

Town of New Paltz Planning Board

FINAL Minutes

March 14, 2016

Agenda:

**PB 2014-04, Mohonk Preserve, Route 299, Site Plan**  
**PB 2014-25, Mohonk Preserve, Butternut Rd., Subdivision**  
**PB 2015-20, OSI, River to Ridge Trail, Route 299 W, Site Plan**  
**LP Builders, 105 Route 208, Subdivision/Steep Slopes**

**Present:** George Lithco, Dave Clouser, Mike Calimano, Lyle Nolan, Tom Powers, Amy Cohen, Adele Ruger, Lagusta Yearwood, Michael Zierler

Board Member(s) absent: none

Others Present: Carol Knapp, Rhode Engineering

Chairman Calimano called the meeting to order at 7:00 pm.

**REVIEW AND APPROVAL OF MINUTES**

The February 22, 2016 minutes are presented.

Motion to approve the minutes is made by Lagusta Yearwood.

2<sup>nd</sup> by Amy Cohen.

All others present in favor. Motion passed.

## **PUBLIC HEARINGS, CONCEPTUAL REVIEWS AND BRIEFINGS**

### **PB 2014-04, Mohonk Preserve, Route 299, Site Plan**

### **PB 2014-25, Mohonk Preserve, Butternut Rd., Subdivision**

Chairman Calimano discusses that this is a continuation of an open public hearing. He would like to keep the comments to a three minute maximum.

Barbara Esmark comes before the Board to comment on the process of this application. She speaks in support of this project.

Roger Roloff, a town resident, comes before the Board in support of this application. He does not feel an EIS is necessary.

Barbara Petersen, town resident, comes before the Board in support of this application. Mohonk Preserve is a great steward of the land, and feels that this project does not require an EIS.

Peter Kaufman, town resident, speaks in favor of this application. He would like to see the public hearing closed and a negative declaration issued.

Harry Ellis, Town resident, speaks to the Board about this application. He is in support of this project, and would like to see a negative declaration issued as well. Though he does have some concerns with potential traffic issues with an increasing use of the Hasbrouck House.

Rich Gottlieb, Highland resident and New Paltz business owner, speaks to the Board in support of this application. He too would like to see the public hearing closed and a negative declaration issued.

Andi Weiss-Bartczyk, Gardiner resident, speaks to the Board on behalf of the Citizens of the Shawangunks. She would like to see an EIS done, as she feels there will be at least one major impact.

Irwin Sperber, Gardiner resident, speaks to the Board with his concerns over this application. He would like to see an EIS done.

Larry Badendyke, Town resident, speaks to the Board with his concerns over this application. He would like to see an EIS done.

Donato Meier, Rifton resident, speaks to the Board about his support of this project. He is a school administrator, and appreciates all of the work that the Preserve does for local students. He is appreciative of the parking lots for school buses, as it allows more students to learn about nature.

Jim Ottoway Jr., Town resident, speaks to the Board in support of this project. He appreciates the Preserves efforts to save these lands.

Gretchen Reed reads a letter on behalf of Ron Knapp who could not be here tonight. He is in support of this project, and does not feel a full EIS is necessary.

Patty Matteson, High Falls resident, speaks to the Board to read a letter from Nanette Simone who could not be here. She is the closest neighbor to the Spring Farm trailhead. She is in support of this project, and has seen no negative effects on her property since this parking lot was built.

Lou Cariola, Jacobs Lane resident, gives the Board some photos to look at. He discusses his concerns with the accidents in the vicinity of Route 299, Gate House Rd. and Jacobs lane. He would like to be sure Gate House Road is realigned, as well as a reduction in speed limit.

Harry Tabak, New Paltz resident, comes before the Board to discuss his concerns with this project. He has concerns with both property values of neighboring homes, as well as the traffic and accident rates along this stretch.

Butch Dener, Town resident, speaks to the Board about his support for saying the Pledge of Allegiance at the beginning of their meetings.

Jason Taylor, Huguenot Street resident, speaks to the Board in support of this application. He feels great faith in the work the Preserve has done.

Johanna Herget, Town resident, speaks to the Board about this application. She lives on White Oak lane adjacent to the proposed Gate House project. She is looking forward to the squaring off of the Gate House intersection.

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

2<sup>nd</sup> by Michael Zierler.

All others present in favor. Motion passed.

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

Mary Ann Loshe, Town resident, speaks to the Board about her concerns with the proposed CVS. She would like to see a temporary moratorium on development in this area.

Bob Hughes, Town resident, speaks to the Board with regards to his concerns over the CVS project. He would like to see a full EIS, especially considering the major traffic impacts that this project could generate.

#### **APPLICATION REVIEWS**

##### **LP Builders, 105 Route 208, Subdivision/Steep Slopes**

Amy Cohen recuses herself.

George Lithco states that the Board had requested that he draft a resolution. The Board made a negative declaration, and an EIS was not required, though there were several areas of great impact.

He mentions the issues of concern were the engineered storm water system, which has never been utilized in the Town before. If this system, on slopes greater than 15%, were to ever fail, it could cause major issues for properties below.

It does not meet the requirements as set forth in the subdivision code, though the property as a whole is suitable for on SFR that would then not require this highly engineered system.

Michael Zierler questions item 26 in the draft resolution. He was surprised that the UCHD would issue temporary approvals for this site. Mr. Zierler spoke with Mr. Pucio about this. There is confusion amongst the Board as to why and how this could have received temporary approval.

Dave Clouser mentions the Ulster County Sanitary Code. He is not sure why the County would approve this.

Mr. Zierler states that Mr. Pucio said the system would not be built on slopes greater than 20%. Dave Clouser states that their plans clearly state this system will be built on a slope greater than 20%.

Lagusta Yearwood states that there are several issues other than just the steep slopes issue.

Mike Calimano questions item 11. There is a correction that needs to be made.

Michael Zierler states that he doesn't know how to reconcile this, neither does Lagusta Yearwood. George Lithco mentions that they need to look at whether this meets the requirements of the Town Code. They may have an email from the County stating they are going to approve something, but it is still inconsistent with Town Code.

John Queenan comes before the Board to discuss this temporary Health Department approval. Dave Clouser asks if they received the waiver from the County. Mr. Queenan states that the UCHD did not require them to file a waiver.

The Board would like to delete item 5.

Mike Calimano reads the resolution.

Motion to accept the resolution, after amending item 26 and 27 and removing item 5, is made by Mike Calimano.

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

All others present in favor. Motion passed.

Amy Cohen returns to the meeting.

### **PB 2015-20, OSI, River to Ridge Trail, Route 299 W, Site Plan**

Peter Karis and Nina Peek come before the Board to discuss their revised submission. They summarize the proposed River to Ridge Trail.

Peter Karis notes that they have done an extended wetland's delineation with the Towns Wetlands Inspector.

They have also been working with some neighbors on some concerns that they have had, including moving the trail further away from the Stanton Airport field, as the FAA requires a large set back to the runway.

They have also engineered crossings over the wetland's so as to not disturb them at all.

They are also working with the Village Board on this project. OSI would do a long term lease with the village that includes OSI improving the parking lot. They are also working with the County, as they need temporary easements for the replacement of the Liberta bridge.

Nina Peek mentions some more details with regards to this project. She discusses the supplemental narrative that gives all of the details, including a cumulative impact analysis. They are awaiting additional comments from the Town's consultants. They feel that their application is now complete, and hopes the Board will set a public hearing.

There is a discussion on the continued agricultural use of this land, as it is currently being leased for farming by the Ferrante family. There will be an ongoing stewardship with whomever may lease the land in the future. If the farmed land ever needed a pesticide treatment, the leasee would be required to notify OSI, who would in turn close the trail during this treatment. Lyle Nolan has some concerns with mowing when pesticides have been used. Peter Karis notes that there will be signage at the trail heads informing people that they are entering an active agricultural area. Lyle Nolan would like to see a sheet available to people about this pesticide use. Mike Calimano states that he would like to see an information sheet posted that notifies trail users what was used. Lagusta Yearwood agrees, and would like to get more information from the farmer. Nina Peek notes that previously the farmer sprayed only twice a year.

Peter Karis notes that they are working with the Preserve on bringing Rangers down to monitor the flats as well.

Amy Cohen asks for more information on "pamphlet areas". Mr. Karis states that it would be a small bench with a sign area at the trail head that gives information on parking, trail connections, pesticides, land management, etc.

Lyle Nolan questions the trail crossing Springtown Road. He wants some clarification on the crossing.

Peter Karis goes over the actual path of the trail.

Michael Zierler questions the trail crossing by the Liberta Bridge. Peter Karis states that it will be a cantilevered sidewalk along the bridge. He also would like to confirm the neighbor's support of this trail as it abuts one certain parcel. He states that they are only getting close to this parcel to mitigate being in a wetland. They will be placing screening along this area as well.

Mike Calimano would also like to see a drawing of what they work out with the Village.

Michael Zierler notes that in the EAF they mention that they may need to meet with the Village Planning Board. Mr. Karis is not sure if they now need to, as they are working with the Village Board, and this may be exempt.

Peter Karis notes that they have not received anything in writing from the Town's Wetlands Inspector. Mike Calimano notes that they need to work some things out with Norbert Quenzer with regards to this. He has been on the property twice, and did check on the flagging and verbally signed off on this. George Lithco questions the legal approval of this trail crossing onto the Mohonk property. Glen Hoagland notes that this will part of the Mohonk site plan when filed. He also mentions that this free trail portion will be closely demarked.

There is a discussion on the grooming of ski trails.

George Lithco also reminds the Board of the subdivision application that is before the Board on behalf of Mohonk Preserve, though it will be sold back to OSI when it gets its approval. Peter Karis briefly discusses this subdivision. He mentions all of the details of this subdivision. It will be for the possibility of one SFR, and there can be no further subdivision. However, though they could not create any new building lots, they would retain the right to redesign lot lines if needed in the future.

Peter Karis continues to go over the proposed voluntary restrictions to this subdivision. Mike Calimano notes that these restrictions need to go on the subdivision plans. Amy Cohen questions if there is a house built, would it go back on the tax roll. This would depend on several factors.

There is continued discussion on this subdivision proposal as it relates to OSI because part of the trail crosses through this property.

George Lithco questions if the applicant would consider color choice restrictions as well. Peter Karis states that they would be amenable to this in some capacity. There is also a conversation on architectural lighting.

Glen Hoagland discusses how this subdivision came along. When Mohonk purchased this land from OSI, they did not actually purchase this parcel, and came to an agreement that they would subdivide it, and deed it back to OSI. This odd parcel did not fit in with Mohonk's plans, as it is across the street and not even contiguous to their other lands.

There is continued discussion on these restrictions.

Mike Calimano wonders if this application is complete enough to plan a public hearing. Karol Knapp believes that it is complete enough.

Motion to set a public hearing for April 11, 2016 is made by Amy Cohen.

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

All others present in favor. Motion passed.

#### **PB 2014-04, Mohonk Preserve, Route 299, Site Plan**

#### **PB 2014-25, Mohonk Preserve, Butterville Rd., Subdivision**

Mike Calimano would like the Board to continue their discussion on the draft EAF part 3. They did receive an update to this document from Karol Knapp and George Lithco. Mike Calimano states that he would like to address the Transportation section first.

Lagusta Yearwood likes the changes with regards to parking. This also confirms the recommendations from the UCPB.

Karol Knapp begins to review the draft of the transportation section. It is noted that the applicant voluntarily did this traffic study. It is noted that the applicant should advise the proper authorities if the line of sight becomes obstructed by vegetation. She discusses the parking. There are an additional 110 spaces, and these are meant to eliminate the off the road parking. The Town will need to decide what they want to do about any illegal parking along the roadside.

The realignment of Gate House Rd., though something that Mohonk supports, it is not part of their project. This is an existing condition. Mike Calimano states that before a speed limitation request can be sent in, the Board should send a proposal to the County Transportation council, to find the funding that will be needed to do the studies. There is continued conversation on the proposed Gate House realignment, with regards to possibility of getting the land donated from Mohonk. It is noted that this road realignment is not part of the application it is just a matter of the Highway Departments schedule. Glen Hoagland mentions that the Gardiner Supervisor supports the speed reduction in this area as well.

Karol Knapp notes that of all the traffic studies that were done, none of them noted over a 3% increase.

George Lithco discusses his introduction to the draft EAF. Different parts of the project have different impacts on the surroundings. Certain impacts in one area may not be impacts on other areas of the project. Any proposed mitigation needs to be addressed individually.

Karol Knapp would like to know if the Board has any comments on the visual impact memo that was recently submitted by the applicant.

Lagusta Yearwood mentions that she thinks they have heard all the comments necessary.

Amy Cohen states that she is ok with the parking lot as it is proposed.

Glen Hoagland mentions that they did flag the intended parking area, as well as flagged trees that would be saved. This may result in the loss of 3 or 4 parking spaces.

Tom Powers states that he just can't visualize all of the people, from all of the cars in the parking lot, out in the oak alley. Mike Calimano states that they probably won't be concentrated in that one area. They will spread out and go in different directions. Karol Knapp notes that it works out to one person every 15'.

George Lithco feels that after the EAF is finalized, it should be made available to the public, and then still allow the public one more opportunity to make public comments by keeping the hearing open until the April 11 meeting. Mike Moriello would like to see the public hearing closed. Michael Zierler notes that they have invested a lot of time and hard work in this document to cut the public out at this point.

The Board would like to continue the public hearing until the April 11, 2016 meeting, and ask the public to comment only on the EAF part, which will be posted on the website by April 4.

Mike Moriello states that there have already been nine public hearings, as well as having these draft documents available to the public for a long time. He feels that this just prolongs the process.

## **OLD BUSINESS**

### **PB 2007-18, Rappa, 51-55 Horsenden Rd., Subdivision – 90 Day Extension Request**

Motion to approve this extension is made by Lyle Nolan.

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

Michael Zierler abstains from voting.

All others present in favor. Motion passed.

## **PLANNING BOARD ADMINISTRATIVE DISCUSSION**

The next meeting will be a workshop meeting.

Stacy Delarede would like to come before the Board to discuss Agricultural screening at the April workshop meeting.

Mike Calimano discusses the idea of saying the Pledge of Allegiance before each meeting.

Lagusta Yearwood makes a motion to continue to not say the Pledge of Allegiance at the beginning of each meeting.

2<sup>nd</sup> by Mike Calimano for discussion purposes.

Amy Cohen states that she has been contacted by several community members, as well as veterans, and she would like to see the meeting start with the Pledge.

Lyle Nolan doesn't believe the Pledge does anything. It is not binding, and doesn't add anything to the meetings, as it separates people out.

Adel Rugar grew up saying the Pledge, it takes 15 seconds to say it, and she sees no harm in saying it.

Amy Cohen notes that this is a government meeting, and most committees and Boards do say the Pledge. She feels like it is a nice transition to begin a meeting.

Tom Powers states that he is for saying the Pledge.

Michael Zierler believes that if it is a divisive issue then just go on and do it. It does have significance for some, but that when you have people who don't say it, you create a division.

Amy Cohen mentions that other Boards have people who don't stand for it, and they are not singled out.

Mike Calimano states that though he is a veteran, he doesn't like to see people put on the spot. He just doesn't want to see a Board where some members stand and some don't. He asks for a final vote on the motion Lagusta Yearwood put forward:

Lagusta Yearwood – Yes

Amy Cohen - No

Lyle Nolan – Yes

Adele Rugar – No

Tom Powers – No

Michael Zierler – Yes

Mike Calimano - Yes

Motion passed with three yes votes, and two no votes.

Motion to adjourn the meeting is made by Mike Calimano.

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

All others present in favor. Motion approved.

Meeting adjourned at 11:00 pm.

These minutes respectfully submitted by Kelly O'Donnell