



Town of New Paltz Planning Board  
Regular Meeting of Monday, **November 14, 2022**  
7:00 PM In Person  
Town of New Paltz Courthouse  
59 N. Putt Corners Road, New Paltz, NY

## **APPROVED MINUTES**

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

**Also present:** Andy Willingham (Planning Board Engineer)  
Ashely Torre (Planning Board Attorney)

**Absent:** All members were in attendance.

Chair Ruger called the meeting to order at 7:01 pm.

A quorum check for the November 28, 2022 meeting was held. All members indicated their availability to attend

### **Administrative Business**

- Approval of October 24, 2022 meeting minutes: Chair Ruger moved to delay this approval to the next Board meeting due to last minute corrections requested by a Board member.
- Chair Ruger set up escrows for three of the evenings' applicants:

Tasker PB22-390: Initial Amount \$2,500, Replenishment \$1250. Motion made by Matthew DiDonna and seconded by Lyle Nolan with all voting in favor after no further discussion.

Aube PB22-422: Initial Amount \$3,500, Replenishment \$1750. Motion made by Jane Schanberg, seconded by Matthew DiDonna with all voting in favor after no further discussion.

Mohonk Brook Farmhouse PB PB22-423: Initial Amount \$5,000, Replenishment \$2,500. Motion made by Jane Schanberg, seconded by Matthew DiDonna with all voting in favor after no further discussion.

### **Public Comment**

There were no public comments made.

## **Application Reviews**

### ***SUBDIVISION - PB22-329***

Location: 51 Horsenden Road

Applicant: James Rappa

Zoning District: A-3      SBL: 78.2-3-26.110

Appearing with Mr. Rappa before the Board was Robert Hagopian, of Hagopian Engineering who went over the details of the proposed subdivision plan. Mr. Willingham addressed the items of his review letter of November 9, and discussion was had among the members and applicant.

Ms. Torre stated that because it is a subdivision of less than 5 lots, it would not have to go to the Ulster County Planning Board.

Chair Ruger advised Mr. Hagopian an additional appearance before the Board would be scheduled once his response to Mr. Willingham's review was received (electronic copies), in addition to the other items mentioned during discussion, i.e., Hagopian letter to DEC, written waiver request and revised plans to include one small paper map.

### ***SUBDIVISION/LOT LINE - PB22-390***

Location: 15 Shivertown Road

Applicant: Robert Tasker

Zoning District: R-1      SBL: 78.16-3-28.100

Neither Mr. Tasker, nor his surveyor, Carney Rhinevault, made an appearance. The Board declined to review the application.

### ***SUBDIVISION/LOT LINE - PB22-422***

Location: 4 Julia Avenue

Applicant: Matthew Aube

Zoning District: A1.5      SBL: 86.1-2-17

Board member Jennifer Welles recused herself from this application review.

Matthew Aube appeared before the Board and gave a brief overview of his proposed subdivision. Mr. Willingham then addressed his observations written in a letter to the Board of November 9. Discussion ensued regarding the applicant's stated setbacks, road frontage and lot lines.

Mr. Willingham and Attorney Torre recommended Mr. Aube locate a metes and bounds description for the existing water easement.

A motion was made by Matthew DiDonna to request the Town of New Paltz Building Inspector clarify and confirm the applicant's plan details are correct, including:

- (1) that the lots in this proposed subdivision/lot line revision meet the bulk requirements,

including lot width, frontage, setbacks, etc., (2) as to the proper identification/designation of the front, side, and rear lot lines for the 2 lots, and (3) confirmation that existing encroachments on Lot 1 in front yard setback are legal preexisting nonconformities. Jane Schanberg seconded. There was no further discussion, and all voted in favor of the motion.

A motion was made by Matthew DiDonna to declare the plan an unlisted action under SEQR. The motion was seconded by Jane Schanberg, with no further discussion. All members voted in favor of the motion.

#### ***SITE PLAN/SPECIAL USE APPLICATION - PB22-423***

Location: Lenape Lane/Butterville Road: Mohonk Brook Farmhouse Rehabilitation

Applicant: Mohonk Preserve, Inc.

Zoning District: A-3                      SBL: 86.1-1-40.1

Appearing before the Board were Kevin Case, President of Mohonk Preserve, Inc., Chuck Reid, Director of Land Stewardship at Mohonk Preserve, Ryan Weitz, staff engineer at Barton Loguidice and Mike Moriello, Land Management Attorney for Mohonk Preserve.

Mr. Case went over the Preserve's need for additional office space to relocate Mohonk's conservation staff. Mr. Weitz then presented a sketch plan of existing conditions. Brooks & Brooks did the delineations of wetlands on the map. The previous use of the site has been at various time residential. The proposed use will be offices and meeting space. The proposed use is allowed in the A3 zone. Maximum capacity will be 5 full time/6 seasonal staff, which were rounded up to 12 on the proposed plan. They are also working with Coppola Associates who is looking at the site overall from a historic preservation standpoint. The site is within the Lake Mohonk Mountain House National Historic District. However, the barns and building are not listed as a contributing structure to that District. Mr. Weitz is also working with Alfrede Architecture for the building plans. There is also a conservation easement on the parcel.

Mr. Weitz stated that due to the buffer areas, it is a very tight site. Mr. Willingham said the existing septic system is a little bit of a conflict of engineering. One of the requirements of a new septic system is that it doesn't have the water table, but it is understood that this is an existing septic. One of the requirements of a wetland is that there is a water table. Mr. Willingham further stated he would be looking to have an investigation of the septic site. Mr. Weitz said they have not been able to locate the distribution box of the existing septic system, but he's hoping they will find it and have it inspected. Mr. Willingham said this would be referred to the Town's Wetland Inspector, to go out and inspect the site to verify the wetland boundaries.

Mr. Weitz stated a survey map was completed in Spring 2022, and he would give the Wetlands Inspector a copy, and the flags should still be out there. Mr. Weitz confirmed the DEC has mapped the wetland on the south side. Mr. Willingham stated sometimes the DEC will take jurisdiction. Mr. Weitz confirmed the parcel is located in the Critical Environmental Area. The applicant was asked to review the CEA for consideration species noted there.

Additional discussion was had regarding the parking on the site. The existing gravel parking will be “stretched out” and there will be some tree clearing needed. The applicant was asked to consider alternate locations outside the wetlands buffers.

Ms. Gotto questioned Mr. Moriello about the proposed segmentation and stated SEQRA provides for legal segmentation. The segmentation helps given Mohonk’s time frame, and meeting that time frame. He recommended to Mohonk’s team that any plans for the future, even if only conceptual, should be disclosed, because SEQRA requires you to look at the worst-case analysis or analyze that worst case analysis in terms of a lawful segmentation. He emphasized that they should be completely transparent before the Zoning Board.

Ms. Torre stated normally you aim to avoid any segmentation, you want to look at the whole action of all the activities that are proposed and anticipated in the future, but there are circumstances where it is up to the Board to decide to do what’s called permissible lawful segmentation, and one of them would be that the project is functionally independent of the future phases. Is this enough of its own smaller project and not intertwined with the greater, bigger, overall development plan. It’s a determination for the Board. The Board requested and the applicant agreed to a site visit, to be arranged.

Mr. Weitz confirmed that this project is in the early stages and they are not prepared because the planning has not been completed. “This site has been identified as an area that serve some of the needs for the Preserve, but it’s at such an early stage, that the information you would be rightfully asking for, we do not have the data for at this point.”

#### ***SIMPLIFIED SITE PLAN - PB22-424***

Location: 89 So. Ohioville Road

Applicant: LaMar Freeman on behalf of AT&T

Owner: Crown Castle USA Inc.

Zoning District: I1      SBL: 86.16-1-5.100

There were no appearances for this application seeking a waiver of Planning Board review of an antenna replacement at an existing AT&T Cell Tower.

Chair Adele Ruger made a motion to approve the application as a Type II action, pursuant to the provisions of 6 NYCRR Part 617 for purposes of SEQRA. So moved by Matthew DiDonna and seconded by Jane Schanberg. All present voted in favor, motion approved.

Chair Adele Ruger made a motion to approve the waiver of site plan review, so moved by Matthew DiDonna and seconded by Jane Schanberg. All present voted in favor, and the motion was approved.

#### **Other Business**

The Planning Board attorney was asked to provide a review of the Subdivision regulations in the Town Code.

**Adjournment**

Chair Ruger made motion to adjourn, Ms. Schanberg so moved, and all were in favor unanimously.

The meeting concluded at 8:40 p.m. Submitted by Kristine Tabasko

NOTE: A full viewing of the November 14, 2022 Planning Board meeting can be found at:  
[https://www.youtube.com/watch?v=65SZR3y\\_fY](https://www.youtube.com/watch?v=65SZR3y_fY)