



Town of New Paltz Planning Board
 Regular Meeting of Monday, May 9th, 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

Chair Ruger calls the meeting to order at 7:02pm.

Chair Ruger welcomes new Planning Board attorney Ashley Torre.

Administrative Business

- *Approval of April 25th, 2022 Meeting Minutes*

Deputy Chair Nolan moves to approve the minutes of the April 25th, 2022 regular meeting. Mr. DiDonna 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):

There are no comments from the public.

Application Review:***FREE CONCEPTUAL- Lot Line***

44 Rocky Hill Rd.

Applicant: Jeff Arliss

Zoning: R-1

SBL: 78.16-3-17.121 & 18.211

The applicant is not present. The Board decides they will come back to it if the applicant shows up later in the meeting.

SITE PLAN REVIEW

PB22-103: 64 N Putt Corners Rd.

Applicant: Xoli Buna, LLC (Lagusta Yearwood and Michael McGregor)

Zoning: I-1

SBL: 86.8-5-35

Mr. DiDonna recuses himself at 7:03pm. Mr. John Andrews steps in as engineer for the Board.

Mr. Michael McGregor (Xoli Buna, LLC- Applicant) is present on behalf of the application.

Chair Ruger states Ms. Schanberg will be taking the application on. Ms. Schanberg says they received many updates including a sewer plan and comments from Mr. Andrews. She asks Mr. Andrews to go through his comments.

Mr. Andrews goes through a memo he prepared for the Board and applicant dated May 6th, 2022. He states it appears the applicant removed all the parking from the front and rear yards, changed the loading berth location, added signage, removed the shed, took away the refuse enclosures or dumpsters, and submitted a written request to waive the requirement for the parking area to paved along with justifications. Mr. Andrews states he will refer to the Planning Board whether or not the applicant's waiver and justifications are satisfactory but he takes no exception to the request as it is not going to be a real high volume traffic location and he suggests that the planning board consider the waiver but it seems like there's a couple of opportunities at the northwest corner and southwest corner of the site to eliminate some current gravel areas and increase the amount of grass. He says it would be a balancing act, the Board could waive the requirement for parking if the applicant took some gravel and converted it back to landscaped area and the zoning table issue would be resolved. He explains that a submittal of an analysis of the existing septic system has been received and he takes no exception to the form and content however, it did not address the sizing of the grease trap, but in any event ulster county approval and his acceptance of the report and installation of the grease trap should be required. In regard to the shed on the property, Mr. Andrews states it has been moved again and

relocated to outside any required yard and he takes no exception to where its located. He notes the number of parking spaces is to remain below 20 and one EV (electric vehicle) space has been identified and labeled, but he says that he refers to the Board on whether that station should be installed now or if the reservation is sufficient. Mr. Andrews states an owner's consent note to the plan has been added and as he stated early, the dumpster location from the site plan has been removed and he has not found any provisions for waste management on the site plan; a location and possible screening should be addressed in final submittals. He says he defers to the building inspector to make sure all outstanding issues are being met and addressed and notes the majority of the open issues should be resolved and bundled as part of this approval, he also notes a variance between landscaping plan and site plan with respect to the area around the well, and they did submit written documentation concerning noise levels associated with their chocolate production equipment and although it was rather simple, the equipment produces 70 decibels inside the building and it would be similar to an old style dishwashers and doubts it can be heard outside of the building.

Mr. McGregor says they are currently using small refuse containers for their garbage and will continue to do that. The Board discusses the site plan and the issues brought up by Mr. Andrews, as well as parking (16 spaces and 1 handicap for a total of 17 and 1 EV parking space), and other items. Chair Ruger asks if the Board wants to vote on the waiver request. Mr. Andrews states that the granting of the waiver could be wrapped in an approval for resolution. The Board discusses the landscaping plan. Mr. McGregor says they are going to do a pollinator seed mix. Ms. Welles comments that pollinators are difficult to maintain due to the weeds that come along with it and it may be easier to do some plugs or shrubs as well. Mr. McGregor responds that it's a lot more work but their whole goal is to do the right thing for the community and for the earth and shrubs aren't going to have the same benefit that the seed mixture will. Ms. Schanberg says that on the landscaping plan it needs to be really specific on what they are going to do and it seems they will focus on native pollinator-friendly landscaping in the northwest and southwest corners of the property. Attorney Torre comments that if the parking waiver is granted, that the applicant will need to enter into an agreement that they will consent to pave the spaces in 120 days if they're notified by the Town to do so.

Ms. Schanberg moves to grant the parking lot waiver requesting to keep the parking lot gravel with a paved handicap space as per code, additional pollinating landscaping in the north and southwest corner and an agreement to pave the entire parking lot should the Town request so in the future. Ms. Welles seconds. 6 ayes. Motion Carries.

Ms. Schanberg moves to refer the application to the Ulster County Planning Board. Chair Ruger seconds. 6 ayes. Motion Carries.

There is a discussion about having a draft resolution done for the June 13th, 2022 meeting. Chair Ruger says her concern is all the different pieces and parts have to come together and if they get the items all at once and soon, the Board may be ready to have a resolution for the June 13th meeting. Mr. Andrews says they need to coordinate the internal pieces better. Deputy Chair Nolan states that granting the waiver for the parking lot was not quid pro quo, landscaping of every part of the lot is required by their code, there's not trade off.

Ms. Schanberg moves to have a resolution drafted for the June 13th, 2022 meeting. Ms. Gotto seconds. 6 ayes. Motion Carries.

SITE PLAN REVIEW

PB21-264: 500 Main St.

Applicant: Hudson Valley Credit Union

Zoning: GH

SBL: 87.9-2-21.100

Mr. DiDonna returns to the meeting at 7:39pm. Mr. Willingham returns to the meeting as the Board's engineer.

Mr. Roger Keating, Mr. Charlie Thompson, and Mr. Brandon Petrella are present.

Mr. Willingham goes through his comments. He says he recommends they provide a wetlands report, be clear on if they're proposing an electrical vehicle spot for the current project or in the future, the sidewalk location will need to be discussed with either NYSDOT or Ulster DPW, sign needs to meet code, ATM locations need to be marked clearly on the plans, he states he will review the Stormwater report and landscaping on the next submittal and have comments in regard to those items on his next review. He states he reached out to Carlito Holt from PDE (traffic consultant) and Mr. Holt believes a Saturday AM and PM analysis of the intersection of 299 and Ohioville Rd will be warranted as well as both the site driveways should include pedestrian and bicycle counts as a critical element will be the interplay between the rail trail patrons crossing 299 driveway, trip distribution should consider amount of traffic that are destination trips versus pass by. He says Mr. Holt had stated that Trip distributions should consider amount of traffic that are destination trips versus pass-by/diverted link trips. This will be critical for estimating the volumes/movements at the 299/Ohioville Road intersection. Sight distances should be confirmed for both proposed site driveways. Accident data should be requested from state and analyzed. Ms. Gotto asks if a stop sign is typically put on the Empire State trail to indicate that a driveway coming up. Mr. DiDonna answers that there's only one stop sign on the trail now where the residential homes are, but they don't have stop signs for each business. Mr. Willingham says if the applicant needs waivers they should request them and they should look at ways to knock down the bright lighting around the ATMs a little bit as they were bright, and they were exceeding the 1 foot candles on the eastern property line which does not meet code. He states if they should provide a subdivision map and make sure it meets all the requirements.

The Board discusses the application. Ms. Gotto asks why Mr. Willingham says they need 2 Electrical Vehicle charging stations for 30 parking spaces. Mr. Willingham says the requirement is one station for 20 spaces and since this site has 30 spaces, it is rounded up. Mr. DiDonna inquires about the lighting situation and about the house that is connected to the property. Mr. Keating says the house will remain and they are going to break that off from the commercial

component of the job and that's where the subdivision comes in. Mr. DiDonna asks if there is going to be a landscaped barrier between the two properties. Mr. Keating says they will have the landscaped barrier along the property line by the old septic field that will screen the site from the project., he notes they can also shield the bright lighting Mr. Willingham had mentioned, and that they've already advanced their traffic study and it includes the items that have been requested and they will provided the Town and their consultant with a copy of that study. Ms. Gotto asks where the ATMs will be located. Mr. Keating answers they will be one in the vestibule and one would be located in the drive-thru lane. Deputy Chair Nolan asks if they have obtained a wetlands permit. Mr. Keating says they have the application prepared and it will be sent with the report to the Board as well as the DEC.

Mr. DiDonna makes the motion to refer the application to the Ulster County Planning Board. Ms. Welles seconds. 7 ayes. Motion Carries.

Mr. Keating notes that they also have their application in the Ulster County Health Department for the septic system design. He also asks about the existing house on the property maybe needing a variance due to it being far back from the road and not conforming to the setback. Chair Ruger suggests he check with the Building Inspector. Mr. Gotto asks if when the applicant goes back to the DOT, that they state the Board strongly supports one of the options for traffic (the right out), and Mr. Keating states that has been indicated already. Mr. Keating states the wetland report and permit will be submitted all together in one submittal when it is also being submitted to the DEC.

FREE CONCEPTUAL- Lot Line

44 Rocky Hill Rd.

Applicant: Jeff Arliss

Zoning: R-1

SBL: 78.16-3-17.121 & 18.211

Mr. Jeff Arliss is present at this point. The Board revisits the application. Mr. Arliss explains the application and what he would like to do. He states it's a single lot on route 32 on the west edge and he wants to subdivide it, his engineer drew a line from one rod to the other and produced a 14 acre lot to be subdivided.

Ms. Gotto asks if some of the property is conveyed to the other lot, it would remove some lot lines as well. Mr. Arliss states he'd rather not do that but if he had to, he said the lot he lives on is contiguous with this lot and it is vacant and he wants to subdivide it to make a lot that fronts on 32 and the other half would keep and/or conflate with the lot that he lives on but he'd rather not do that. The Board discusses. Deputy Chair Nolan says Orchard Place is not on the Town rolls and it is not listed as a Town road and therefore, the lot cannot be separated because there is no access. Chair Ruger agrees and says that even though Mr. Arliss does not want to convey the other lot, he may have to in order to get this to be able to be an approved subdivision. Mr. Arliss

says he will come back with a new map and subdivision application and go forward with he conveyance.

SITE PLAN REVIEW

PB21-514: 89 S. Ohioville Rd.

Applicant: Viking Industries

Zoning District I-1

SBL: 86.16-1-5.100

Mr. Rich Croce (applicant) and Ms. Caren LoBrutto (LaBella) are present.

Mr. DiDonna reads the draft resolution of approval. (See final approval [here](#)) The Board and applicant suggest some changes that are added to the draft.

Ms. Gotto moves to accept the resolution as amended. Ms. Schanberg seconds.

The Chair does a roll call:

Ms. Welles- Yes

Chair Ruger- Yes

Ms. Gotto- Yes

Deputy Chair Nolan- Yes

Mr. DiDonna- Yes

Ms. Schanberg- Yes

Mr. Capulli- Yes

7 ayes. Motion Carries.

Other Matters:

Chair Ruger speaks about procedural matters. She reminds the Board that if a member is unclear about the code, they should first go to the Building Inspector about NOT Board consultants (i.e. attorney, engineer). She states Board members should be checking with her before using the consultants as they are expensive, and applicants need to know if consultants are being used without being at a public meeting.

Adjournment

Mr. DiDonna moves to adjourn the May 9th, 2022 meeting. Deputy Chair Nolan seconds. 7 ayes. The meeting adjourns at 8:28pm.

Respectfully submitted by,

Brianna Tetro

Planning and Zoning Secretary

