



Town of New Paltz Planning Board  
 Regular Meeting of Monday, July 25th, 2022  
 7:00 PM via Remote Access (Zoom and YouTube)  
 Available on YouTube: <https://www.youtube.com/watch?v=vBdSA2DfLLw>

### ***APPROVED MINUTES***

Present: Adele Ruger, Chair  
 Lyle Nolan, Deputy Chair  
 Jennifer Welles  
 Jane Schanberg  
 Adrian Capulli  
 Amanda Gotto

Absent: Matt DiDonna

Also Present: Ashely Torre, Planning Board Attorney  
 Andrew Willingham, Planning Board Engineer  
 Kurt Sutherland, Planning Board Architectural Consultant  
 Brianna Tetro, Planning and Zoning Secretary

#### ***Call to Order:***

Chair Ruger calls the meeting to order at 7:00pm.

#### ***ADMINISTRATIVE BUSINESS:***

##### ***•Approval of July 11th, 2022 minutes***

Deputy Chair Nolan moves to approve the July 11<sup>th</sup>, 2022 minutes. Ms. Schanberg seconds. 6 ayes. Motion Carries.

##### ***•Town Board Update***

No update as Town Board Liaison is not present.

***Set Escrow for: PB22-197 New Paltz Storage, PB22-296 Johnson***

Ms. Schanberg moves to set Escrow for PB22-197 New Paltz Storage at \$1,500.00 with a \$750.00 replenishment amount. Mr. Capulli seconds. 6 ayes. Motion Carries.

Ms. Welles moves to set Escrow for PB22-296 Johnson at \$1,500.00 with a \$750.00 replenishment amount. Ms. Schanberg seconds. 6 ayes. Motion Carries.

Chair Ruger states she is changing the agenda order and after the Culinarian Home application they will be reviewing PB22-197 New Paltz Storage.

***PUBLIC COMMENT(S):***

There are no comments from the public.

***Application Review:***

***SITE PLAN AMENDMENT***

PB22-167, 71 Old Tschirky  
Applicant: Culinarian Home  
Zoning:  
SBL: 70.4-5-5.100

Mr. Mike Holdridge is present.

Attorney Torre went through the request waiver submitted by Mr. Holdridge.

Deputy Chair Nolan moves to accept the waiver request. Ms. Schanberg seconds.

Chair Ruger notes that they have not received comments from the Ulster County Planning Board (UCPB) as their August meeting has not happened yet.

Mr. Willingham states the Wetland Inspector visited the site and found no adverse impacts to the wetlands on the property and no permit was required.

Chair Ruger says the application could receive a resolution of approval at the August 8<sup>th</sup>, 2022 regular meeting should the comments from UCPB come in.

***SITE PLAN AMENDMENT***

PB22-197: 111 Henry W. Dubois  
Applicant: New Paltz Storage  
Zoning: I-1  
SBL: 86.8-5-36.121

Mr. Andy Loyer is present.

Mr. Loyer explains the application. He states he'd like to be planting items in the Fall so he is trying to get an approval quickly. He states he has sent everything to Attorney Torre that has been requested and adds the UCPB had stated they had no comments.

Mr. Sutherland goes through some architectural items. He says the building being proposed is standard for the I-1 district and the 3-story building in the original approved application had a lot of impacts to the neighborhood due to the size, the new lower story building has less impact albeit less curb appeal.

Mr. Loyer notes the plantings would hide the proposed building as the original approved landscaping that was put in place to hide a 3-story structure, was still going to be in place.

There is a discussion about landscaping and structure items.

Ms. Schanberg asks about the planting schedule and if it will be done all at once. Mr. Loyer answers that is the intent. Ms. Schanberg asks about the green color of the building. Mr. Loyer answers that it is the intent to blend with the landscaping. Mr. Sutherland notes it will hide the building except in the winter in which it will make it stick out more.

Mr. Sutherland comments the landscaping issues are out of his purview. Mr. Willingham adds that landscaping items should be sent to the landscaping consultant at Mr. Willingham's firm for review. Mr. Sutherland says he does not have a lot of comment on for the building but suggests that the applicant consider using more natural looking wood siding to soften and give a more attractive look. The Board discusses.

Attorney Torre says an EAF Part II will need to be completed for the August 8<sup>th</sup>, 2022 meeting. She also adds that she requested the status of the Wetlands permit from Mr. Loyer and has not received any update. Mr. Loyer says he spoke with Ms. Delarede, the building inspector, and she had stated the permit had not yet expired and was still in place.

### ***LOT LINE (SUBDIVISION)***

PB22-296: Cragwood Rd.

Applicant: Johnson, Tom

Zoning: A-3 & FF

SBL: 78.1-2-15.200 & 8

Ms. Patti Brooks is present.

Attorney Torre states that they had last asked the applicant to show the proposed lot would be used for agricultural purposes. She says per the map and narrative it looks as though it will be used for firewood harvesting and personal passive. She says the Board needs description of how that use is for agricultural purposes.

Ms. Brooks explains that the applicant has been using it for those purposes for the last decade. Attorney Torre argues there needs to be more basis (i.e.- livestock, haying, etc.) and does not think this is an agricultural use per Code. Ms. Brooks does not agree and states this is what the property has been used for, for 10 years and she is not understanding why it needs to be shown that it can be used for something else entirely.

Ms. Schanberg questions if its going to continue to be used as it has been for the past decade, why do the subdivision at all.

Ms. Brooks explains that it is not an actual subdivision, it's a lot line revision, but New Paltz reviews lot lines as subdivisions. She says the neighbor to the rear of the applicant's property asked the applicant if they would willingly sell some of their property to them as a land swap. She does not understand why the Planning Board is requiring so much safe guarding as there is nothing in the New Paltz Code that defines what an agricultural use is. Mr. Willingham comments that he believes the property can be used, safely, in an agricultural way. He says there are many lots in New Paltz that have ag uses in flood plains and he had the same thoughts as Ms. Schanberg but the lot is not buildable at this point and will not be unless there is planning board approval should they decide to build on it.

The Board discusses. Chair Ruger says she is comfortable with the use of tree harvesting being an agricultural use. Attorney Torre says the flood plain restrictions will need to be added to plat and she will send language to Ms. Brooks, which will also be added to the public hearing notices. She says Mr. Willingham will do an EAF Part II and the Board needs to set a public hearing.

Ms. Schanberg moves to set the application for public hearing at the August 22<sup>nd</sup>, 2022 meeting. Deputy Chair Nolan seconds. 6 ayes. Motion Carries.

### ***LOT LINE (SUBDIVISION)***

PB22-67: 350 N. Ohioville Rd.

Applicant: Bohdanowycz, Stefan

Zoning: A-3

SBL: 79.3-4-38 & 39

Ms. Patti Brooks is present.

Mr. Willingham goes through his comment memo: The proposed driveway for Proposed Lot 6 appears to involve the disturbance of Town regulated 100' wetland buffer. The onsite wetlands (on Lot 6 and elsewhere) must be field located and identified on the map in conformance with §139 Wetlands and Watercourse Protection Law and per §121-14 (A)(1)(a)[6]. After confirmation of regulated areas and placement on the map, it can be determined which improvements will require a permit per §139. There are several existing buildings/building remains shown within the proposed residential lots. The subdivision map should clearly show which buildings are to be removed and which are to remain. Sight distance measurements should be provided at each of the proposed driveway cuts and shown on the map. The existing

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dug well on Proposed Lot 2 should be abandoned in accordance with NYSDOH standards. It appears that Lot 4 and Lot 5 will share a driveway cut. If so, a shared maintenance agreement and easement will be required. The existing septic system and well for Lot 1 (existing house) should be shown per §121-14 (A)(1)(a)[4][a]. Septic system approval will be required from the Ulster County Department of Health for each proposed lot. Soil testing to verify septic system compatibility should be provided in accordance with §121-14 (A)(2). Please note this information may or may not be provided, per the discretion of the Planning Board. Minimum building setback lines should be shown on each lot per §121-14 (A)(3)(a)[7]. Proposed grading should be shown for each lot per §121-14 (A)(3)(a)[10]. The limit of disturbance line should be shown on the plan as well as the total quantity of land disturbance. Any project that disturbs more than one acre of land requires a "Basic" Stormwater Pollution Prevention Plan ("SWPPP") per Town and NYSDEC regulations. A total land disturbance over 5 acres would require a Full SWPPP. The SWPPP should be provided for the Town's review. Driveways must be a minimum 12' wide per NYS Residential Building Code. Provide a typical driveway cross section detail. The future residents of the lots (particularly Lots 4, 5 and 6) will be subject to substantial noise due to the shooting range located directly to the north (Mid- Hudson Sporting). The Board may wish to further discuss this issue with their attorney. The property lines currently extend to the center of North Ohioville Road. The Applicant is offering to dedicate a 50' right of way to the Town. The Board's attorney should discuss the steps necessary for the land dedication. The Applicant should review §121-14 (A) of the Subdivision Code to determine what features are required by the code, however not provided on the plan. Those features should either be added to the subdivision plan or a written waiver request should be provided to the Board.

Ms. Brooks notes she did not receive a memo from the Board's wetland inspector. Attorney Torre says there needs to be an update to the application which list the LLC on the owner's authorization form. Ms. Brooks says it has been changed. Ms. Brooks says the subdivision will be 5 lots not 6. Mr. Willingham says the application may need a cluster plan per 121-25.

### ***SUBDIVISION***

PB21-547: 95 DuBois Rd.

Applicant: DeMaria, Anthony

Zoning: R-1

SBL: 94.2-1-4.100

Ms. Brooks is present.

Ms. Willingham goes through his memo.

Ms. Brooks notes that the sheds have since been reviewed and will revise maps to show as such.

Chair Ruger says the application needs an EAF Part II and public hearing.

Deputy Chair Nolan moves to set the application for public hearing at the August 22<sup>nd</sup>, 2022 regular meeting. Ms. Gotto seconds. 6 ayes. Motion Carries.

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Ms. Schanberg moves to establish lead agency. Ms. Gotto seconds. 6 ayes. Motion Carries. Attorney Torre adds that a footnote will need to be included that lot #1 has a non-conforming rear setback (confirmed with building inspector) and added to the bulk table.

***Other Matters:***

Chair Ruger says she has asked the Supervisor's assistant to add them to the September 1<sup>st</sup>, 2022 Town Board Meeting. Some items that will be discussed are: mechanism for closing out abandoned applications, rethinking enforcement, violations and mitigations; solar law for new construction, appointment of active Town Board liaison, impact of possible emergency services in Gateway Hamlet, code requirements so applicants are not surprised. Chair Ruger says all questions and concerns for Town Board consideration can still be submitted before the September 1<sup>st</sup>, 2022 meeting.

The Board discusses the site visit to 44 Rocky Hill Rd.

Chair Ruger performs a quorum check for the August 8<sup>th</sup>, 2022 meeting. All will be in attendance except Ms. Welles. Mr. DiDonna is absent.

***Adjournment***

Ms. Welles moves to adjourn the July 25<sup>th</sup>, 2022 meeting. Ms. Schanberg seconds. 6 ayes. The meeting adjourns at 9:56 pm.

Respectfully submitted by,

Brianna Tetro  
Planning and Zoning Secretary