



Town of New Paltz Planning Board
Regular Meeting of Monday, November 23, 2020
Live-streamed/Recorded Remotely at 7:00 PM
Available on YouTube: <https://youtu.be/ToDe8SqjBLA>

APPROVED MINUTES

Present: Lyle Nolan, Deputy Chair
Amy Cohen
Amanda Gotto
Stana Weisburd
Jane Schanberg

Absent: Adele Ruger, Chair
Matthew DiDonna
Brendan McLaughlin, Alternate
Eli Duncan-Gilmore, Alternate
David Brownstein, Town Board Liaison

Also Present: Ted Nitza, ENCB Liaison
Ashley Torre, Planning Board Attorney
Andy Willingham, Town Engineer
Alana Sawchuk, Planning and Zoning Secretary

Welcome

7:02

Deputy Chair Lyle Nolan opens the regularly scheduled November 23, 2020 Planning Board meeting.

Administrative Business

- *Approval of September 30, October 13, and October 26, 2020 Minutes*

Ms. Schanberg moves to approve the September 30, 2020 Minutes. Ms. Gotto seconds. 4 ayes. Motion carries. Ms. Schanberg moves to approve the October 13, 2020 Minutes. Ms. Gotto seconds. 4 ayes motion carries. Ms. Schanberg moves to table the approval of the October 26, 2020 Minutes until the December meeting.

Public Comment(s)

7:05-7:08

Ms. Weisburd arrives at 7:05 PM.

No written comments from the public were submitted prior to the meeting, nor did anyone submit comments during the live-stream via YouTube.

Members discuss the options for allowing Public Comment during remote Planning Board meetings. Ms. Cohen moves to permit members of the public to attend meetings via Zoom. Deputy Chair Nolan seconds. No further votes are taken. Members agree to speak with the Chair on this matter.

Application Review

1. Site Plan

Clearing and Grading Request

PB19-110-114: 175-177 Rose Lane

Applicant: John Heppolette

Zoning District: A-3

SBL: 86.1-1-21.111

7:17-8:21

Mr. John Heppolette is present to speak on behalf of his application.

The Planning Board needs to complete SEQRA before the Planning Board proceeds to vote on the drafted Resolution.

Mr. Andy Willingham leads the Board through Part 2 of the SEAF. Ms. Gotto ask a question regarding certain “Yes” responses that should be marked N/A on the SEAF Part 1. Mr. Willingham agrees and notes that these changes would apply for both 175 and 177 Rose Lane.

Mr. Heppolette speaks to the incorrectly marked answers on the SEAF and believes that his surveyor had completed the form when it was first submitted.

Mr. Willingham continues through Part 2 of the SEAF for 175 Rose Land. Ms. Gotto speaks to the significant biodiversity on this property. She agrees that the project would make a small impact but wants to mention the result from the DEC mapper.

Ms. Gotto finds that the risk of erosion would be greater due to the largeness of the slope. Mr. Willingham didn’t believe there would be significant erosion issues having visited the site.

Mr. Willingham moves through Part 2 of the SEAF for 177 Rose Lane. The Board discusses the project’s location as it relates to wetlands and water impacts.

Deputy Chair Nolan requests a motion to declare a Negative Declaration under SEQRA for PB19-110; -111; -113; -114. Ms. Schanberg moves. Ms. Gotto seconds.

Deputy Chair Nolan: Y

201123 PB Approved Minutes

Ms. Gotto: Y
Ms. Cohen: Y
Ms. Weisburd: Y
Ms. Schanberg: Y

5 ayes. Motion carries.

The Board discusses the language regarding condition #4: Monitoring and maintaining the environmental conditions on site. Mr. Ted Nitza is present to speak on behalf of the ENCB and their recommendations for this application. The applicant will deposit an amount agreed upon by the Planning Board allowing for the utilization of a qualified professional to either inspect the property or the property owner's annual reports. Deputy Chair Nolan proposes a sum of \$5,000.00 for an annual review over the course of 5 years. Ms. Cohen finds this to be an abnormally large ask of the applicant.

Mr. Nitza clarifies the ENCB's thinking regarding the length of time (5 years) due to the geography and conditions of this particular piece of land. Namely that any negative impact likely wouldn't be observed within a shorter period of time.

Ms. Weisburd moves to include the amount of \$5,000.00 in the Resolution to be used for annual environmental inspections by a qualified professional. Ms. Gotto seconds. 4 ayes. Ms. Cohen votes nay. Motion carries.

Attorney Torre leads the Board through the drafted Resolution. The Board provides greater clarity as to the nature of the annual inspections. Per Board discussion, the Resolution is revised as follows:

1. Prior to the issuance of the Permits the Applicant must submit an updated detailed planting schedule, approved by the Town's Environmental Conservation Board ("EnCB"), showing the specific species of the new plantings, their location and the use of tree matts at the base of the new plantings, or a confirmation from the EnCB that the existing plan is sufficient.
2. The Applicant shall abide by the remediation plan submitted to the Board on or about August 18, 2020, including the proposed monitoring plan by the Applicant:
 - Monitoring and repairing the deer fence weekly, or more frequently as needed.
 - Monitoring and annually reporting to the Planning Board by the Applicant or his designee indicating the survival rate of planted stock, notation of natural regeneration, status of fencing, photos, observations of erosion, if any, and noting any additional actions taken for restoration. The annual reports shall continue for five (5) years unless extended by the Planning Board at the end of the five years for good cause.
 - Annual inspection by the Town Wetlands Inspector to verify the aforementioned monitoring reports and submission of report to Planning Board at the cost of the Applicant who shall be required to put up sufficient escrow monies to cover the cost of such inspection and reporting.

3. Pursuant to Section 140-140 of the Town Code the Steep Slope Permits shall not be issued unless and until cash security in the amount of \$5,000.00 is deposited with the Town, to ensure compliance with the steep slope protection measures required by this Resolution.

Ms. Schanberg moves to approve the Resolution for PB19-110; -111; -113; -114 as revised at the November 23, 2020 meeting. Ms. Gotto seconds. 4 ayes. 1 nay. Motion carries.

Name	Ayes	Nays	Abstain	Absent
Chair <i>Adele Ruger</i>				✓
Deputy Chair <i>Lyle Nolan</i>	✓			
Member <i>Amy Cohen</i>		✓		
Member <i>Amanda Gotto</i>	✓			
Member <i>Stana Weisburd</i>	✓			
Member <i>Jane Schanberg</i>	✓			
Member <i>Matthew DiDonna</i>				✓
Alternate <i>Brendan McLaughlin</i>				✓
Alternate <i>Eli Duncan-Gilmore</i>				✓
Totals:	4	1		4

2. Simplified Site Plan

Business Relocation

PB20-317: 232-236 Main Street

Applicant: The “L” Salon

Zoning District: B-2

SBL: 86.12-1-16

8:21-8:28

Mr. Rob Melich is in attendance as owner of the property at 232-236 Main Street. Deputy Chair Nolan confirms that the applicant plans to move their salon from one location to another within the same shopping center with minimal renovations. Mr. Melich confirms, yes.

No further comments from Board members. Mr. Willingham reviews his submitted memo for Planning Board members and confirms there are no changes in parking requirements.

Ms. Cohen moves to classify PB20-317 as a Type II action under SEQRA. Ms. Schanberg seconds. 5 ayes. Motion carries.

This application is exempt from county referral with no Public Hearing required. Ms. Gotto moves to waive Site Plan Approval. Deputy Chair Nolan seconds. 5 ayes. Motion carries.

3. Lot Line Revision

PB20-00295: 282 and 290 Old Kingston Road

Applicant: Keith and Erica Libolt; David Clayton

Zoning District: R-1

SBL: 78.15-1-22; -23.110; -24.100

8:28-8:44

Ms. Patti Brooks is present to speak on behalf of this application. This is an application for a minor lot line revision and consolidation. There are no changes anticipated on either lot. Both lots use independent well and septic systems.

Deputy Chair Nolan confirms no new building sites or driveway cuts. Ms. Brooks confirms, yes. Everything on site is pre-existing.

Mr. Willingham agrees that this change cleans up the lots in terms of correcting non-conforming aspects and requests that the applicant address some minor issues relayed in a memo submitted to Planning Board members.

Deputy Chair Nolan asks if the shed is a permanent fixture. Ms. Brooks confirms that it can be moved.

This application is exempt from county referral; requires a Public Hearing, and is an Unlisted action under SEQRA. Deputy Chair Nolan requests a motion to declare this as an Unlisted action under SEQRA with the Planning Board as Lead Agency. Ms. Gotto moves, Ms. Schanberg seconds. 5 ayes. Motion carries.

Deputy Chair Nolan moves to set a Public Hearing for December 14, 2020 at 7 PM. Ms. Gotto seconds. 5 ayes. Motion carries.

Mr. Willingham will prepare a SEAF Part 2.

4. Accessory Apartment

PB20-314: 445 Plutarch Road

Applicant: Alexander and Irina Gillett

Zoning District: A-3

SBL: 79.3-5-18.100

8:44-9:07

Mr. and Mrs. Gillett are present to speak on behalf of their application. The applicants are looking to get an approval for an Accessory Apartment in order to host family members. The applicants have had several discussions with the Building Inspector and has gotten septic approval.

The applicants have gotten permission for a 1 bedroom.

Mr. Willingham runs through his memo with the Board, as well as the memo from the Building Inspector. No referral to county is required, however a determination needs to be made as to whether or not a recreation fee in the amount of \$1,000.00 is needed.

Ms. Gotto 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 Clerk and the amount set by resolution of the Town Board in the amount of \$1,000.00. Deputy Chair Nolan seconds. 5 ayes. Motion carries.

Deputy Chair Nolan moves to declare PB20-314 a Type II action under SEQRA. Ms. Gotto seconds. 5 ayes. Motion carries.

Ms. Gotto moves to approve the Accessory Apartment at 445 Plutarch Road. Ms. Schanberg seconds. 5 ayes. Motion carries.

Adjournment

Ms. Weisburd moves to adjourn the November 23, 2020 meeting. Ms. Gotto seconds. 5 ayes. The meeting adjourns at 9:09 PM.

Respectfully submitted by,

Alana Sawchuk
Planning and Zoning Secretary