

**VILLAGE OF NEW PALTZ PLANNING BOARD
SPECIAL MEETING JULY 25, 2006**

Call to order: The meeting was called to order at 7:05 p.m.

Members Present: George Danskin, Chair; Ray Curran, Marion DuBois, Ruth Elwell, Laura Heady.

Planning Board Consultants: Robert Chamberlin, RSG, Inc; Dave Clouser, Clouser & Associates; Ted Fink, GreenPlan; Drayton Grant, Grant & Lyons; Al Wegener, Landscape Consultant

Also present: Members of the public.

Announcement:

The Chair announced that the purpose of tonight's meeting is to begin discussion on whether the Planning Board finds the FEIS complete and acceptable; and if not, to identify the outstanding issues requiring additional analysis and documentation.

The Chair explained the process to date: (1) The applicant prepares a Draft Environmental Impact Statement (DEIS), (2) The public and other agencies submit comments regarding the document and (3) The applicant tries to address all those comments in the Final Environmental Impact Statement (FEIS). The Board and their consultant have reviewed the applicant's responses and will try to determine this evening whether all the issues have been met to the Board's satisfaction.

The Chair further explained that once the Board determines the document to be complete, the FEIS will be filed and a set of Findings (findings and conclusions) will be completed and posted/filed. There is a ten (10) day period during which the public and other agencies can review the FEIS, after which the Planning Board can issue findings and approve or disapprove the project.

The Chair noted that the consultants will be introduced when they address issues relevant to their areas of expertise and reminded people that this was not a public hearing.

Pending Application:

PB03-24: Kingston Regional Health Care System/New Life Management & Development Inc.
Woodland Pond at New Paltz, a proposed Continuing Care Retirement Community,
North Putt Corners Road.[SBL: 86.2-1-7; 86.2-1-2-112; 86.2-1-12.100 (PB and R-1)]
Determination of DEIS "completeness."

Applicants Present: Frank Mandy, NLMD; Cynthia Rosenberg, KRHCS; Nancy Vlahoes and Troy Wojciekofsky; Chazen; Tom Corona, Tritec Bldg Co.

In addition to the public meetings, the Chair noted there had been several meetings over the past months between the applicant's consultants and the Board's consultants regarding technical issues in an effort to resolve problems and minimize the impacts associated with this project. The Chair had distributed an excerpt from the State Environmental Review Act regarding decision making and finding requirements.

The Chair introduced Ted Fink, the Board's consultant planner who had prepared a number of issues for discussion tonight. Mr. Danskin pointed out that two major issues include grading and excess material and the routing of the infrastructure (the latter is shared with the Village Board). He noted that excess material from the site preparation (how much material will remain and how it is disposed of) is linked to other issues such as vegetation removal and visual impact.

Mr. Fink's report summarized the remaining (17) impact issues and mitigation measures proposed by the applicant to date. The status of those issues is as follows:

Resolved Issues:

1. Soil (pesticide contamination)

Mr. Clouser said that the applicant had followed the governmental guidelines related to encapsulating and removing contaminated soils and Ms. Grant noted that they had exceeded the standard requirements.

2. Building Material

Although the Board preferred wood clapboard siding, the applicant has not offered an alternative to vinyl siding based on the cost issue. This issue is best dealt with during the site plan review.

3. Wildlife

Site development has been placed in areas previously disturbed and avoided wetlands and woodlands. Applicant has proposed working the US Fish & Wildlife Service to determine appropriate times for tree removal and suggested finalized this issue during the site plan review process. Ms. Heady asked for sediment controls and village inspections; she was informed that these are ultimately a Village enforcement issue.

4. Cultural Resources

The applicant has forwarded an avoidance plan to the NYS Office of Parks, Recreation and Historic Preservation (OPRHP) for review and concurrence. Mr. Fink believed there was a sufficient basis to make a finding without a final OPRHP response.

5. Lighting:

There will be a maximum of 12' high lights of all walkways, roads, parking and public area and all lighting will be directed downward.

6. Fiscal Resources

The applicant will be negotiating a PILOT agreement with the Village, Town and School District.

7. Energy Resources

The applicant said geothermal energy would not be practical for this size residential unit since multiple geothermal wells would be required. It was questionable whether there was even enough space for all the wells given the configuration and land restrictions for the development.

8. Alternative Site Layout

The current reduces the environmental impacts in many of the items identified in the document.

9. Alternative Terminal Vista:

The "terminal vista" of a parking lot for drivers entering the facility was eliminated in the current plan. The use of a roundabout was also dismissed as it could cause confusion for drivers, be difficult to landscape and would use more impervious surface.

Partially Resolved Issues:

1. Wetlands Protection

The applicant avoided all direct impacts to the wetlands and sited all buildings greater than 100' from on-site wetlands although sidewalks and parking can occur within 100'. They have also proposed soil erosion and sediment controls, use of bio-retention systems for water quality control, BMP to minimize indirect impacts during construction, directional boring under wetlands for utility placement (or trenching under COE Nationwide permit program).

Due to the proximity of the roads to the wetlands, Ms. Elwell requested the applicant look into various types of de-icers other than just salt. Mr. Clouser asked if the applicant could look at the level of discharge since the increased nitrogen and phosphorous levels might not be advantageous to the wetlands (though not dangerous).

2. Traffic

Mr. Chamberlin had made a number of recommendation to which the applicant was willing to comply including: (a) a formal commitment to the secondary access drive to the future local road network; (b) a full service access to the development from Erman Lane; (c) construction of a northbound left turn lane on N. Putt Road at its approach to the site entrance; (d) traffic signal optimization on Route 299; (5) the posting of a bond with the Village for repairing any local roadway infrastructure that deteriorates as a consequence of project construction and spoils hauling and (6) controlling dust resulting from construction and truck movements, both on site and on roadways used by spoils trucking. Mr. Chamberlin added that the best plan for the N. Putt and Ridgeway intersection would be to align the driveways (limit the curb cuts). Mr. Mandy said he had minimized the wetland impact by using an existing crossroad and therefore felt that the Board would not want to expand on that impact. Mr. Chamberlin noted the parking may be overbuilt and said he would provide additional information on this topic. Mr. Mandy said the amount of parking was necessary to accommodate residents and staff.

The Board noted the first three recommendations would promote future interconnectivity and also be advantageous to the Greenway Plan.

3. Utilities/Infrastructure: Sewer and Water Pipes.

The preferred water/sewer route proposed by the applicant started off the site to the southwest under the Mill Brook Preserve (under the wetlands) and onto Bonticou View Road (this also included the repair of the existing pipes and the rebuilding of the 32 pump station). Mr. Ruth said the Village Board now prefers to route the infrastructure from Ermin Lane (on N. Putt Corners Rd) toward Henry W. DuBois (HWD) and the HWD pump station. He said they are the preliminary stages of investigating this route and the various Village requirements proposed to upgrade the existing system (e.g. HWD pump station and force main). He noted that this alternative will also require approvals from the Ulster County Highways & Bridges (UCH&B) and the Town of New Paltz (for construction in their respective areas). Mr. Ruth is currently looking at the legal requirements of the creation of a new water and sewer district and the construction within those right of ways, and the additional financial cost of this plan (UCH&B may require additional paving). The applicant noted that this route is significantly more expensive (several \$100,000s or more) and will help fix a significant sewer problem in the village.

Board members confirmed that this route would avoid the wetlands. It was noted that this route might also serve other potential customers in the light industrial area (in the town section of N. Putt). There was a suggestion to install the infrastructure off the existing travel lanes thereby creating a potential pathway that would be available to pedestrians and bicycles which may qualify for state/federal funding. The Chair suggested that all the infrastructure work be done on the west side of the roadway.

4. Alternative Stormwater Management Techniques

The current plan incorporates the use of bio-retention area to reduce stormwater runoff quality/quantity impacts. The applicant will consider using grass pavers on the emergency fire access roads (and encapsulating the contaminated soils elsewhere) and noted that raising the site will eliminate some of the bio-retention sites.

Open Issues:

The Planning Board requested additional information and /or reconsideration of the following issues:

1. Grading: The mitigation of this issue has changed substantially from the DEIS

The grading plan had been revised to drastically reduced the amount of excess material to be transported off the premises by @ 100,000 cubic yards (and decreases the number of truck trips which impacts on the traffic and environmental conditions of trucks entering/exiting the site). The original plan entailed 260,000 yards of excess material requiring 20,000 actual truck trips (to and from the site) as well as the loss of the material.

The applicant was asked if he could reduce the grading even further. Mr. Wojciekofsky showed the difference in grading between the DEIS and the current proposal indicating the decrease in the amount of material to be carried off site. Based on Mr. Clouser's suggestion to elevate the finished floor of the entire site, they looked at steepening the filled slope and raising the site 6'-10.' There was a long discussion between the engineers regarding the additional grading alternatives and the impacts of those changes (e.g. elevating the site would require structural fill to be imported; making the slope steeper will require it to be reinforced, make parking more difficult and compromise the safety of the senior population residing there, lowering the parking lot would increase the amount of fill to be carted off the site).

Mr. Mandy pointed out that they had used and accommodated the topography in the design of the buildings and that grading was a balancing issue between the needs of the proposed community and environmental impacts of fill/traffic. There are certain engineering aspects of the plan that the applicant will continue to improve upon into the site plan process and coordinate with the Planning Board's engineer to minimize the offsite export of materials. Ms. Heady requested additional information to determine the short term impact of trucking all the soil offsite compared to the long-term impact on the wetlands from clearing the slope on the west bank.

The applicant's engineer presented the information in a more conceptualized format and anticipated that the full plan would be completed shortly. Mr. Danskin summarized/simplified the issue as follows: do we dispose of the excess materials and/or elevate the cottages and disturb approximately half of the west slope.

Mr. Clouser said there's a limit of how much you can step down and suggested that the interior of site could be steeper and still meet all the guidelines. The applicant noted they would then running into road and parking lot problems. Mr. Curran felt some additional balance that could occur in adjusting elevations to further reduce the impact and extent of the embankment into the preserve. Ms. Elwell noted that this was not the final product and confirmed the importance of balancing the factors such as how important are a few particular trees as opposed to being able to find a way to make this plan work without having to take so much soil off the property. She felt this was a good approach but not quite there yet. Ms. DuBois was most concerned about fill going into the transition area which could impact on the wetlands.

Mr. Mandy voiced frustration that they were continually being asked to make changes that had minimal impact on the total amount of fill. The project has already been redesigned to be very tightly clustered at the direction of this Planning Board and the environmental community. He said it doesn't make sense to spend large amounts of money to re-engineer the site for a minimal gain of a couple of feet. He expressed concern for the impact to the large number of depositors in the audience if construction was delayed another year.

Mr. Danskin expressed concerned that the discussions may be reaching the point of diminishing returns. He felt this issue was to be resolved within the SEQR process and requested to see the plan in its final form, indicating the most the applicant can do and Mr. Clouser's agreement that it represented the best possible design. He clarified that the Board seems more concerned with the

aerial extent of the fill from the top of the slope downward then the traffic impact of taking the excess material off-site.

2. Tree Removal and Landscaping

The applicant has proposed planting over 500 new trees (6'-12') to replace and supplement lost trees which will take @ 15 years to become fully established. Mr. Wegener questioned the long-term survival of the plantings based on the subsoil used. He explained that within a few years, tree roots grow sideways, beyond the original "potting soil" and since that subsoil has little/no organic matter, their growth will be stunted. He said the situation can be remedied; proper soil should be placed 18" on all sides for every tree planted.

Mr. Danskin noted that he has seen the results Mr. Wegener predicted. He observed that relatively recent plantings on abused settings (suggested by reputable architects and approved by the Board) were surviving not thriving. He felt that this issue was worth pursuing to insure the quality and integrity of the finished site in years to come. The applicant felt that their landscaping consultant would be able to assess the situation and provide planting that would survive long-term; and would address this issue in their findings. Mr. Mandy stressed their long term commitment to the project, the site and the landscaping. Ms. Heady pointed out that no one questioned the applicant's intention to create a desirable community; they just wanted to insure that the landscaping has the necessary subsoil in which the trees can flourish.

Mr. Wegener suggested that the applicant comply with the standards set forth by Cornell University Horticultural School regarding the quality of the soil for the planting of trees. He again stressed this is not the "potted" soil but the surrounding soil. He said he asked for an indication of the quality of the soil since the beginning of the project (time of the scoping document) and that information still hasn't been provided. Mr. Wegener said he was advocating this viewpoint not for the sake of the preserve or the wetlands but for the quality of life of the residents of the development in years to come.

There was a brief discussion about the caliber of the trees and the growth time of various trees.

3. Open Space

The applicant stated in numerous public forums that they have no future plans for developing the 48 acres which are scheduled for inclusion in the Mill Brook Greenway. Mr. Curran proposed a discussion about the ways the GreenWay might be designated and managed. Mr. Mandy felt this was premature since the SEQR process is not yet completed, other land owners were involved, and his committee was clearly stated and indicated on the map presented.

Ms. Elwell said she felt this was not appropriate for SEQR review. She noted that if there is a commitment to what is going to be preserved (which there is) and if that has been designated as open space preservation, the question of development, management, and rules regarding a particular sponsor is not part of the open space (environmental) issue with SEQR; but rather a post SEQR management issue.

The Chair felt that the planning and management of the preserve was a community issue and responsibility. He said that since no planning has been done to date (no roads, no sewer pipes, no recreational facility), the applicant has nothing to elevate at this time. He clarified that there is an ad hoc committee (town and village) with no formal standing to date and that the Greenway project will involve 5 or 6 other owners.

Ms. Grant said that this has been done before in the SEQR process but if you have enough information and are comfortable with the basic parameters of the proposal, you can complete SEQR and still impose and work through issues during the other approval processes.

Ms. Grant will forward language (used in other projects) to use for a conservation easement and suggested a note on the documentation/property map that basically takes development off that part of the site and states that the applicant will work with a local land trust. Mr. Fink agreed and said he had worked on other situations where a commitment has been made and a note is made on the map for the conservation area (with appropriate language protecting the area). In such cases, the findings could indicate that the final arrangements for the level and type of protection mandated for this area will be to the satisfaction of the Planning Board and the Planning Board attorney. He said he has worked successfully on a number of cases where these types of issues are either worked out prior to final approval or as part of the final approval process.

4. Visual Resources

Mr. Fink noted the results of the nine aerial balloon testing were that the proposed buildings would be visible from only two of the nine locations. The applicant maintains that the landscaping and compact development (with the 48 acres dedicated to the preserve) is sufficient

to mitigate the visual impacts of the projects. Mr. Curran asked if the raising of the site would change this. Mr. Mandy noted that the two visible points were from Mohonk fire tower and another location on road of the other side of the Wallkill River and only the tips of the two towers could be seen; he believed the changes in the site would not impact the visibility.

After reviewing the maps and discussing the issue, the Chair asked the applicant to bring a scaled drawing so the visibility can be assessed from the points that Mr. Curran discussed.

Adjournment:

A motion to adjourn was made by Ms Elwell, seconded by Ms. Heady and passed unanimously by the Board at 10:20 pm

Respectfully submitted,

Alison Shestakofsky
Secretary to Village Planning Board

Copies to Trustee Michael Zierler
Drayton Grant, Attorney
David Clouser, Engineer
Ted Fink, Planner
Bob Chamberlin, Traffic Engineer

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