

Town of New Paltz Planning Board

FINAL Minutes

April 8, 2013

Agenda:

**PB 2013-02, L. Vlamis, 238 Main St., Demolition Site Plan**  
**PB 2012-11, L. Vlamis, 143 S. Ohioville Rd., Subdivision/Lot Line Revision**  
**PB 2006-26, S. Vaccaro, O'Rourke Dr., Subdivision**  
**PB 2007-18, J. Rappa, Horsenden, Subdivision**  
**PB 2009-08, Hampton Inn, 4 S. Putt Corners Rd., Site Plan**  
**PB 2011-13, New Paltz Views, 16 Waring Lane, Subdivision lot 8**  
**PB 2011-03, Pyramid Services, Eugene L. Brown Dr., Subdivision**  
**PB 2010-06, K & E Beverage, 255 Main St., Site Plan**  
**PB 2010-14, Wilmorite/SUNY Park Point, 141 Route 32 S., Site Plan**

**Present:** Mike Calimano, Peter Muller, George Lithco, Tim Rogers, Dave Clouser, Tom Power, Lagusta Yearwood, Lynn Bowdery (alternate)

Board Member(s) absent: Lyle Nolan, Eileen Banyra

Chairman Calimano called the meeting to order at 7:06 pm.

**MINUTES**

March 25, 2013 minutes presented.

Motion to approve the minutes made by Tim Rogers.

2<sup>nd</sup> by Tom Powers.

All others present in favor. Motion passed.

**PUBLIC COMMENT ON ISSUES OTHER THAN PUBLIC HEARINGS**

Bob Gabrielli, Town resident, wanted to reiterate his concerns over the road, the subdivision and the financials of the Wilmorite/Park Point application.

Ira Margolis, Town resident, speaks on the financial statements developed by the applicant concerning police services for the Wilmorite/Park Point application.

## APPLICATION REVIEWS

### **PB 2013-02, L. Vlamis, 238 Main St., Demolition Site Plan**

Rich Ruth from Brinnier and Larios comes before the board on behalf of Mr. Vlamis, who would like to demolish the existing 2 story single family residence located on the Burger King parcel at 238 Main Street. He would then use the space for additional parking and better traffic flow for the parcel. The location would be filled in and paved in accordance with town code.

Dave Clouser goes over his review of the plan. It is a straightforward plan, though it is based on the former plan, not the latest site plan for the new Burger King site. He is curious why the applicant wants so many parking spaces. Mr. Ruth, speaking on behalf of the applicant, states that he is only speculating, that he would probably prefer to have to pave less and create some additional green space.

Lagusta Yearwood brings up the idea of having it deemed historical, which may provide some tax relief.

Tim Rogers wonders if this is a pre-plan to get rid of something that is somewhat of a nuisance so that in the future he may develop the rear parcel. Mr. Ruth doesn't know any of his future plans.

There is discussion of impervious space, verses pervious space. Tom Powers is in favor of taking it down, but not in favor of paving the entire lot. Tim Rogers is in favor of Mike Calimano's suggestion to use green space to create a picnic table area with trees for Burger King Customers.

Mike Calimano suggests better use of green space, possibly a picnic area for Burger King Customers.

Lagusta Yearwood still wonders if there is a more creative use for this space, as commercial space in New Paltz is limited.

It is suggested that the applicant base his site plan off of the most recently approved Burger site plan.

Mike Calimano states that the new plans would also need to go up to the Ulster County Planning Board for their recommendation. They would need it two weeks before their next meeting.

Motion to send it to UCPB made by Tom Powers.

2<sup>nd</sup> by Tim Rogers.

All others present in favor. Motion passed.

George Lithco states that based on the information that the Board has, that we need to treat it as unlisted action, complete a SEQRA review, and issue a determination of significance.

Dave Clouser goes over the SEQRA requirements checklist.

Motion to declare this an unlisted SEQRA action and, on consideration of the Short Form and SEQRA criteria, issued a negative SEQRA determination is made by Tom Powers.

2<sup>nd</sup> by Tim Rogers.

All others present. Motion passed

**PB 2012-11, L. Vlamis, 143 S. Ohioville Rd., Subdivision/Lot Line Revision**

Patti Brooks appears before the Board on behalf of the applicant. She states that she has meet with the Highway Superintendant, and they have an approved roadway plan. She goes over the other changes to the site plan that they made. She is still waiting to hear from Central Hudson with regards to the pole relocation.

Mike Calimano states how we now have enough information for a public hearing.

A motion to set the date of the public hearing for April 22, 2013 is made by Lagusta Yearwood. 2<sup>nd</sup> by Tom Powers.

All others present in favor. Motion passed.

**PUBLIC HEARINGS**

None

**OLD BUSINESS**

**Extension Requests:**

**PB 2006-26, S. Vaccaro, O'Rourke Dr., Subdivision**

**PB 2007-18, J. Rappa, Horsenden, Subdivision**

**PB 2009-08, Hampton Inn, 4 S. Putt Corners Rd., Site Plan**

**PB 2011-13, New Paltz Views, 16 Waring Lane, Subdivision lot 8**

**PB 2011-03, Pyramid Services, Eugene L. Brown Dr., Subdivision**

A motion is made to grant a 90 day extension for all of the above applications, and request that all of the applicants appear at the July meeting of the Planning Board for updates on their applications, is made by Peter Muller.

2<sup>nd</sup> by Lagusta Yearwood.

All others present in favor. Motion passed.

**PB 2010-02, K & E Beverage, 255 Main St., Site Plan – extension request**

Mike Calimano would like suggestions on what to do about the K & E application extension, as the applicant was supposed to provide us with a work schedule by the next meeting, which is tonight. The Planning Board has not received anything from this applicant yet, nor has he made any additional contact with the Building Inspector.

George Lithco makes the suggestion that the Board could table their vote, send him official notice that the Board will consider denying extension of this site plan at the next meeting, and that the approval will then expire and be void, requiring a new application, unless he comes before the Board to explain

whether the site plan will be modified to incorporate any of the numerous unapproved site improvements noted by the Building Inspector, and provides an exact schedule and time frame for submitting the modified site plan, or if not, completing the work shown on the approved site plan.

Mike Calimano states that he will draft a letter, requesting his attendance at the April 22 meeting or the site plan will not be extended.

#### **PLANNING BOARD ADMINISTRATIVE MATTERS DISCUSSION**

Discussion of new SEQR review forms website.

#### **APPLICATION REVIEWS CONTINUED**

##### **PB 2010-14, Wilmorite/SUNY Park Point, 141 Route 32 S, Site Plan**

Doug Eldred, Mike Moriello, Jim McKenna, Tom George and Timothy Frateschi appear before the Board to go over their first FEIS submittal.

Mike Calimano states that the Board has received this first section of the draft FEIS, and they are looking at it to review the format. George Lithco makes some suggestions to the format, especially with regards to indicating in the proposed response what specific comments that are being addressed, when appropriate; adding date and time information in the footer section so that revised versions are apparent; adding line numbers in the margin to facilitate references in discussion, and addressing the SEQRA requirement that revisions to the DEIS text be clearly identified.

Tim Rogers likes the format, he would like to suggest that they also make a note as to whether each reference was addressed in the original DEIS, or if it is a brand new topic/question. In other words, state if it is a brand new topic. If not, reference the location of it in the DEIS.

Lynn Bowdery questions the references to an appendix for the FEIS that was not provided. It is mentioned that the Board will receive all of the appendices when they receive the entire FEIS. Though they do have each appendix for any time it is referenced at this point.

It is noted that the Board did receive a new searchable form of this submission via email today.

Tim Rogers has another structure/substance issue regarding something referenced on page 27.

Lynn Bowdery is wondering when the Board will discuss topics wherein they don't feel something was addressed properly. Mike Calimano states that at any point these issues can be raised. At this point the Board still has not had enough time to react to the first section, which they just received Thursday.

Mike Calimano states that they will go over the questions that they have thus far.

Lagusta Yearwood has three initial comments. Her first item of concern is the Loop bus schedule and will there be any funding of this by the applicant. Tom George states how UCAT and the Transportation committee are still in discussion on what their exact plans are. She is also concerned about what if the Board is not completely happy with their responses. Mike Moriello states how this makes UCAT stronger, as it boosts ridership, and adds additional loops into the college. UCAT does see a benefit.

Tim Rogers is concerned that the additional length of time may dissuade some riders. This is not in Wilmorite's control. Lynn Bowdery has a question on a statement on page 40. They state how they do have a favorable letter from UCAT, that UCAT is in agreement to this additional service, but the final say is up to the Transportation Committee. Tom Powers has concerns on whether it is authorized or proposed. The bus stop is not built yet, so it is proposed. He is concerned that UCAT could change its mind even if the project is proposed. Doug Eldred states how it is difficult for an organization to approve something based on a project that is not finalized. It may be best to use the wording "conditional approval".

Lagusta Yearwood also has concerns on page 51, comment 26, she feels that this needs to be more clear.

Her last concern thus far, is on page 37 concerning composting. She would like to see a composting system, and not just a compost bin. Jim McKenna states that when constructing their waste areas, that they could have the ability to join a composting program if the Town should implement one. Tim Rogers states how the college dining hall and student union food service area composts, and they contract with a hauler for this purpose. It goes to the New Paltz and county recycle centers.

Lynn Bowdery has some concerns about not being able to understand some of the responses on page 50. She felt they need a more direct response. Does this potential dedication mean that the town would just be given this plant, or be charged for this, and what if it is outdated and obsolete? Doug Eldred states how it is totally up to the Town, should they even want it, but it is not something that they have to take. Mike Calimano states how the benefit is simply that if the Town should someday want to expand their use of that corridor, they are being given the opportunity to take over this system. Other than that, this is being built for the use of the complex. They will be expandable sites. Lynn Bowdery states how this must be made as clear as possible.

Mike Calimano states how they will have more input at the April 22 meeting. It is suggested they do work on re-doing it structurally, but wait on the comments on the 22<sup>nd</sup> to incorporate all items of concern.

Tom George states how they are prepared to go over time line wise the site plan development, but that he will wait until Eileen Banyra is present, as she was the one with the most questions as to the history.

Tom George introduces Timothy Frateschi, their attorney, who explains how the letter that he wrote was generated. Mr. Frateschi speaks to the Board on this issue, and asks if they would like to pose any questions of him with regards to this SEQRA. He is a Chairman of the Planning Board of his Town, as well as being a Planning Board attorney. He has a great deal of experience on all three sides. He expressed some concerns about the Planning Boards role with regards to the PILOT application to the UCIDA. He is stating the IDA had been authorized by the State Legislature to grant PILOTs. He is wondering how knowing the costs to the Town will affect the Planning Board. His view is that the Planning Board's role under SEQRA is to review/approve site plans. Tim Rogers again states how at the UCIDA meeting, it was stated how the Planning Boards input will be considered in the granting of a PILOT. Lagusta Yearwood wants it known that the Board has the responsibility to determine if a project is a benefit to the Town. George Lithco noted that the UCIDA policy does ask that municipalities and taxing jurisdictions provide information about the community services required by projects applying for IDA assistance, and that the Planning Board, as the Lead Agency on this project, has an obligation in that role to ensure not only that the EIS addresses impacts on issues such as community character and

community growth which could be affected by replacement of students in existing housing, but that it provides sufficient information for all involved agencies to comply with SEQRA. The EIS is also the basis for the findings that the Planning Board, as Lead Agency, will make to comply with the requirements of SEQRA. He noted that there have been issues raised by the Town Board, as well as members of the public, about the accuracy and completeness of the fiscal impact analysis. Therefore, there is need for the fiscal impact analysis to be reviewed by someone who can completely understand the financial impact to the Town and assess the accuracy and completion of the analysis. In view of public concern about the fiscal impact information submitted with the DEIS, and that basic assumptions, such as the agency providing police services, it would seem that an independent review serves the applicant as well as the Lead Agency.

There is continued discussion on this subject. The Board is certainly not attempting to dictate what the PILOT will be. According to Mike Moriello, the economic impacts must be related to the environment as per SEQRA. Mike Calimano states how the Board is just summing up what the financial impact will be. Tom Powers states how it is Wilmorite's responsibility to revise their numbers based on the new development of this project now using the Town Police Department as first responders. It is also the Town's responsibility to do their own research on these costs. Tom George states how they are revising their numbers based on all these changes that have come to light. Mike Calimano states how he, the Town Supervisor, as well as the Chief of Police, Fire Chief and the Rescue Squad will be setting up a meeting to discuss all of this. Tom George asks if he could be there. Mike Calimano is under the assumption that it will just be a Town departmental meeting. The UCIDA can't make a decision until the SEQRA is complete. Lynn Bowdery also has concerns on how the vacancy left behind in the town/village apartment rentals, will eventually be replaced by other people; therefore there will be some impact. Mike Calimano states how this is being studied as 732 more residents added to the town.

Lagusta Yearwood discloses that she does have one rental unit in the village that she rents out to students. Tim Rogers states how he is part owner of one building that has four apartments with a total of five bedrooms in the building. Peter Muller discloses how he is not an actual rental owner, but he is related to a student rental owner.

There is conversation on the RFP by the Town for a Financial Analyst. Mike Calimano states how they haven't moved forward on this as of this point. Tom George states how he hasn't seen any data from anyone in town, so therefore until something else is submitted, they have nothing else to use but what they were originally given. They need accurate data so that they can put together actual numbers. Tim Rogers states how he was under the impression that if we had an independent analyst they would be held accountable to the Town. Tim Rogers suggests that Wilmorite review our RFP and comment on PILOT specific questions they believe should be excluded. Mike Calimano again states how he and the Supervisor are working on getting a meeting together with emergency service heads in order to get a more clear financial picture. Mike Moriello states how it is not the applicant's responsibility to prepare both sides.

Mike Calimano suggests that the applicant send out the next grouping of the draft FEIS in its current format, just so that the Board members have some additional time to review. Then change whatever is left to the new format that was suggested.

Motion to adjourn the meeting made by Tom Powers.

2<sup>nd</sup> by Lagusta Yearwood.  
All others present in favor. Motion passed.

Meeting adjourned by consensus at 8:45 pm.

These minutes respectfully submitted by Kelly O'Donnell