



Town of New Paltz Planning Board
Regular Meeting of Monday, **September 11, 2023**
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, Matt DiDonna and Jennifer Wells

Absent: Lauren McPadden and Adrian Capulli

Also present: Andy Willingham (Planning Board Engineer), Ashley Torre (Planning Board Attorney), Mark Carabetta (Wetlands Inspector)

Administrative Business

A motion to approve the minutes of August 28, 2023 was moved by Ms. Schanberg and seconded by the Deputy Chair with no further discussion and all voting in favor.

Public Comment

The Chair then asked if there was anyone in attendance wishing to make a public comment and there was no one.

Application Review

SUBDIVISION/LOT LINE	PB23-269
Location: 15 Shivertown Road	Applicant: Michael Cuddire
SBL: 78.16-3-28.100	Zoning District: R-1

Mr. Willingham reviewed the drafted Part II of the EAF. A motion to adopt a negative declaration under SEQR was made by the Deputy Chair with Ms. Schanberg seconding and all voting in favor with no further discussion.

A motion to schedule a public hearing for September 28 at 7:00 pm was moved by Mr. DiDonna and Ms. Schanberg seconding and all voting in favor with no further discussion.

WETLANDS PERMIT	PB21-079
Location: 400 N. Ohioville Road	Applicant: Mid-Hudson Sporting Clays
SBL: 79.3-4-40	Zoning District: A-3

The facility manager (Steve Meyen) and co-owner (Richard Lanzilotta) of Mid-Hudson Sporting Clays (MHSC) appeared before the Board. The Board waited for the applicant's attorney, George Calcagnini to arrive.

In the interim, the Board heard from the Deputy Chair regarding the Conservation Overlay presentation and proposed zoning changes. Ms. Schanberg wanted to know how this is different from what the Town already has, what it adds, and if it is adding something, it should be very clear, especially if it is actionable. The Chair asked the secretary to reach out to the Chair of the EnCB to request they do a presentation to the Board at the October 23 planning board meeting.

Upon the arrival of the applicant's attorney, the Wetlands Inspector gave an overview of his involvement since November 2018. The applicant had submitted a site plan application to expand operations in 2019 (PB19-17) which was subsequently withdrawn in 2020. Upon learning of the road MHSC had constructed through a wetland area without a permit, a violation was issued by the Town's building inspector. Mr. Carabetta stated that under Town code § 139-19(E), the Town has the ability to compel the owners to restore the affected regulated area to the wetlands' condition prior to the violation. It is the Wetland Inspector's opinion that the owners must remove the fill that was placed in the wetland and replant the area to restore it to its natural condition – both for the wetland and the buffer areas (1.2 acres).

The Chair asked the applicant's attorney what was going on at the site which was the subject of the 2019 application for expansion. Mr. Calcagnini stated "Actually nothing. Since the day he (Mr. Carabetta) was there, not one thing has been done. Basically, returned to nature." Mr. Calcagnini said it would do more harm to take out the road, then just leave it there.

Mr. Willingham told the Board he agreed with Mr. Carabetta that the owners of MHSC need to do a restoration plan and show all the road they're taking out and how it's going to be restored back to what it was. That plan should include topography and a grading plan showing how they're going to take the material out. He also stated he observed some type of structures while viewing aerial photos, and they should be included in the plan and whether they're going to be removed. Culverts, and the type of restorative plantings should be noted as well. The applicant is also working with the Army Corp. of Engineers because an ACOE wetland is involved and must provide the Board with an update of that process. Mr. Willingham recommended the Board conduct a site visit with himself and Mr. Carabetta also in attendance. Another item the Board would need is an erosion and sediment control plan. There should be construction fencing used to ensure there is no further disturbance. The existing wetland boundaries should be verified by Mr. Carabetta.

Mr. Carabetta added "In addition to the road disturbance, there were culverts placed under the road so the hydrology of the area has been altered by the placement of the fill. It can be restored by the removal of the road.

The Chair requested a time/date from the applicants whereby the board members and consultants could visit the site. It was decided Saturday, November 4 at 10:00 a.m. would be the day.

The applicant's attorney stated he would request their wetland consultant, Michael Nowicki,

speak to Messrs. Willingham and Carabetta prior to the scheduled site visit.

Adjourn

A motion to adjourn was moved by Ms. Schanberg and seconded by Mr. DiDonna and all voting in favor of the motion.

Submitted by Kristine Tabasko

NOTE: A full viewing of the September 11, 2023 Planning Board meeting can be found at:
<https://www.youtube.com/watch?v=JWFBrcBxSmg>