



Town of New Paltz Planning Board
 Regular Meeting of Monday, May 23rd, 2022
 7:00 PM via Remote Access (Zoom and YouTube)
 Available on YouTube: <https://www.youtube.com/watch?v=VwL7y6cJm-w>

APPROVED MINUTES

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

Absent:

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

Call to Order:

Chair Ruger calls the meeting to order at 7:04pm.

Administrative Business

- *Approval of May 9th, 2022 Meeting Minutes*

Deputy Chair Nolan moves to approve the minutes of the May 9th, 2022 regular meeting. Ms. Schanberg seconds. 7 ayes. Motion carries.

Town Board Update(s)

There are no updates from the Town Board as the liaison, Alex Baer, is not present.

Public Comment(s):

Mr. Stephen O'Shea speaks in regard to the Trans-Hudson application. He says his comment is about safety for pedestrians and he is thinking about his daughter, Gabriella O'Shea, she was hit by a car five and a half years ago on Route 299 West of New Paltz and she is now severely vision impaired. Mr. O'Shea states his daughter is designated as legally blind by the New York State commission for the blind and although she can see straight ahead of her, she lost her peripheral vision because of the injuries that she sustained. He says his concern is that his daughter is getting around more and she cannot drive a car, but she can walk and does so frequently in New Paltz. Mr. O'Shea states he and his daughter were delighted with the Empire State trail that connects with the walkway over the Hudson in Highland and she'd love to be able to go across the thru-way bridge to go to Highland and make her way back. His concern is how can it be safe, this entrance to the development hub, that would cross the empire state trail, how can that be safe for someone with no peripheral vision and who as they're making their way back to New Paltz from the East side of the bridge, would have traffic across, there will be traffic coming behind her left side crossing in front of her, and he's very concerned about her safety. He states he doesn't know too much about planned infrastructure, but he has a lot of concerns about his daughter's safety and being able to make her way.

Mr. Daniel Schniedewind reads from a letter submitted to the Board earlier:

"Thank you for your continued work to deliver the best possible version of the Trans-Hudson/BFB project. Due diligence now will prevent unwelcome impacts from emerging after it is too late to mitigate them. With this in mind, I write to briefly review three items that require your attention prior to a site plan approval resolution:

- 1) Most significantly, the Planning Board should reach out to the each of the first responder entities (fire, police, and EMS) now based on North Putt Corners Road in order to mitigate any impacts in emergency response times resulting from changed traffic conditions at the Route 299/Putt Corners Road intersection. According to the applicant's traffic impact study, during weekday rush hour delays for southbound traffic on North Putt will go from 64 seconds (currently) to 104 seconds by 2026. The traffic impact study also states that southbound back-ups of 200-300 feet will be standard on North Putt during morning and evening rush hours. Because every second counts in an emergency, the Board should have assurances from all first responders that they will be able to move swiftly through the intersection under these new circumstances before the site plan can be approved.
- 2) In a letter read before the Planning Board at your January 24th meeting, professional planner Susan Blickstein raised several important questions regarding calculations in the latest Traffic Impact Study and urged the Board to run them by DTS Provident. The Board indicated at the time that it would do this but—likely because of the lack of a permanent secretary at the time—it appears as though Blickstein's letter was never forwarded to your consultant. DTS Provident has (apparently) also never reviewed the

traffic accident data summary (submitted by the applicant on 4/7/22) nor have they confirmed that the internal site safety concerns raised in their 12/9/21 letter have been addressed. All three documents—the Blickstein letter, the accident data, and the revised site plan—should be reviewed by DTS Provident prior to site plan approval.

Note-Mr. Schneidwind adds to this comment that the Board has received clarification from DTS Provident addressing the questions raised previously by Ms. Blickstein and he thanks the Board for sending the questions on to DTS and Ms. Tetro for adding DTS' letter to the online folder. He says he wants to add that in her letter, Ms. Blickstein had expressed concerns about Collier's resting its traffic impact calculations on further optimization of the signal at the 299 and North Putt Corner's Road intersection, the NYSDOT has repeatedly indicated that all possible improvements to the signal have been made, the Board should require confirmation from the NYSDOT prior to the approval that additional signal modifications are feasible and approvable given how much is resting on them. He states DTS Provident should also review the revised site plan to confirm that their earlier written concerns about internal traffic safety and pedestrian safety have been adequately addressed.

- 3) Finally, in her January 6, 2021 letter to the ZBA, Building Inspector Stacy Delarede indicates that the Planning Board will need to decide for itself if the location of the Empire State Trail in the Thruway buffer will require the granting of a design standard waiver. This is a determination the Board needs to make prior to approving the site plan."

Mr. Schneidwind thanks the Board again for their commitment to a thorough review.

There are no more comments from the public.

Application Review:

SITE PLAN REVIEW

PB13-15: Rt 299 & N. Putt Corners

Applicant: Trans-Hudson

Zoning: MSMU

SBL: 86.12-4-5.1

Mr. Justin Dates (project engineer), Ms. Kathy Zalantis (Attorney for applicant), are present. Mr. Kurt Sutherland, Architectural Consultant for the Board is present.

Mr. Willingham goes through his comment letter and states there are very minor issues to still address: “1. The grading plans indicate a drop in grade between Building 1 and Main Street and between Building 1 and North Putt Corners Road. The Applicant should consider filling in these areas to improve aesthetics and lessen the slope adjacent to the pedestrian/bicycle path and sidewalk entrance to the site. 2. The code requires one Electrical Vehicle Charging Station for every 20 spaces. 6 EVCS stations are required for the 102 parking spaces (5 are provided). 3. Outlet Control Structure details should be provided for the Bioretention areas, Infiltration Basin and Infiltration Chamber system. 4. Bioretention details should be updated to match the design (e.g. elevations, nomenclature). 5. Tree Survey & Removal Plans have been provided in accordance with §140-22.2 (D)(2)(g). The plans will be incorporated into the final Site Plans as indicated by the Applicant. 6. Water service design and details should be subject to final approval of the Town Water Department. 7. Sewer service design and details should be subject to final approval of the Town Sewer Department. 8. The retaining wall must be designed by a NYS licensed professional engineer. Stormwater Pollution Prevention Plan 9. Provide additional soil testing for the Infiltration Basin (Basin 2A) to verify soil depth and infiltration rate. 10. The Notice Intent (Appendix 5) should be completed. 11. The MS4 Acceptance Form (Appendix 7) should be completed. 12. Confirmation from OPRHP should be provided in the SWPPP Appendices indicating no impact on archaeological or historical resources. Landscaping & Lighting 13. A landscape buffer is proposed for the parking area between Buildings 1 and 2 to screen the view from North Putt Corners Road. However, the junipers will be subject to heavy deer browse and the boxwood will be dried out from winter winds from the northwest direction. Boxwoods are also slow growing it will take years for them to adequately screen the parking lot. Please reconsider the use of these plants and consider the use of native species in this location. 14. Bioretention plantings should be increased to one plant per 3-4 square feet to reduce weed growth and maintenance. 15. Consider street trees along North Putt Corners Road. 16. On the Landscape Plan (Sheet 10), the hatch for perennials does not match the legend. 17. Specify the seeding mix for the Infiltration Basin.”

Attorney Torre reminds the applicant and the Board that the final set of plans need to be reviewed by Mr. Willingham and are subject to compliance with all his various memos.

Ms. Schanberg asks if the Board had received elevations for the bathrooms and raises concerns about the gas light fixtures being used for the parking lot.

There is a discussion about the proposed light fixture among the Board and the Board's architectural consultant, Mr. Sutherland with Mr. Dates as well. It is decided that the Board would like to see the proposed pole mounted fixtures replaced with more traditional style and Mr. Sutherland will ok any lighting prior to the final set of sites plans being signed. Ms. Welles asks about the bathroom renderings. Chair Ruger says they received a footprint of how large the bathrooms will be but not elevations. There is a discussion. The Board agrees to have the applicant send the bathroom elevations to Mr. Sutherland for his feedback to ensure they are in staying within the same building style. Ms. Gotto asks if they will come back in front of the Planning Board when they have signage. Ms. Zalanis answers they don't need to come back to the Planning Board for signage, that was the Building Department's purview.

Chair Ruger notes that the application has been in front of the Planning Board for a long time and that the emergency services had been reached out to during the review and said the project would cause no impact. She adds that the public hearing for this project has been long over and she does not think that there is a need to go back and address items over and over, the Board cannot accommodate every single person, the traffic consultant and the NYSDOT have had more than their say on the traffic pattern and project and the Board is going forward with their recommendations as well as the applicant and at this point they cannot address it anymore.

Ms. Gotto has several questions. She asks about the lighting in the parking lot being on timers and when those lights will be turned off. Mr. Dates answers there's no set time, it depends on the tenants of the buildings and what their hours of operation will be, but the lighting reduction can be enforced by the building inspector to ensure it complies. There is a discussion about the emergency access and traffic pattern. Ms. Gotto asks about building 5 and a tree island. She states that the code says for every 10 trees there should be one space that functions as a tree island. There is a discussion as the applicant has trees in the area in addition to plantings. Ms. Gotto states she is saying what the code says needs to be done but if the applicant feels they've met the intent of the code by doing something else, then it could be discussed. Attorney reads #140-22.2 (2) (b): *"A minimum of 10% of the parking lot shall be comprised of landscaping. A landscaped island equal to one parking space for every 10 spaces is required to break up continuous areas of pavement within a parking lot. A minimum of one shade tree, at least three inches DBH at planting, is required to be planted in a landscaped island for every 15 parking spaces proposed."* There is a discussion between the applicant and the Board where the applicant presents evidence that they have met the requirements in #140-22.2 (2) (b), Chair Ruger suggests they do a straw poll of the Board members to vote on if the applicant met the design standards or if they have not and will require a waiver. The Board votes 7-0 that they have met the design standards. They move on to the resolution.

Deputy Chair Nolan moves to accept the resolution as amended. Ms. Schanberg Seconds.

Roll Call:

Chair Ruger- Yes

Mr. DiDonna- Yes

Deputy Chair Nolan- Yes

Ms. Schanberg- Yes

Ms. Welles- Yes

Mr. Capulli- Yes

Ms. Gotto- No

6 ayes. 1 nay. Motion Carries.

[See Trans-Hudson Record of Decision here.](#)

ACCESSORY APARTMENT

PB21-312: 1 Van Alst

Applicant: Aliyah Cohn

220523 APPROVED PB Minutes

Zoning: R-1
SBL: 78.20-4-11

Ms. Aliyah Cohn is present.

Mr. Willingham goes through his comments: “Per our review of the application and §140-17 of the Zoning Code, the following comments are provided: • The property is owner occupied, the apartment is self-contained, and no exterior changes are proposed as verified by the Building Inspector and per the application documents. • The property has the required parking spaces (1.5 spaces per dwelling unit – 3 spaces required) per our review of the Site Sketches and available mapping. • The parking does not encroach on the required setbacks. • The apartment is less than 35% of the habitable space of the principal dwelling, as verified by the Building Inspector (calculated as 29%) and application documents. • The existing home has 3 bedrooms and will add a one bedroom apartment. For the septic system to be suitable, one of the bedrooms in the single family home is 2 proposed to be removed by the Applicant and converted to a study. The single family home will be officially a 2 bedroom home with a one bedroom accessory apartment (total of 2 bedrooms). Therefore, Ulster County Department of Health approval and septic system upgrades are not required. • The proposed lighting is not dark sky compliant. All exterior lighting should be down shielded to prevent glare onto neighboring properties. Per our review of §140-17, the Application meets the requirements of an Accessory Apartment.”

Mr. DiDonna moves to type the application as a Type II for SEQRA. Deputy Chair Nolan seconds. 7 ayes. Motion Carries.

Ms. Gotto asks if the single family home was listed on the tax roll as a three-bedroom, just because they’re saying it won’t be used as a bedroom doesn’t mean that it isn’t built as a three-bedroom. Mr. Willingham says right now it is listed as a three-bedroom house but will now be changed to a two-bedroom house with a one-bedroom studio apartment. There is a discussion on what is a legally a bedroom and what is not, as Ms. Gotto has concerns on how this will be monitored. Chair Ruger states that there are many houses that have offices and sometimes people will put a bed in it for a guest, but there is not a clear way to monitor if people are using “non-legal” bedrooms as such.

Ms. Schanberg moves to waive the requirement of land reservation on the property for the new residential unit on the condition that, prior to the signing of the plans the applicant deposits a cash payment in lieu of land reservation with the Town in the amount of \$1,000.00 (Recreation Fee) as set by the resolution of the Town Board. Deputy Chair Nolan seconds. 7 ayes. Motion Carries.

Ms. Cohn wants clarification on what the recreation fees are for as she is not creating more living space. Deputy Chair Nolan states that the fee isn’t dependent on bedroom, its dependent on residents.

Ms. Gotto motions to approve the accessory apartment with a special use permit. Deputy Chair Nolan seconds.

Attorney Torre suggests conditioning that on the payment of the recreation fee, prior to the signing of the plans.

Ms. Gotto motions to amend the previous motion and make the motion to approve the accessory apartment with a special use permit on to the condition that payment of the recreation fee is made prior to signing of the plans. Deputy Chair Lyle seconds. 7 ayes. Motion Carries

SITE PLAN AMENDMENT

PB22-167: 71 Old Tschirky

Applicant: Culinarian Home

Zoning: A-3

SBL: 70.4-5-5.100

Mr. Mike Holdridge (Holdridge Electric) is present.

Mr. Willingham goes through his comments: “The Applicant, the Culinarian Home Foundation, is proposing exterior renovations to include an exterior generator and a propane tank. A fenced in enclosure is proposed around the generator and electrical trenching is proposed from the generator to the existing utility pole located on the property. The propane tank will be underground. Per our review of the Application materials, we offer the following comments for the Board’s consideration: 1) The Site Plan appears to need multiple waivers from the code’s Site Plan requirements (§140- 52 (B)). The Applicant should review the requirements of §140-52 (B) and either provide those items on the Site Plan or provide a written waiver request for each item to the Planning Board. 2) A Short Form EAF Part I should be provided. 3) The proposed generator is approximately 60 feet from the existing pond on site and electrical trenching is proposed to the existing utility pole, which is located adjacent to the pond. The 2 Site Plan should be referred to the Town Wetland Inspector to determine conformance with the Town’s Wetlands and Watercourse Protection Law (§139).”

Attorney Torre notes the application will need to go to the UCPB.

Chair Ruger asks the applicant to get all the requested items in as soon as possible so they can be on the next meeting’s agenda and the EAF and Waivers can be discussed and the application can be sent to the UCPB and the Town’s Wetland inspector.

Adjournment

Ms. Schanberg moves to adjourn the May 23rd, 2022 meeting. Mr. DiDonna seconds. 7 ayes. The meeting adjourns at 8:30pm.

Respectfully submitted by,

Brianna Tetro

Planning and Zoning Secretary

