

Town of New Paltz Planning Board

Final Minutes

September 26, 2016

Agenda:

**PB 2016-03, Libolt, 290 Old Kingston Rd., Lot Line Revision**  
**PB 2016-06, Bolder Architecture/Masters Touch Church, 159-161 Route 208, Site Plan**  
**PB 2015-14, Panessa/Ferris Woods Apts., 22 Brouck Ferris Blvd., Site Plan**  
**PB 2013-15, Trans-Hudson Mgt./CVS, 12 N. Putt Corners Rd., Site Plan**

**Present:** George Lithco, Dave Clouser, Mike Calimano, Lyle Nolan, Lagusta Yearwood, Amanda Gotto, Adele Rugar, Tom Powers, Amy Cohen

**Board Member(s) absent:** none

**Others Present:** Justin Dates (Maser Consulting), Dave Toder (Bolder Architect)

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

**REVIEW AND APPROVAL OF MINUTES**

**The September 12, 2016 minutes are presented. Motion to approve made by Amanda Gotto. 2<sup>nd</sup> by Lagusta Yearwood. All others present in favor except Amy Cohen who was absent from the September 12 meeting. Motion passed.**

**Public Hearings**

**PB 2016-03, Libolt, 290 Old Kingston, Lot Line Revision (continuation)**

No one was present to comment on this application. Chairman Calimano announced no new maps yet from Libolt.

**Motion to continue to next meeting on October 24 was made by Adele Rugar. 2<sup>nd</sup> motion by Tom Powers. All others present in favor. Motion passed.**

**PB 2016-06, Bolder Architecture/Masters Touch Church, 159-161 Rte 208, Site Plan**

Chairman Calimano opened the hearing to speakers.

Peggy Healy speaks to the board about her concerns with the Masters Touch Church location in regard to safety in the 55 mph speed zone.

Camille Fischer read her letter addressed to the board with her concerns on the parking and traffic on the section of road for this project.

George Fischer read his letter addressing his concerns with number of cars parked there during potential weddings, funerals and voiced his concern on the number of accidents that has happened at this location over the years.

Matt Eylar addressed the board with his comments on opportunity for the proposed site plan. He asked his email be part of the public record.

Dana Simmons addressed the board with his concerns on safety in regard to speed and traffic approach on 208 to the driveway. He showed a video of cars approaching on 208 to his driveway.

John Oles addressed the board with his concerns for the line of sight for traffic, as well as water concerns with runoff and water treatment.

Dana Simmons also added comments on his concern for the site's septic system capacity as well as water runoff to his property.

Chairman Calimano noted that the applicant will be asked to address septic system as part of the public record. He also noted that the County could provide information on the septic system capacity and conformance requirement.

Motion to close the public hearing on Master's Touch is made by Mike Calimano. 2<sup>nd</sup> by Tom Powers. All others present in favor. Motion passed.

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

Chairman Calimano announced that written comments are accepted. No public record will be taken on the public comments during this section of the meeting. Chairman Calimano also reminds the audience that any comments can also be submitted in writing or by email if they want it to become part of the public record, and they will then be forwarded to all Planning Board members.

Michelle DiDonna addressed the board with her concerns on the proposed Brouck Ferris Blvd. site plan by reading her letter to the planning board opposing the site plan.

Christine Ransom commented she will send a letter to the board but commented on her concerns over the proposed Brouck Ferris Blvd. site plan and her opposition to the site plan.

David Porter read his letter to the board on the CVS file Traffic Impact Study.

Bob Hughes read his letter in regard to the CVS file studies on the Trees, Wetlands and Response of the Town's Environmental Conservation Board on ecological wetlands across North Putt Corners.

**APPLICATION REVIEWS**

**PB 2016-03, Libolt, 290 Old Kingston, Lot Line Revision (continuation)**

Chairman Calimano indicated the board would wait until the drawings from Libolt are received.

**PB 2015-14, Panessa/Ferris Woods Apts., 22 Brouck Ferris Blvd., Site Plan**

Chairman Calimano noted that Panessa/Ferris Woods met last week with him, Fire and Highway Departments, and had a number of issues for Engineer to take back and make modifications, and submit updated plans for the board to review.

**PB 2016-06, Bolder Architecture/Masters Touch Church, 159-161 Route 208, Site Plan**

Dave Toder comes before the Board to discuss this application's updated plans. He discussed the warning signs on Rt. 208 north and south directions near the site.

Lagusta Yearwood brought up the fact that the speed limits are not being observed, then what do we do?

Dave Toder indicated that the DOT approved the highway improvement plan for that section of road.

Amanda Gotto asked who that was.

Dave Toder read the email from Dave Corrigan from DOT stating he's satisfied and Dave said he is ready to permit.

Dave Toder addressed another concern from the last meeting is the historical preservation of the site but noted that there was nothing of concern in regard to archeological resources. He also addressed the question of wetlands or endangered species on the site, no wetlands concern but indicated from DEC report was the bald eagle nesting in the vicinity. US Fish and Wildlife guidelines for nesting eagles will be complied with during construction.

Dave discussed a storm water drainage report from Barry Medenbach for the site. His report indicates that there will be insignificant change to the drainage run-off for the site.

Dave discussed the wet area behind the residence in regard to failing septic system problems in the single family home, and indicated they will comply with DOH requirements when addressed.

Dave further discussed the revised landscaping plan for planting in the front of the building with a height limit of no more than 2 feet high for plantings near the road that could impact site lines.

Dave next discussed lighting in regard to all new exterior lights with LED lights and light levels. He said LED lights would replace the existing fixtures. He feels this addresses 2 of the 3 items that UCPB had asked for.

Chairman Calimano commented on the 3 areas to address from the UCPB in regard to DOH, DOT and lighting.

Amanda Gotto asked if the landscaping will prevent people from parking on the road.

Dave Toder replied that there would be 6 feet between the white line and the curb.

Lyle Nolan indicated that the landscaping 2 foot height doesn't seem practical. Discussion followed to ensure that surveyor's measurements are accurate.

Lagusta Yearwood commented the report received was for the east side entrance for landscaping.

Chairman Calimano indicated there are questions on the west side of the driveway exit and if the surveyor's measurements are correct.

Dave Toder to get confirmation from Brooks and Brooks that the measurements are correct for the surveyor's site plan.

Dave Clouser commented on the DOT speed of 55 versus reaction time. He also mentioned if whether Patti Brooks has addressed questions on the north and south roadway to the site from the last planning board meeting .

Lagusta Yearwood commented that the DOT report is fine but the number of accidents

Chairman Calimano commented that we need to ensure that people have adequate sight. Parking was next discussed, and if parking was in the back it will eliminate parking in the front, therefore no need for variance from ZBA or DOT.

Dave Toder said they still wanted to consider parking near the building with a variance.

Chairman Calimano commented to consider parking in the back, and still have parking in the front but keep it small.

Amanda Gotto also commented on parking in the back.

Lagusta Yearwood commented on the road being unsafe even with approvals.

Chairman Calimano said some matters to address with site distance.

Dave Clouser commented on the parking near the neighbors and didn't think there was any impact on drainage.

Chairman Calimano said that they need to address where the septic fields are and what is being done with them, especially coming in from Cedar Ridge.

Dave Toder said they are looking at it and addressing.

Chairman Calimano commented no cars in front of the building except for a dropoff. No parking in any dropoff area.

Tom Powers questioned why there is two entrances.

Dave Toder explained the one way traffic in on the right due to the width with curb size, and only way to access the parking spaces, and two way on left side in and out.

Tom Powers asked how traffic flow would be maintained with pulling in left side in two way, and people turning in the one way from the north, and how will it avoid backup on 208 in both directions.

Dave Toder said the civil engineers with DOT should have looked at this when they considered the plan.

Tom Powers asked if the fire department reviewed the site. He feels it should be looked at.

Amanda Gotto asked if a side entrance was being considered.

Dave Toder commented that the church wants a main road presence and not an entrance curving around to the back.

Janice Dixon from Master's Touch came forward and commented about her eldest church members need for parking near the building, and also on safe driving records among the members.

Lagusta Yearwood commented that she feels the church can work but need to just work out the issues.

Adele Rugar commented she feels it's not the parking issue, the road is just a dangerous spot.

Chairman Calimano asked for review of accidents on Rt. 208 from DPW, DOT and/or police department. He asked when the accidents occur, day or night, holidays, etc. to get a better view when dangerous times are occurring on 208, and would like to go back with five years worth of data.

Dave Toder suggested for the landscaping, perhaps ground cover; agreement that some greenery for that area but kept low.

George Lithco suggested that David Corrigan at DOT be provided with the public's comments and concerns.

Chairman Calimano stated for follow up for Dave Toder was a letter to DOT to be done, fire department review, the review of accidents on 208 and verification of the site distances be done.

Dave Clouser questioned the back lighting. Dave Toder commented he will confirm the lighting on the house. He will check on the lighting matrix if it meets UC standards, as well as confirm the lighting type and how it throws the light.

**After the recommendation from George Lithco, Chairman Calimano motioned the public hearing be left open until October 24 for Master's Touch.**

**Motion 2 by Lagusta Yearwood. All in favor present, motion approved.**

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

Chairman Calimano commented he had questions on the fill in regard to the recent memo from Justin Dates.

Justin Dates from Maser Consulting presented to the board the site grading exhibits for 1 foot and 3 foot site elevation reduction scenarios as a follow up from the last planning board meeting of August 22, 2016. He discussed the <2 foot fills in the plan as well as indicating on the plan the area affected.

Chairman Calimano indicated there are a number of things on this project with issues raised by the public feedback in regard to Wetland Review from Norbert and Traffic Report Summary. He asked Justin to respond to the issues raised so the board can understand the issues raised and where information is and isn't so the board can make a decision on it.

Dave Clouser commented on his handouts to the board members in regard to clearing and grading for the site plan. He indicated that 35% of the site is conserved on the plan. He also commented on the reserved septic areas on the plan do not have to be cleared per the health department.

Chairman Calimano commented that the existing vegetation will not be disturbed on the plan. He requested by color indication on the map green areas or the landscaped areas.

Discussion continued on the plan in regard to footprint.

Chairman Calimano commented on fill, and information received today from Stacy regarding the requirements of the fill issue.

George Lithco clarified the memo from Stacy in regard to fill that a site inspector separate from owner who will certify periodically that the trucks from the quarry have the trip ticket to the destination.

Justin Dates commented that this is standard for fill.

Chairman Calimano said the board is trying to be responsive to the issues being raised.

Lagusta Yearwood read a quoted note in regard to grading and development of sites.

Chairman Calimano asked Adele in regard to traffic issues at the site to comment. Adele spoke about the two lanes as well as her concern for emergency services being able to get help on that part of the road.

Justin Dates commented that Traffic Studies were done.

Adele is not convinced they have enough traffic study.

Chairman Calimano asked Justin to go back to answer questions or issues raised on the traffic studies.

Justin Dates commented that they are trying make traffic in that corridor better.

Chairman Calimano stated the traffic study is done, entails all the roads but with that corner, what is the impact of what's going on in the intersection now.

Amy Cohen asked when a new meeting with emergency responders can take place.

Justin Dates commented that that meeting occurred but was not able to say when at the time.

Discussion continued on the traffic study regarding if another consultant should be brought in or if a more in depth traffic study be done.

George Lithco commented that the traffic data is collected by the County and by the DOT and independent analysis is done on both to see if it's consistent, and that would give evidence of reliability. He also commented on how the data is used.

Justin Dates commented that their own traffic study existed for many years for that corridor.

Discussion continued on the traffic study and traffic in that area.

Tom Powers commented on the Shoprite traffic study 20-25 years ago, asking if the growth of that study was accurate. Chairman Calimano asked for the Stop N Shop traffic study be looked at.

Discussion continued on the traffic flow as well as light synchronization.

Amy Cohen expressed concern that the moratorium is SPOT ZONING and that Trans Hudson/ CVS-5 Guys is the ONLY applicant effected. Amy also expressed concerns of how the "moratorium committee" was chosen and WHY they are now dissolved. As well as concerns as to HOW our town will afford lawsuits that will follow.

Chairman Calimano received a letter from the Village planner, is expecting information back from the applicant and has to read some things today, and how they need to get a vote out. He urged board members if they have any questions to get them out and if you oppose something, need information on why.

Chairman Calimano next discussed the October 13 meeting date. Discussion followed if there will be a quorum and Yom Kippur holiday date was considered. October 13 meeting is cancelled and next meeting is October 24 with an Agenda no workshop. **CVS review will continue on October 24.**

Chairman Calimano stated he will keep Justin Dates aware of anything else that comes forward. He gave Justin a list for additional information that included a response to David Porter's Memo, Emergency Service response traffic numbers, and Stop N Shop Historical Traffic number study.

#### **Old Business:**

Chairman Calimano mentioned the webinar on Thursday October 6, 2016 for education opportunity.

#### **Storm water Discussion:**

Dave Clousen discussed laws required by MS4 and this law needs to be on the book. Dave wrote the laws for another town, and are pretty much standard. He said the template is from DEC.

George Lithco commented on two things he found in the storm water plan is procedural or technical points that need to be clarified and the storm water law itself regulating discharges issues. Storm water procedures in the town with discussion with Dave just trying to simplify the code, all would be DEC requirements. He also mentioned that a change to the subdivision zoning regulations would be recommended to the Town Board from the Planning Board.

Dave Clousen commented on the importance of getting the law passed to avoid DEC problems.

George Lithco and Dave Clousen asked for input from the board members.

Per Dave, Public Hearing is being setup by the Town Board as soon as the planning board responds.

Chairman Calimano requested by October 24 PB meeting that any comments are to be sent in and they will be compiled and forwarded to the town.

#### **Town Moratorium:**

Chairman Calimano discussed the public hearing by the town on the proposed 9 month Moratorium Gateway Area, a local law proposing the gateway, that needs clarification, if it's the Ohioville Hamlet to the Shoprite and Bank but wasn't clear on the Gateway line. He expressed a couple issues on it affecting residential development and building permits in regard to any use permits in the gateway area except residential development. He would like to compile comments from the planning board.

George Lithco suggested a vote on the Storm Water Law and the Moratorium to reflect the position of the planning board.

Amy Cohen commented with concerns for people affected with active applications.

Chairman Calimano stated that the County will vote on the moratorium and asked board to send back comments on it.

The planning board had issues with parts of the law as it is written in regard to size of zone, limitation on site plans, building permits, length of moratorium for 9 months.

**Motion to authorize public hearing on the moratorium made by Amy Cohen. 2<sup>nd</sup> Motion made by Lagusta Yearwood. All present in favor. Approved.**

**Motion to send memo to the Town Board to adopt the Storm water Laws with minimal modifications made by Amanda Gotto. 2<sup>nd</sup> Motion made by Mike Calimano. All present in favor. Approved.**

**Motion to adjourn the meeting is made by Mike Calimano. 2<sup>nd</sup> Motion by Amanda Gotto . All present in favor. Motion approved.**

Meeting adjourned at 10: 13pm.



These minutes respectfully submitted by Patricia Atkins