

**VILLAGE OF NEW PALTZ PLANNING BOARD
WORKSHOP MEETING JUNE 5, 2007**

Call to order: The meeting was called to order at 7:03 p.m.

Members Present: George Danskin, Chair; Ray Curran, Ruth Elwell.

Also present: Jay Samuelson, P.E., Jayne Daly, George Sifre, Barry Medenbach, David Clouser, Al Wegener, Frank Mandy, Cynthia Rosenberg, Walter Kubow, Kevin Bernstein, Michael Zierler; Village Trustee and Planning Board Liaison, and other members of the public.

Announcements from the Chair:

Due the size of the agenda, the Chair proposed that the Board devote 20 minutes to each of the first three projects and 45 minutes to each of the larger projects (Woodland Pond and Victorian Square).

New Applications with Public Hearings:

PB07-12: Shapers Hair Salon. 6 N. Manheim Blvd. [86.35-1-3 (R-2)]

Site Plan: Enclose existing porch/patio to enable use as a waiting room

UCPB Review Required

Applicant: Not Present

Since the applicant was not present, the Chair postponed review and discussion of the application until next week.

PB07-13: Rocco Ciardiello. SUNY Tanning Salon. 94 N. Chestnut Street [SBL: 86.26-2-30 (B-3)]

Site Plan: Enclose existing side carport for use as an additional tanning space.

UCPB Review Required.

Applicant Present: Rocco Ciardiello

Mr. Ciardiello said he intended to create more storage space, another show room and an additional tanning room. He explained the specifications of the renovation, addressed aesthetic concerns (glass enclosure, columns), confirmed that the entrance location would remain the same, and verified that the enclosure would not exceed the area of the existing carport. Board members were satisfied with the application. The Chair noted comments were due from the Ulster County Planning Board (due to the proximity to the state highway) and that the public hearing will be held next Tuesday.

New Applications:

PB06-41: Dino Toscani. 123 Main Street [SBL: 86.34-6-16.3 & 17 (B-2)]

Site Plan for 13,200s/f of retail space, 24 apartments and parking.

Applicant's Representatives Present: Jay Samuelson, P.E., Jayne Daly, Atty. Engineering Properties

Since last month's meeting, the applicant submitted revised plans which were forwarded to Michael Allen (Behan Associates) for review and comment. Mr. Allen's counter proposal was then distributed to the Board and the applicant to read.

The Chair summarized some of the Board's concerns/objectives expressed at the May 15, 2007 meeting including (1) moving the structural elements of the project away from the residential properties to the east and the north and (2) proposing substantially less parking than currently required (acknowledging that the Village Board will be reviewing proposed changes to the current code requirements.. Mr. Samuelson said he did not address the concerns related to storm water management since the initial plans had changed substantially.

Based on last month's comments from Mr. Allen and the Board, Mr. Samuelson presented revised alternatives. He noted that the placement and orientation of the buildings were based on limited access (and limited visual access) and used landscaping to enhance and not hide the building. He said the larger building would have retail stores on the first floor and residences on the second with

walkway access from the rear so the entire front of the building would be store fronts. There would be no center hallway and residents would have windows on both sides to maximum natural light. Following Mr. Allen's suggestion to reduce the grading, larger buildings were broken up into several smaller ones to utilize the existing grade and be more walkable. The buffer area was increased to the corner of the building. Mr. Samuelson said the storm water basin wouldn't be buffered as it would be heavily landscaped (with fence) to adequately shield the basin and headlights from the residents.

Board members agreed that by moving the building placement, more significant and interesting landscaping, walkways and connections to the corridor were possible (e.g. upper and lower plazas etc.) as well as additional courtyards and access to the backs of the buildings.

There was some discussion about improving the conditions in the back of the restaurant (at 127 Main Street) with landscaping, the size/use of the loading areas for 123 Main Street, adequate access for emergency fire vehicles and the relationship of 123 Main Street to the adjoining properties. The Board felt the applicant was moving in the right direction and requested they prepare one or two iterations of these schemes to flesh out the concept.

Since the revised plans reduced the amount of parking to a little over 50% of the current requirements, Ms. Daly again voiced her concerns about continuing this process without any assurances regarding future code revisions. The Chair felt it was important to discuss/review this conceptual plan with the Village Board as soon as possible since that Board is currently considering revisions to the parking ordinances. He suggested the applicant present this design, with planning board input, to the Village Board and get a sense of their orientation before proceeding too far with current plans.

The Chair asked the applicant to review the draft agreement underwriting any review costs that were in excess of the application fee and to submit any revised drawings for the July meeting no later than June 20, 2007.

Pending Applications

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)]

Site Plan

Applicants Present: Frank Mandy, NLMD; Cynthia Rosenberg, KRHCS, Walter Kubow, Engineer,
The Chazen Companies, Kevin Bernstein, Attorney, Bond, Schoeneck & King.
Board Consultants Present: Drayton Grant, Grant & Lyons; Dave Clouser, Clouser & Associates;
Al Wegener, Landscape Consultant

A few remaining site plan issues were discussed, clarified and resolved including but not limited to the following:

1. Height and Visibility of the Roof Line. The applicant clarified the height and visibility of the four (4) story building's gabled roof line to Mr. Curran's satisfaction.
2. Criteria for Soil Compaction. There was a discussion about performance standards and enforcement authority. The attorneys agreed that specific criteria needed to be added on the site plan which would be enforced by the Village. Performance standards would be more easily monitored due to their specificity. The applicant agreed to the standards and the Village as the enforcement authority but disagreed with the continuing oversight role of the village engineer and landscape consultant during construction since they already had four other levels of construction monitors.

Ms. Elwell felt that the role of the planning board in site plan review was to set certain standards to be achieved and this issue exceeded the board's authority. Mr. Bernstein said that under the Village zoning code, this did not relate to the Board's authority addressing general landscaping issues.

Ms. Grant said that the Planning Board's role was also to insure the adopted documents/plans were detailed clearly enough to be properly monitored by the inspectors in a more ministerial function rather than discretionary, noting that the Planning Board had discretionary function in formulating the requirements. Ms. Elwell and the applicants felt that Mr. Wegener's proposal for continued monitoring by the landscaping and engineering consultants went beyond maintaining standards.

Mr. Bernstein reiterated that the notes on the site establish standards and the methodology of measuring/judging those standards. He said that after site plan approval, the applicant will go to contract and the contractors will be informed that they must follow the stipulations on the site plan. He said applicants deal directly with the contractors and it would not be practical to have a board member or a consultant in the field working along side of the contractors in addition to the oversight inspectors to be approved by the Village Board. Regarding the standards and notes, Mr. Clouser said it was important to include the testing frequency.

In conclusion, the applicant will establish a protocol regarding soil testing (indicating the number of tests performed, how it will be performed and where) prior to planting. The Chair said the plans will stipulate that at a certain stage of progress before planting, the applicant will perform specified tests (at specific locations and will record the results. If there are exceedances, the applicant will initiate corrective actions.

3. Watering/Soil Moisture Criteria and Monitoring.

In response to Mr. Wegener's continued concern about the ability to properly water the new plantings, Ms. Rozenberg said (per the Chair's previous request) they have indicated on the notes that it was feasible for the applicant to adequately water the amount of plantings they were proposing. She believed their landscape architect included notes indicating a number of different methods by which the watering could be achieved and the feasibility of achieving that amount of water for a specified amount of plantings.

Mr. Mandy felt that identifying specific watering locations at this point was unreasonable. New Life manages multiple retirement communities with gorgeous landscaping (essential to their marketing) and will manage this project so the landscaping will be watered appropriately. Mr. Bernstein said it was unreasonable to go beyond what is already on the site plan notes which states: " After final acceptance of the landscaping, the owner shall water all plant material according to best management practices using methods appropriate to each location. Methods will include but not be limited to tree gators, drip hoses, sprinklers and water trucks. The applicant said they are capable of watering the area adequately from a variety of methods and requesting this level of specificity was unreasonable.

Mr. Wegener's two recommendations included a sprinkler/irrigation system and/or water outlets. Mr. Bernstein reiterated that this is not a site plan issue and the applicant will determine the best practical way of watering. There is an obligation to make the landscaping thrive and the applicant has no reason to do anything less than insure that their vendors do everything necessary to accomplish this, especially since it is in the applicant's best interest for marketing the units.

Both Ms. Elwell and Mr. Curran felt the information was sufficient. Ms. Elwell said Mr. Wegener's request went beyond site plan criteria and was similar to approving a restaurant and telling the applicant how to boil water. Ms. Grant pointed out that the Board has a guarantee from the applicant.

The applicant agreed with Mr. Wegener's watering standard: 1 inch of water or rain per week during the growing season, but disagreed with his insistence on identifying all on-site watering sources/locations at this time. After further discussion, the applicant agreed to have sufficient spigots placed to the extent feasible to water all plants (with most of the spigots placed on the

western slope) and for those conditions where spigots were not feasible, water trucks would be used.

4. Several other issues identified by Mr. Wegener and Mr. Clouser were discussed and resolved or identified for inclusion in the site plan notes including but not limited to the following: additional landscaping concerns (e.g. tree(s) to be saved, snow storage, composting container, wetland crossing design, secondary access road (maintenance, ownership and public access) and public access to the Preserve.

For next week, the applicant will prepare replacement pages of the revised conditions along with an index sheet itemizing all the changes, revisions, and conditions discussed this evening. The Chair had distributed a shell for the conditions of the approval document to the consultants and the Board and will forward copies to the applicant. By tomorrow, Mr. Clouser will send the applicant a list of all changes discussed this evening and various meetings between the applicant and the consultants will be held this week to insure that the issues are properly resolved and notated on the plan.

ZBA Recommendation:

ZB07-14: Woodland Pond: Area Variance for 24' wide interior roads and parking lot aisles.

Based on the recommendations from Bob Chamberlin and Dave Clouser, the Board's traffic and engineering consultants, the Chair proposed a positive recommendation to the ZBA. A motion was made by Ms. Elwell, seconded by Mr. Curran and passed unanimously by the Board.

Pending Applications:

PB04-16: Victorian Square, LLC. Seakill Custom Home Builders. S. Manheim Blvd. (NYS Rte 32)
[SBL: 86.42-7-1-13 & 17 (R-2)]

Site Plan: Preliminary Review

Applicant Present: George Sifre; Barry Medenbach, Medenbach & Eggers, Dave Dildary,
Landscape Architect.

Planning Board Consultant: Al Wegener, Landscape Architect.

Due to time constraints, the applicant chose to concentrate on presenting their landscaping plan. Mr. Sifre introduced Mr. Galardy, their landscape architect; Mr. Galardy has been working with Mr. Wegener and will be responsible for all the plantings for Victorian Square. Mr. Galardy presented the landscaping plan including but not limited to specific focal points and trees, the bus stop area, ponds, fenced in community garden area, and landscaping by the roads.

Mr. Wegener worked closely with the applicant's architect. He reviewed and agreed with their planning notes. Considering the limited amount of space to work with, Mr. Wegener felt there was a good deal of landscaping which will help make it look and feel like a community. Concerned about soil compaction, he said they will be using structural soil to enable larger trees to be planted in a smaller amount of space. These plants would be better able to cope with dry weather since structural soil holds a tremendous amount of water. He also noted the hose outlets would not be more than 100' from the plantings. A local supplier was identified which should help reduce the cost of the plantings.

Mr. Curran recommended having continuous sidewalks. Mr. Medenbach agreed to do so noting they were trying to economize on impervious surfaces and reduce the disturbance. Some other items discussed included: the parking area, areas adjoining the wetlands, proposed bicycle storage area (the applicant will request half of the storage be located inside their storage building), public road access, permanent pedestrian easement, and mitigation (the Walkill Valley Land Trust has been contacted).

The bio-retention areas were not addressed at this meeting. Mr. Clouser will review the storm water management plan as soon as the Woodland Pond issues are resolved. Mr. Medenbach noted that a vegetative strip is considered a method of treatment for storm water runoff. The Chair said he liked the infrastructure plans

Regarding the location of the "senior units," the applicant said he would like the seniors to be integrated with other families throughout the complex instead of secluded in one section (despite the

potential of some noise impact) in order to promote a more neighborly involvement as experienced in the Mulberry Square community. Ms. Elwell said that identifying senior apartments would make it easier for the Village to track the rentals and the applicant to add safety features. Mr. Sifre said all the first floor apartments will be handicapped accessible. The Board noted that the complex would be about ¼ mile from the Main Street and will be serviced by public transportation.

Regarding construction materials, Ms. Elwell requested the use of hardy plank instead of vinyl siding (for environmental reasons). The applicant said there is a substantial cost factor (due to the expense of hardy plank, painting and maintenance) that would not be recouped.

Prior to the July meeting, the Chair suggested the applicant resolve any discrepancies that may be noted by Mr. Clouser's review of the storm water management plan (Mr. Clouser did not foresee a lot of issues), implement the Board's suggestions about landscape layout and sidewalks discrepancies and determine whether there will a designated senior units, and if not, demonstrate how they will comply with the code. A public hearing for site plan and special use permit will be scheduled for July 10, 2007 and the application will be sent to Ulster County Planning Board in time for their July 11th meeting. (The applicant said they have had a number of preliminary meetings with the County.)

The Chair reminded the applicant that any planning board approval is contingent upon the issuance of a permit from the Army Corp. of Engineers.

Adjournment:

A motion to adjourn was made by Ms. Elwell, seconded by Mr. Curran and passed unanimously by the Board at approximately 10:00pm.

Respectfully submitted,

Alison Shestakofsky
Secretary to Village Planning Board
Copies to Trustee Michael Zierler
David Clouser, Engineer
Bob Chamberlin, Traffic Engineer

Drayton Grant, Attorney
Ted Fink, Planner