



Town of New Paltz Planning Board
 Regular Meeting of Monday, June 14, 2021
 Live-streamed/Recorded Remotely at 7:00 PM
 Available on YouTube: <https://youtu.be/YWlueHbwxiw>
APPROVED MINUTES

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

Absent: Jennifer Welles
 Amy Cohen
 David Brownstein, Town Board Liaison
 Alana Sawchuk, Planning and Zoning Secretary

Also Present: Richard Golden, Planning Board Attorney
 Kelly Naughton, Planning Board Attorney
 Andy Willingham, Town Engineer

Welcome

7:00

Chair Ruger opens the regularly scheduled June 14, 2021 meeting of the Planning Board and includes two additional items to the Administrative Business.

Administrative Business

- *Approval of May 24, 2021 Minutes*

Mr. DiDonna moves to approve the May 24, 2021 Minutes. Ms. Schanberg seconds. Attorney Golden notes that he was not present at that meeting. Ms. Gotto notes that Mr. Brownstein was not present at the meeting either, but was listed as being both absent and present. Mr. DiDonna moves to approve the Minutes as amended. Deputy Chair Nolan seconds. 5 ayes. Motion carries.

- *Town Board Updates*

Mr. David Brownstein is absent.

- *PB21-AX, New Paltz Apartments*

Attorney Golden provides a summary of the project as of today. The Village Planning Board has declared themselves Lead Agency and made a Positive Declaration. A Draft Scope has been submitted, which will be provided to Town Planning Board members. Ms. Schanberg asks about

Public Hearings. Attorney Golden explains that there will be a Public Scoping Session, but that is limited to trying to figure out the best scope for the DEIS.

- *PB13-15, Trans-Hudson*

Chair Ruger remarks that Trans-Hudson received their variances for construction without the required second story and that they will be returning to the Planning Board. Attorney Golden notes that his firm has moved to dismiss Trans-Hudson's lawsuit against the Town of New Paltz and they are waiting for a response from Trans-Hudson's attorney.

Public Comment(s)

No comments were submitted by the public nor was anyone else in attendance to speak.

Application Review

1. Pre-Conceptual Review (FREE)

PBC21-216: Springtown Road

Applicant: Gary Christiana

Zoning District: FF

SBL: 78.1-2-24

The applicant is not in attendance and the review has been adjourned to the next meeting.

2. Site Plan

PB21-183: 130 DuBois Road

Applicant: Trapani/Montessori

Zoning District: R-1

SBL: 94.2-1-12

Ms. Patti Brooks and Ms. Trapani are in attendance to speak regarding this application.

Mr. Andy Willingham speaks regarding the items that he had requested prior to this meeting which the applicant has since provided. The applicant is looking to utilize a “revocable license” regarding a fence on the property (as opposed to an easement). Ms. Schanberg asks for clarification of the language.

Attorney Golden explains that you could have an easement or a license and sees no issue with the Planning Board accepting the license as proposed by the applicant.

Ms. Brooks asks if the license would need to be filed with the County Clerk. Attorney Golden explains that it is not required, but notes that it would be wise to have an attorney draft it.

Ms. Gotto and Ms. Schanberg asks why it would not need to be filed.

Attorney Golden notes that it would be a matter between the private parties, but legally it does not have to be. The Planning Board can however require it.

The comments from the UCPB were received and their only comments were to require certain septic details that Mr. Willingham had also required.

Chair Ruger explains that if the applicant is electing to remove the fence or draft the license as discussed, and the waivers are dealt with this evening, the Attorney can be authorized to draft a Resolution for the next meeting.

The Board discusses what will be done about the fence with the applicant, whether that be a removal of the fence, an easement, or a license.

Attorney Golden speaks regarding the requested waivers, including the presence of contours on the map, federal wetlands, and bike racks. Ms. Brooks will provide a written waiver request regarding the necessity of bike racks on site.

Deputy Chair Nolan asks about the possible necessity of a wetlands buffer on the plan. Ms. Brooks notes that any work that would be done on the property by different owners would require a return to the Planning Board.

Chair Ruger asks for a list of tasks that need to be accomplished before the June 28, 2021 meeting.

The applicant will request a waiver in writing regarding the bike racks, the fence will be moved, the 2-foot contours will be put back on the map, and they will remove the revocable license note.

Deputy Chair Nolan moves to authorize Attorney Golden to draft a Resolution for PB21-183. Mr. DiDonna seconds. 4 ayes. 1 abstention. Motion carries.

3. Subdivision

PB21-177: 200 Mountain Rest Road

Applicant: Village of New Paltz

Zoning District: A-3

SBL: 78.3-1-30

Deputy Chair Nolan seeks clarification on the request for waivers pertaining to this application. Mr. Willingham confirms and remarks that he did contact Chazen about the additional waivers that were required, which were submitted today. Attorney Golden notes that the Village Board made a Negative Declaration, a Public Hearing is still required, and the Board can authorize the Attorney to draft a Resolution for a subsequent meeting.

A Public Hearing can be scheduled for July 12, 2021. Ms. Schanberg moves, Chair Ruger seconds. 5 ayes. Motion carries.

Mr. Willingham provides the Board with the 5 waivers being requested by the applicant.

Deputy Chair Nolan asks about erosion control measures, including the state of the grade. Ms. LoBrutto believes the grade is being returned to what it was. Ms. Schanberg asks about site accessibility. Ms. LoBrutto confirms that the grade is being returned to what it was and that no tree clearing is being proposed.

Attorney Golden remarks that the Planning Board can make certain requirements in the Resolution pertaining to items like erosion or tree clearing, or the Board can deny the requested waivers.

Mr. DiDonna asks about the enforcement of the SWPPP or certain DEC requirements. Deputy Chair Nolan notes that he had worked on projects previously where engineering firms like Chazen had come out to perform inspections of this type.

Attorney Golden explains the somewhat unusual nature of this application as it is being requested by a municipality and why certain requirements are not mandatory in this case. This Board is being asked to approve a “bare subdivision.”

The Board proceeds through the requested waivers:

Section 121-14(A)(1)(a): Boundary lines bearings and distances of lines and total acreage.

Deputy Chair Nolan moves to grant the waiver request for 121-14(A)(1)(a). Chair Ruger seconds. 5 ayes. Motion carries.

Section 121-14(A)(1)(a)(4): Utilities (existing or proposed by public agencies or utility companies) on an adjacent tract.

Chazen confirms that the wells have been installed on site and but are not shown on the survey. Deputy Chair Nolan moves to waive the location of utilities aside from the 2.5 acres. Ms. Schanberg seconds. Mr. Willingham revises the motion to include the words, “within the current map limits.” The Board discusses how to frame the motion to waive. Deputy Chair Nolan moves to waive the location of the utilities outside of the current map limits shown on the subdivision map.

The Board feels the maps need to include more information prior to approving the waiver request for 121-14(A)(1)(a)(4).

Section 121-14(A)(1)(a)(5): Ground elevations on the tract: Minimum two-foot contour intervals on the parcel and extending 100 feet beyond the property boundary lines. Five-foot contour intervals may be utilized for areas of land slopes greater than 20%. Additionally, include spot elevations on lands that slope less than 2%.

The Board feels the maps need to include more information prior to approving the waiver request for 121-14(A)(1)(a)(5).

Section 121-14(A)(1)(a)(6): Other conditions on the tract: watercourses, lakes, ponds, wetland areas, floodplains, rock outcrops, wooded areas, isolated trees having a diameter at breast height (dbh) of 12 inches or more, buildings, other structures, rock or stone walls and other significant features. Include plan notes which provide the regulatory classification of streams, lakes, ponds and wetlands, if any such classifications apply.

Mr. Willingham finds that rock walls are usually provided for on subdivision maps, as well as watercourses and ponds.

Section 121-14(A)(1)(a)(7): Other conditions on adjacent land: approximate direction and gradient of ground slope, including any embankments or retaining walls; character and location of buildings and structures which are located within 50 feet beyond the property boundary line; boundaries of any power line or other utility easements and transmission towers or other utility structures; any other nearby residential land uses, public open spaces or similar uses which may either be adversely influenced by the proposed development or adversely influence it; and the location and the approximate area of impervious surfaces, wells, septic facilities and drainage structures on adjoining lands.

Chair Ruger makes a motion to waive the requirement for 212-14(A)(1)(a)(7). Ms. Gotto seconds. 5 ayes. Motion carries.

Section 121-22: Sidewalks

Chair Ruger makes a motion to waive the requirement for 121-22. Ms. Schanberg seconds. 5 ayes. Motion carries.

The Board has waived 3 of the 6 requested waivers and will wait for an updated map from the applicant before deciding on the remaining 3. Mr. Willingham asks if there's any further work being done on the property.

The applicant could potentially appear at the June 28, 2021 meeting in order to address the waivers and the Board could authorize the drafting of a Resolution for the July 12, 2021 meeting.

4. Simplified Site Plan

PB21-214: 15 Rt. 299 West

Applicant: NYS Solar Farm

Zoning District: A-1.5

SBL: 86.1-3-12

Mr. Willingham finds there is a provision in the code for solar panels that qualifies this application for a waiver of full Site Plan review. The project as proposed will not adversely impact traffic, stormwater, or septic. This is a Type II action under SEQRA. The project will not have an adverse impact on the environmental conditions of the property or adjacent properties.

Chair Ruger makes a motion to classify this as a Type II action. Mr. DiDonna seconds. 5 ayes. Motion carries.

Ms. Schanberg moves to waive the requirement for full Site Plan review. Ms. Gotto seems to have left the meeting due to technical difficulties. Mr. DiDonna seconds. 4 ayes. Motion carries.

Adjournment

Chair Ruger moves to adjourn the June 14, 2021 meeting. Ms. Schanberg seconds. 4 ayes. The meeting adjourns around 8:30 PM.

Respectfully submitted by,

Alana Sawchuk
Planning and Zoning Secretary