



Town of New Paltz Planning Board
Regular Meeting of Monday, **February 26, 2024**
7:00 PM In Person
Town of New Paltz Courthouse
59 N. Putt Corners Road, New Paltz, NY

APPROVED MINUTES

Present: Chair, Adele Ruger, Lyle Nolan (Deputy Chair), Adrian Capulli, Lauren McPadden, and Jennifer Welles

Also present: Jane Schanberg attended via Zoom
Ashley Torre (Planning Board Attorney)
Andrew Willingham (Planning Board Engineer)
Mark Carabetta (Town Wetland Inspector)

Absent: Matt DiDonna

Administrative Business

A motion to approve the minutes of February 12, 2024 meeting, was moved by Ms. Welles and seconded by the Deputy-Chair with no further discussion and all voting in favor.

A quorum check for the March 11 meeting was made with all in attendance indicating their availability.

The Deputy-Chair moved a motion to establish an escrow for the Arliss Wetland Permit in the amount of \$3,000, with a replenishment level of \$750. The motion was seconded by Ms. Welles with further discussion and all voting in favor.

Public Comment

The Deputy Chair asked if there was anyone in attendance wishing to make a public comment and there was none.

Application Review

SITE PLAN
PB22-496 BIMBO BAKERIES, USA
Location: 27 N. Putt Corners
Zoning District: I-1 SBL: 86.8-5-13

John Montagne, of Greenman-Pedersen, and Ryan DeSalvatore, of Alfandre Architecture appeared before the board for the applicant. Mr. Montagne went over the changes Mr. Willingham had requested.

Mr. Willingham stated most of the issues have been addressed by consultants. There are still items that need to be addressed, like water and sewer, but those could be conditions of approval.

The planning board's wetland inspector stated he had no further comments to add since the applicant's last appearance. There are no direct impacts to the wetland. There are impacts in the buffer, short-term impacts, but long term there's a reduction in pervious cover, increase in vegetated cover – so a net benefit. The DEC permit has been issued and includes conditions for sedimentation and erosion control measures to be maintained by the applicant.

Mr. Willingham read his drafted version of the SEQR EAF Part 2 aloud to the board. The Chair asked if there were any questions and there were none. Ms. Torre went over the EAF Part 3 she had drafted.

A motion to adopt a negative declaration was moved by the Deputy-Chair and seconded by Ms. Welles with no further discussion. A roll call was taken:

Jane Schanberg	"Aye"
Lyle Nolan	"Aye"
Adele Ruger	"Aye"
Jennifer Welles	"Aye"
Adrian Capulli	"Aye"
Lauren McPadden	"Aye"

The motion was passed unanimously.

Ms. Torre read the Ulster County Planning Board's recent reviews which require modifications by the applicant, including an updated commercial driveway permit from Ulster County Department of Public Works, and a request to define the ways the applicant is meeting the NY stretch energy code by reducing the carbon footprint at the facility using alternatives to fossil fuels such as passive solar and or the use of heat pumps. Ms. Torre stated the driveway permit could become part of the conditional approval, but the applicant should submit a response to the planning board as to how they will meet the stretch energy requirements.

The applicant confirmed they have not received a response from the fire department and will follow up with them.

Deputy-Chair Nolan made a motion to waive the public hearing on the wetland permit application based on the wetland inspector's memorandum and because this is an existing facility, finding the waiver is no less protective of regulated areas. Mr. Capulli seconded the motion and all voted in favor with no further discussion.

The public hearing for the site plan application was waived at the discretion of the board.

Ms. Torre noted for the record there were a few items that would be a condition of any approval. She asked the applicant to add an asterisk on the bulk table and explain the front yard setback as pre-existing and non-conforming, just to make it clear it's not in compliance.

Mr. Willingham asked for more details for the proposed connection to the sewer force main and the pressure/pump calculations. Mr. Montagne stated the sewer connection and sewer line is also under review by the town and village engineers.

Deputy-Chair Nolan made a motion to authorize the planning board attorney to draft a resolution of approval and Ms. Schanberg seconded with all voting in favor without any further discussion.

WETLAND PERMIT

PB24-024 JEFFREY ARLISS

Location: 44 Rocky Hill Road

Zoning District: R1 SBLs: 78.16-3-17.121 and 78.16-3-18.211

Greg Fleischer, of Capital Environmental Associates appeared before the board with the owner of the property, Jeffrey Arliss. The application included a site map with delineated wetland areas and a mitigation plan submitted with their wetland permit application.

The town's wetland inspector, Mark Carabetta went over the historical and current conditions of the applicant's two ponds which Dr. Arliss created in violation of the town wetland code.

Mr. Fleischer's mitigation plan recommends supplementing existing vegetation with native shrubs and trees. Their proposal does not remove the concrete outflow structure on one of the ponds. The seasonal overflow at the other pond which flows to a shale ledge naturally situated meets up with the intermittent water course from the south and drains to the north.

The Deputy-Chair confirmed with Mr. Carabetta that he had looked over the proposed plantings, was in agreement and did not think there needed to be any changes made.

Mr. Carabetta agreed with Mr. Fleischer that when he visited the site. Most ponds either don't overtop and flow out, or if they do there's some sort of designed outlet, where this just sort of flowed out. He thinks the concern would be in a big flood – he hasn't seen it in that type of situation. Mr. Fleischer stated in the wetland below the pond there are plenty of areas that can attenuate any kind of velocity or things like that coming through there.

Deputy-Chair Nolan asked what other inputs of surface run off into that pond besides that stream. Mr. Fleischer responded (pointing at the map) that based on the typography the way water's moving in, it's kind of a gentle slope in the mitigation area that kind of gently slopes, there's a wetland near and a bermed-up area on the sides, this kind of sits up in elevation so water isn't cascading into that pond at all and any water which comes through the intermittent water course, it attenuates that water as it as it moves into this pocket before it discharges to the pond.

Deputy-Chair Nolan wondered if this is something we should look at - is the shale long lasting for the overflow of that pond or should it be reconsidered. Mr. Carabetta said he thinks it is infrequent, that "when this thing overtops, it is intermittent." When he walked out there, there was no water at all. He walked down the whole water course. He could tell that it flowed once in a while. When he reviewed the mitigation plan, he gave consideration that it was a disturbed site to start with, so he had to weigh whether it's worth additional disturbance to go in and try and fix the impacts that were done. The upper pond has that sort of stone masonry outlet – does it make sense to, at this point, to try to remove that and the same with the lower pond should anything be done? He saw the mitigation plan, it's basically not doing any grading or doing any further disruption to the topography or the grading, but it's supplementing additional native plantings and that seemed to him to be the right approach, as opposed to going back in and doing more excavation. The board could weigh both of those things and he thinks it's worth the board considering those options. Does it make sense to go in and plant and enhance what's there or does it sense to try and remove some the impacts that were done? It's not like fill being placed in a wetland area, it's more excavated areas along the water course.

Mr. Carabetta said the mitigation plan proposes a three-year process with an 85% survival rate through monitoring and corrective action over this period. The board could request the monitoring include the outlet to that pond, if there's a big rain event during those three years and there's damage, maybe that should be addressed. Mr. Arliss said it has been stable, it's four years old and it's stable and it's not eroding. He's had some explosive intense rain, one in January washed his whole driveway out - never happened in 15 years.

Ms. Torre said there were a couple of things needed procedurally: an EAF needs to be submitted to make the application complete, discuss whether to waive the public hearing, and it must be referred to Ulster County Planning Board. The board can classify the action, it is unique, the disturbance has already been done, but you'll be viewing the EAF as if it was proposed and not already existing. Mr. Carabetta added "with the idea that a permit would be issued but with the conditions, including that the mitigation plan be monitored and an annual report be submitted."

A motion was moved by Deputy Chair Nolan to refer the wetland permit application to the Ulster County Planning Board upon receipt of the EAF. The motion was seconded by Ms. McPadden with all voting in favor and no further discussion.

Ms. Torre asked Mr. Carabetta to advise the applicant's consultant the mitigation plan should be updated to include the wetland buffer lines.

Adjourn

The Deputy-Chair moved a motion to adjourn and seconded by Mr. Capulli with all voting in favor.

Submitted by Kristine Tabasko

NOTE: A full viewing of the February 26, 2024 Planning Board meeting can be found at:
https://www.youtube.com/watch?v=w7_jgfN8Me4



TOWN OF NEW PALTZ PLANNING BOARD
APPLICATION REVIEW / DECISION DOCUMENT "TRACKING SHEET"

Meeting Date: 2-26-24

Applicant: Brimbo Bakeries
Property Address: 232 N. Pult Carvers Rd
Proposal: _____

REFERRAL(S): ZBA EnCC HPC Water/Sewer Highway TN BD County

SEQR: Type I Unlisted Type II
 Lead Agency None Designated
 Short EAF Long EAF
 Negative Declaration Positive Declaration

PUBLIC HEARING DATE: _____ TIME: _____ CONTINUED TO: _____

ISSUES TO BE CLARIFIED: water and sewer issues remain
Village and Town sewer water calculations
respond to HCPB comments on meeting
energy code.

ADDITIONAL INFORMATION REQUIRED:
Waived public hearing on wetland permit
Add note on pre-existing non-conforming
condition
Board affirmed no public hearing would be needed

DECISION: Approved Approved w/ conditions Denied Incomplete

Special Conditions: _____

Signatures: [Signature] Planning Board Chair
[Signature] Applicant
[Signature] Planning Board Contact



TOWN OF NEW PALTZ PLANNING BOARD
APPLICATION REVIEW / DECISION DOCUMENT "TRACKING SHEET"

Meeting Date: 7-17-24

Applicant: Lee Ranch
Property Address: 381-383 Springtown Rd
Proposal: Site plan review of application

REFERRAL(S): ZBA EnCC HPC Water/Sewer Highway TN BD County

SEQR: Type I Unlisted Type II
 Lead Agency None Designated
 Short EAF Long EAF
 Negative Declaration Positive Declaration

PUBLIC HEARING DATE: _____ TIME: _____ CONTINUED TO: _____

ISSUES TO BE CLARIFIED: - fill material in flood plain
15,500 cu yds

ADDITIONAL INFORMATION REQUIRED:
- building inspector interpretation 140 mgd
- ZBA variance
ask for waivers - show trees existing?

DECISION: Approved Approved w/ conditions Denied Incomplete

Special Conditions: _____

Signatures: [Signature] Planning Board Chair
[Signature] Applicant
[Signature] Planning Board Contact