sperber, Gardiner resident, speaks to the Board with regards to his concerns with this project. He has concerns with how the Preserve handled the eviction of the Brook Farm when they purchased this property.

James Bynes, SUNY Student, presents a letter from one of his Professors. He has also conducted field studies on the Preserve, and he would love to see better parking like what is being proposed. He has done ash borer studies here. This is a great opportunity to continued benefits for local students.

Peter Cody, New Paltz resident, reads a letter on behalf of Christian Bracchia. They are in support of this project. The preservation of this land has been a great benefit to the entire community.

Larry Baddendyke, New Paltz resident, reads a letter from the Concerned Citizens of the Shawangunks. He does love the Preserve, though he feels the vastness of this development should require a full EIS.

Michael Cherry, New Paltz resident, speaks to the Board in support of the project. The Preserve is a wonderful steward of the land. The population is growing and changing, and this project offers benefits now and in the future.

Cara Balindsky, SUNY Professor, speaks on her support of this project as an ecologist. This land is great for the study of ornithology. Better access is a benefit to the community and students. She mentions that if we don't continue to promote these studies, we won't have nature preservation in the future.

Seth McKee, New Paltz resident, speaks to the Board on community character. Before the Trapps parking area was built, Route 44-55 was a hazard due to the roadside parking. The proposed lot is less than half the size of the other lots. This lot will be tucked away, as the others are. He is in support of this project.

Kitty Brown, New Paltz resident, speaks to the Board with regards to her support of this project. Under current zoning, there could be up to 200 homes in this area. This project proposes use of less than 1 percent of the land. She was a member of Brook Farm, and they were given a year's notice, despite what others have said. There is nothing in this plan that would require an EIS.

Ron Stonich, New Paltz resident, speaks to the Board with regards to his concerns with this project. There needs to be some guarantees with regards to traffic, etc. These are valid concerns.

Veronica Ruoff, Gardiner resident, speaks on behalf of the Shawangunk Ski Association. They are grateful for the expanded cross country ski trails. This project is an asset to our community character. She is hopeful that Mohonk will be able to continue to groom these trails.

Lou Cariola, New Paltz resident, speaks to the Board with regards to his concerns with the parking area off of Route 299. He has seen the plans for the parking area drainage, and is fine with that. His concerns are with the maintenance of these filtered systems.

Mark Ruouf, Gardiner resident, they are the closest neighbors to this proposed project. They have always been happy with the Preserve as neighbors. He appreciates the ski trails, as it builds great community character, in that it perpetuates student use.

Jeff Logan, Town Board member, discusses a revised letter from the ENCB. The ENCB has updated their comments to reflect the changes made by the Preserve. He reads sections of this letter. He also mentions a letter from the Sierra Club, which mentions there should be no need for an EIS.

Rich Gottlieb, Highland resident and New Paltz business owner, discusses community character, in that we are what we share.

Julie Seyfert-Lillis and Bridgett Lillis speak to the Board in support of the Mohonk Preserve project. It would be a shame to hold up this project with an EIS.

Motion to close the public for the night is made by Lyle Nolan.

2nd by Lagusta Yearwood.

All others present in favor. Motion passed.

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

Michael Zierler, Village of New Paltz resident, wants to comment on the Board's work on part II of the EAF with regards the CVS application, as he still feels that there may be segmentation going on with regards to the third pad site. He also has comments from Susan Blickstein, and she will forward them via email.

Julie Seyfert-Lillis and Bridget Lillis, New Paltz residents, speak to the Board with regards to their concerns with the CVS project on the environment. Bridget Lillis reads her statement. Julie Seyfert-Lillis also reiterates Susan Blickstein's concerns.

Seth McKee, New Paltz resident, speaks to the Board about his concerns with the CVS project, and how it will look as the entrance to our town. There are plenty of empty buildings and store fronts, this project seems to be poor planning.

Kevin Borden, New Paltz resident, speaks to the Board with his concerns on the CVS project. He feels there should be a fiscal analysis of this project.

Stana Weisburd, Village of New Paltz resident, speaks to the Board about her concerns with the CVS project. She has many concerns with regards to traffic, and the intersection where this project is proposed for.

APPLICATION REVIEWS

PB 2015-19, Brooks, 66 Mountain Rest Rd., Subdivision

Adele Ruger excuses herself. Ray Lunati steps in as an alternate.

Mr. Brooks comes before the Board to discuss his application. Dave Clouser notes that he has a curb cut permit from Ulster County. Mike Calimano notes that there has been no public comment. Ray Lunati questions section four of the EAF, it needs to be noted that he is next door to Unison. Dave Clouser notes that Mr. Brooks got a sign off from SHIPO. It is noted that the disturbance is under one acre, so it doesn't require a SPEDES.

Chairman Calimano suggests they go through the SEQRA determination. Dave Clouse answers the questions:

- 1.) No
- 2.) No
- 3.) No
- 4.) No
- 5.) No
- 6.) No
- 7.) No
- 8.) No
- 9.) No
- 10.) No
- 11.) No
- 12.) No

Motion for Negative Declaration is made by Lyle Nolan.

2nd by Tom Powers.

All others present in favor. Motion passed.

Motion to grant Waiver requests of 121-17 B for curbs, water mains, storm sewers, sanitary sewers, and street trees is made by Lyle Nolan.

2nd by Lagusta Yearwood.

All others present in favor. Motion passed.

There is a discussion that there needs to be a 15' easement for sidewalks should a sidewalk district ever be developed in this area. Mr. Brooks is agreeable to this.

Motion to close the public hearing is made by Tom Powers.

2ⁿ by Lyle Nolan.

All others present in favor. Motion passed.

Motion to grant preliminary approval, subject to the sidewalk easement being added to the plans and payment of the Recreation fees, as well as limiting the areas of disturbance to what is noted on the current plan, is made by Tom Powers.

2nd by Lagusta Yearwood.

All others present in favor. Motion passed.

Motion to waive final public hearing is made by Lyle Nolan.

2nd by Lagusta Yearwood.

All others present in favor. Motion passed.

Motion for final approval, pending conditions are met, is made by Lagusta Yearwood.
2nd by Tom Powers.
All others present in favor. Motion passed.

Adele Ruger returns to the meeting. Ray Lunati leaves the meeting.

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

Joe Eriole and John Queenan come before the Board to discuss their latest revised submission. Mr. Queenan shows these revised plans. He discusses the new drainage plans, and how it reduces run-off compared to how it is right now. He met with the college as well, and looked at their drainage study. Of the 8 acres in this study, they are only developing one acre. All of this information is in the latest submission.

Lagusta Yearwood discusses her concerns with the length on this project. Mr. Eriole responds that they always provide electronic copies, and there is no need for anyone to FOIL this information. He requests the same courtesy, in that any comments made by the neighbors are given to them in time for them to review as well.

Dave Clouser goes over his comments in his revised memo. Mr. Eriole understands the maintenance issue, and is willing to work with the Town on a solution such as an easement, or the possibility of a special assessment if this system is not maintained.

John Queenan briefly discusses these catch basins and the maintenance required. He will get literature on this system, as well as give sample locations where this has been used in a residential setting.

Dave Clouser would like a better narrative of what is provided in the plans. He notes that this will still need UCHD approvals. He also feels that this should be re-submitted to the ENCB for their comments.

Dave Clouser notes that the peak rate run-off has been reduced, but there will still be other factors involved such as more impervious surface. He feels that there needs to be a bullet-proof way to enforce maintenance, because if this system fails, it would be detrimental to the properties down slope.

Mike Calimano would like to extend the public hearing to the December meeting. He would like to see something at least a week in advance from both the applicant and the neighbors.

Motion to continue the public hearing to December 14, 2015 is made by Mike Calimano.
2nd by Adele Ruger.
All others present in favor. Motion passed.

PB 2014-04, Mohonk Preserve, Butternut Rd., Subdivision

PB 2014-25, Mohonk Preserve, Route 299, Site Plan

Glen Hoagland, Mike Moriello, Ted Kolankowski, Dr. Elizabeth Long, Director of Conservation Science and John Thompson, Senior Ecologist come before the Board to discuss their application. Glen Hoagland wants it noted that though it was mentioned in the public hearing, the fences being constructed belong to OSI, and not Mohonk Preserve.

Adele Ruger mentions trying to get the State to lower the speed limit through that area. Glen Hoagland notes that Mohonk did put in a written request to the state in 2013.

Glen Hoagland mentions that Gardiner had previously asked for the limit in their town on Route 299 to be lowered to 40 and it was denied. Possibly both Towns could request the speed limit be reduced to 45. Mike Calimano states that this request could be made of the Town Board to work on this as it would be beneficial.

Carol Knapp continues the review of Section 7 of the EAF part II with regards to animal habitats, etc. There seem to only be minimal impacts. Mr. Hoagland notes that there will be trained staff out there during construction to monitor wildlife.

There is continued discussion on the review of EAF Part II with regards to agriculture. There is found to be minimal impacts. There is a conversation on the Glynwood Farm use. Mike Moriello states that even as far as this farm is concerned, it is still a Type II under SEQRA.

Carol Knapp goes over the Community Character section. This project is consistent with local community character. Lagusta Yearwood wonders if there is a way to soften the blow to the public that they will not be able to "benignly trespass" through this property anymore. Glen Hoagland notes that there will be free access through much of this with the combined trail and loop that is part of the River to Ridge trail. There is a 3.1 mile loop that goes from the Village all the way to the Hasbrouck House and loop back. The parking will be in the Village boat launch lot. This portion will be free to the public.

There is a conversation on the parking issues along Butternut Road. This can't be enforced by anyone but the Town Police.

There is a review of Emergency Services, and noted that there will only be a minimal increase to emergency calls.

This project is consistent with the architectural character and natural landscape character.

Mike Calimano notes that the EAF Part II has been completely reviewed. He wants to be sure that the Historical Preservation Committee is involved and their issues addressed. Glen Hoagland notes that they will be before the Historical Preservation Commission in December. They will use the Planning Board's SEQRA determination.

Mike Moriello questions the public hearing closing date. George Lithco notes that it should remain open until Part III of the EAF is drafted. However, the HPC doesn't meet until after the Planning Board's December 14 meeting. John Orfitelli notes that the HPC needs to issue a Certificate of Appropriateness. They will present their application on December 16. They will then hold a public hearing in January. At

that time they will make their decision. Mike Calimano notes that a week in advance of the next meeting is fine for them to make their next submittal.

Adele Ruger leaves the meeting.

PB 2015-13, Thomas Wanning, 320 Route 208 N., Subdivision

Mr. Wanning had to leave. Dave Clouser discussed with him what he needed to do, and how to complete the EAF. He will take care of that and submit for the December meeting.

PB 2015-22, Cellco (d/b/a Verizon Wireless), 246 Main St., Site Plan

E. Hyde Clark comes before the Planning Board to discuss this application for a minor wireless facility at a store in the Cherry Hill plaza. He shows the site plan of the proposed location. This is new technology for cell towers, it provides hot spot wireless. This developed from where they were over their capacity or a weak signal.

Dave Clouser discusses his review. It is very simple. There are no changes to the EAF. This is an unlisted action under SEQRA.

Dave Clouser goes over Part II of SEQRA, there are no areas of impact.

Motion to make a negative declaration is made by Tom Powers.

2nd by Lagusta Yearwood.

All others present in favor. Motion passed.

Dave Clouser notes that it still needs to be determined whether this application needs to be referred to the UCPB.

If it is determined that this is not exempt, Mike Calimano makes a motion to then refer it to the UCPB.

2nd Lagusta Yearwood.

All others present in favor. Motion passed.

Motion to grant final site plan approval, conditioned on there being no comments from the UCPB, if there is a referral required, is made by Lyle Nolan.

2nd by Tom Powers.

All others present in favor. Motion passed.

OLD BUSINESS

PB 2015-07, Jewett Family Farm, Huguenot St., Subdivision – Extension Request

Patti Brooks has requested a 90 extension for this subdivision approval, as the applicant needs more time to file the Conservation Easement.

Motion to grant a 90 day extension is made by Lagusta Yearwood.

2nd by Lyle Nolan.

All others present in favor. Motion passed.

PLANNING BOARD ADMINISTRATIVE DISCUSSION

None

Motion to adjourn the meeting is made by Tom Powers.

2nd by Lagusta Yearwood.

All others present in favor. Motion approved.

Meeting adjourned at 11:35 pm.

These minutes respectfully submitted by Kelly O'Donnell