



Town of New Paltz Planning Board
 Regular Meeting of Monday, February 22, 2021
 Live-streamed/Recorded Remotely at 7:00 PM
 Available on YouTube: <https://youtu.be/m9smRdNpaKw>

APPROVED MINUTES

Present: Adele Ruger, Chair
 Lyle Nolan, Deputy Chair
 Matthew DiDonna
 Jane Schanberg
 Amanda Gotto
 Jennifer Welles

Absent: Amy Cohen
 Rick Golden, Planning Board Attorney
 John Ahearn, Planning Board Attorney
 Stacy Delarede, Building Inspector

Also Present: Ashley Torre, Planning Board Attorney
 Andy Willingham, Town Engineer
 David Brownstein, Town Board Liaison
 Alana Sawchuk, Planning and Zoning Secretary

Welcome

7:05

Chair Ruger opens the regularly scheduled February 22, 2021 Planning Board meeting.

Administrative Business

- *Approval of January 25, 2021 Minutes*

Ms. Gotto moves to approve the January 25, 2021 Minutes. Ms. Schanberg seconds. Ms. Welles abstains. 5 ayes. Motion carries.

Public Comment(s)

7:05

No members of the public are in attendance to speak during the Public Comment period, nor were any comments submitted in writing prior to the meeting.

Application Review

1. Site Plan

PB20-08: 60 Jansen Road

Applicant: Homeland Towers, LLC

Zoning District: R-1

SBL: 86.4-2-16

7:07-7:20

The Planning Board needs to determine whether the DEIS (Draft Environmental Impact Statement) submitted by the applicant is adequate to be released to the public and other government agencies.

A Public Hearing will need to be held regarding the DEIS; the Site Plan; SUP; and Wetlands permit applications.

Ms. Gotto moves to declare the submitted DEIS adequate for review by the public and other governmental agencies. Ms. Schanberg seconds. The Secretary takes roll:

Adele Ruger, Chair: AYE;

Lyle Nolan, Deputy Chair: AYE;

Matthew DiDonna: AYE;

Jane Schanberg: AYE;

Amanda Gotto: AYE;

Jennifer Welles: ABSTAIN.

5 ayes. Motion carries.

The Planning Board discusses setting the Public Hearing for March 22, 2021, however due to two member absences, the Board agrees to schedule a Special Meeting of the Planning Board in early April.

Ms. Schanberg moves to schedule a Special Meeting of the Planning Board for April 5, 2021 at 7 PM. Ms. Gotto seconds. 6 ayes. Motion carries.

Ms. Schanberg moves to set a Public Hearing for PB20-08, 60 Jansen Road, Homeland Towers, regarding the DEIS, Site Plan, Special Use, and Wetlands permits, for April 5, 2021 at 7 PM and to accept written comments on the DEIS for 10 days after the Public Hearing. Mr. DiDonna seconds. Ms. Welles abstains. 5 ayes. Motion carries.

2. Subdivision

PB21-40: 525 Albany Post Road

Applicant: Mark Albrecht

Zoning District: A-1.5

SBL: 86.3-1-6.200

7:21-7:42

Mr. Mark Albrecht (Applicant) and Mr. Robert James (Engineer) are in attendance to speak on this application. Mr. Albrecht explains that he has owned the property for over 17 years and has given a lot of thought to subdividing and building on the property.

Mr. Andrew Willingham is in attendance to speak to his memo submitted to the Planning Board. The applicant needs to complete the following:

- The project is disturbing more than one acre of land (1.5 acres), therefore a “Basic” Stormwater Pollution Prevention Plan (“SWPPP”) is required by the NYSDEC. The SWPPP should be provided for the Town’s review.
- Since the Short Form EAF indicated a presence of two endangered/threatened species of birds, the applicant should submit their application to NYSDEC Region 3 Permits so they can determine if the project is a danger to those species or if further study is required.
- Additionally, the Short Form EAF also notes that the project is in an archaeologically sensitive area. The applicant should submit their plan to NYS Parks, Recreation, and Historic Preservation so they can determine if the project might have any impact on the historic/cultural resources in the area.
- Driveways in excess of 500’ must have emergency vehicle turnabouts (20’ x 50’) at 500’ intervals per NYS Residential Building Code.
- The applicant should submit a previously filed subdivision map to the Planning Board.
- Mr. Willingham finds the waiver requests made by the applicant to be reasonable and sees no reason why they not be granted.

Mr. Rich Whitney from the ENCB is in attendance to speak to the memo they submitted regarding this application:

- The parcel is within the Butternut/Canaan Foothills priority area of the Open Space Plan. The plan states “New development within the foothills area should be designed with sensitivity to the natural and cultural features of the land, including the gentle to steep sloping hills, scenic viewsheds, farm lands, wetlands, and stream corridors. This can be accomplished by using a ‘conservation design’ approach.” (pg. 15; see pgs 16-17 on conservation design)
- The shrubland and forest area on the property are part of a 640+ acre wooded area previously proposed as the “Stony Kill Woods” Critical Environmental Area.
- The eastern side of the property is included in a habitat core mapped by Ulster County.
- Stony Kill Woods is an important wildlife corridor between protected lands on the Shawangunk Ridge and foothills area and the Wallkill River.
- The Stony Kill itself flows along the southern edge of this property and is a small class C tributary stream that flows into the Wallkill River just south of New Paltz.
- The Northern Wallkill Biodiversity Plan noted high concentrations of grassland birds of conservation concern such as the Eastern Meadowlark and Bobolink in nearby Libertyville and Kleine Kill grassland areas. These species may use the field on this site.
- The EAF notes records of Pied-Billed Grebe and Bald Eagle in the vicinity of the site. Neither of these species is likely to occur at this site, however, based on the habitat present.

- The proposed new building site is located on Volusia gravely silt loam soils according to the Ulster County Soil Survey. Wetlands commonly occur on somewhat poorly drained soils such as these in New Paltz.

Mark Albrecht and the plan drawn up by A. Diachishin and Associates PC addresses many environmental issues. EnCB provides the following recommendations to help preserve the unique environmental characteristics of this parcel and the Stony Kill Woods and watershed:

- Siting the proposed dwelling closer to Albany Post Rd would reduce habitat fragmentation and disturbance, which can extend hundreds of feet from a residential development. This would also reduce the length of the driveway (proposed at over 500') and avoid disturbance to the more sloping southern half of the parcel.
- The Wetlands Inspector should visit the site to verify whether any jurisdictional wetlands are present in or near proposed areas of disturbance.
- The Planning Board should also conduct a site visit.
- A SWPPP is required as noted by Town Engineer Andrew Willingham based on proposed disturbance of >1 acre. Installation of silt fencing and other approved DEC erosion control prevention methods should be used for the duration of construction on the site to protect the Stony Kill Watershed and riparian area.
- The current plan calls for the driveway to be made of gravel, we would recommend that as a condition of any future sales or "improvements" the driveway must remain a porous material to reduce water runoff and possible contamination of nearby water sources such as the Stony Kill and two wetland areas to the east of the lot.

Ms. Gotto reviews the property using the Ulster County Parcel Viewer with the rest of the Planning Board and the applicant.

Attorney Torre notes that this is an Unlisted action under SEQRA (which will need to be completed before a Public Hearing can be held), and that written requests for waivers needs to be submitted, including regarding the sidewalk requirement. There is no referral to the county required.

Ms. Schanberg moves to declare PB21-40, 525 Albany Post Road, Albrecht as an Unlisted action under SEQRA. Mr. DiDonna seconds. 6 ayes. Motion carries.

The applicant speaks to the ENCB's suggestion that the proposed home be moved closer to the road.

The Secretary will coordinate a site visit between the applicant and Planning Board members.

3. Clearing and Grading Permit

PB21-39: Eugene L. Brown Drive

Applicant: Keith Libolt

Zoning District: R-1

SBL: 94.2-1-32.1

7:43-8:06

Mr. Keith Libolt (Applicant) and Mr. Mike Morgante (Project Manager) are in attendance to speak on their application.

According to a letter submitted by the applicant, “The use for this permit will be used for the clearing/grading of the proposed driveway and house footprint that is shown throughout the site plan. Any other work occurring outside of this description will be nothing more than brush removal and not cutting or removing of a tree larger than a 4-inch caliper at breast height as defined by the Town of New Paltz.”

Mr. Willingham reads through a memo he provided to the Planning Board.

- The EAF needs to be corrected using the DEC Mapper.
- The Town’s Wetlands Inspector should “comment on whether the wetland boundary needs to be revalidated.”
- “Disturbance boundaries” for any excavation should be revised.
- If the land disturbance is greater than one acre, a SWPPP will need to be submitted.

Deputy Chair Nolan speaks to needing locations on site for “stockpiling,” as well as a likely need for a SWPPP.

Mr. Rich Whitney from the ENCB is in attendance to speak to the memo they submitted regarding this application:

- The site is characterized by forest and forested wetlands. It is part of a 430+ acre forest that extends between Rt 32S, Dubois Rd, and Jansen Rd.
- The proposed building site overlaps with a core habitat area mapped by Ulster County, as seen on the Ulster County Parcel Viewer.
- Wetlands are abundant on this site and ultimately drain to the Platte Kill stream.
- As the Town Engineer’s memo notes, the date of the wetland delineation should be noted and if the delineation is more than five years old the Wetlands Inspector should visit the site to determine whether it remains accurate.
- The EnCB agrees with the Town Engineer that the disturbance boundaries are drawn very tightly (within 5 ft. of the driveway and house) and should be revised to be more realistic.
- The current proposed disturbance would affect 0.97 acres, just under the threshold where a basic Stormwater Pollution Prevention Plan (SWPPP) is required by DEC. Properly managing stormwater on the site is especially important to avoid impacts to the surrounding wetlands and given the potential for further subdivision of this property to create additional building sites with cumulative impacts.
- Has the driveway been sited to avoid disturbance to mature trees (>12 inch dbh)? How many such trees will need to be removed?
- The EnCB recommends that the Planning Board conduct a site visit.
- Siting the proposed dwelling closer to Eugene Brown Dr. would reduce habitat fragmentation and disturbance, which can extend hundreds of feet from a residential dwelling. This would also reduce the length of the driveway (proposed at over 500’) and avoid disturbance to the forested habitat core area. It would also reduce potential stormwater management needs.

Ms. Gotto asks if the driveway is proposed to be gravel. The applicant confirms that no driveway detail has been provided, but they would be open to discussing that as a possibility.

The applicant speaks to the history of this project/property. Mr. Libolt is looking to build his future residence in this location, but does not want to clear, install, or excavate currently.

The Planning Board intends do a site visit for this project.

The applicant requests that the Wetlands Inspector visit the site. Mr. Morgante confirms that the project is outside of the wetland buffer by 25' by sharing the survey map with Board members.

Mr. Willingham recommends that the plan/application include more concise language about what exactly is being sought by the applicant. Is it a driveway or a walking path?

Attorney Torre notes that this is an Unlisted action under SEQRA. The Planning Board will classify it as such once more information is obtained from the applicant.

Administrative Business (Cont.)

• CEA Updates

Ms. Schanberg speaks to the Town Board's request for the Planning Board to provide input on an ENCB proposal to establish CEAs (Critical Environmental Areas) in New Paltz. The Planning Board weighs the pros and cons of the Town Board implementing CEAs. Chair Ruger expresses a concern regarding the potential impact on homeowners/landowners who might come before the Planning Board from a CEA.

Mr. DiDonna finds the implementation of the CEAs to be potentially redundant to the SEQRA process. Ms. Schanberg has no issue with immediately designating "The Ridge" as a CEA but feels that the other CEAs should be designated incrementally. Deputy Chair Nolan finds the CEAs to be unnecessary given what the Planning Board already does through the SEQRA process. Ms. Gotto refers to the 1995 Comprehensive Plan for the Town of New Paltz and the recommendation from that plan that CEAs be implemented. Chair Ruger speaks to concerns that the property owners involved with the CEA designations will not be notified, as well as possibly deterring developers. Mr. Willingham offers his perspective as someone who does business in the Hudson Valley and the reputation that New Paltz has regarding developments/projects.

• Town Board Updates

Mr. Brownstein speaks to the fee issue related to the Homeland Towers project (PB20-08) and more generally on Planning Board members having consensus on using consultants for applications.

Adjournment

Mr. DiDonna moves to close the February 22, 2021 meeting of the Planning Board. Ms. Schanberg seconds. 6 ayes. The meeting adjourns at 9:05 PM.

Respectfully submitted by,

Alana Sawchuk

Planning and Zoning Secretary