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Village of New Paltz Planning Board  
Regular Meeting of Tuesday October 18, 2016  
Village Hall-7:00p.m.  
**APPROVED MINUTES**

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Present: Michael Zierler, Chair  
John Litton  
William Murray  
Rich Souto  
Rich Steffens

Also Present: Denis McGee, Alternate  
David Gilmour, AICP, Municipal Planner  
Ashley Torre, Planning Board Attorney  
Christena Carp, Planning and Zoning Secretary

**Welcome**

7:08

Chair Zierler amends the Agenda to include the closing of two Trust and Agency accounts, PB16-12, 122 Main Street, Pine and PB16-14, 48 Plattekill, Otis.

**Public Hearing**

*Site Plan*

*Modifications to house - addition of dormer windows, small cover porch*

PB 16-19: 44 Center Street

Applicant: Andrew Loyer

Zoning District: R-2

SBL: 86.42-3-3

7:08-7:09

Mr. Steffens makes a motion to open the Public Hearing for PB16-19, 44 Center Street, Loyer. Mr. Litton seconds. 5 ayes. Motion carried.

Neighbors Estelle Wilson and Mona Nixon want the property to be rented as a family residence and not as student housing.

Mr. Steffens makes a motion to close the Public Hearing for PB16-19, 44 Center Street, Loyer. Mr. Murray seconds. 5 ayes. Motion carried.

**Public Comment (15 minutes)**

7:10

No one comes forward to speak during Public Comment.

The Board leaves to conduct an attorney-client session at 7:10 p.m. and returns at 7:42 p.m.

**Ongoing Applications**

*Site Plan*

*Modifications to house - addition of dormer windows, small cover porch*

PB 16-19: 44 Center Street

Applicant: Andrew Loyer

Zoning District: R-2

SBL: 86.42-3-3

7:42-7:51

Chair Zierler states that the Ulster County Planning Board has determined that the application has no County impact, but that the Board cannot complete the resolution until receiving a decision from the Zoning Board of Appeals (ZBA).

The Board will complete the resolution by the 10/18/16 Meeting.

Mr. Loyer will assist the Village in MS4 Stormwater compliance inspecting the house-to-street lateral sewer line for potential degradation that could allow for stormwater leakage into the sanitary sewer system.

*Revised Site Plan, Special Use Permit and Subdivision (Lot#8)*

PB 16-22: 56 South Manheim

Applicant: George Sifre

Zoning District: R-2

SBL: 86.42-7-17.1 & 16

7:51

Mr. Sifre requests that his application be postponed until later in the meeting while he awaits the arrival of Engineer Barry Medenbach.

The Board moves to the next application.

*Site Plan*

*New 2-family house construction*

PB16-21: 64 Plains Road, Lot#3

Applicant: Nicholas Crocitto

Zoning District: R-2

SBL: 86.041-1-16.3

7:51-7:58

MZ recuses himself at 7:52 p.m.

Acting Chair Litton summarizes that Mr. Gilmour noted that all requested changes were completed by the Applicant and that Ms. Carp received the updated site plan.

Mr. Steffens makes a motion to declare application PB16-21, 64 Plains Road, Lot#3, Crocitto complete, classify it as a Type 2 action under SEQRA, forward it to the Ulster County Planning Board for review and set a Public Hearing for 11/15/16. Mr. Murray seconds. Chair Zierler is recused. 4 ayes. Motion carried.

*Special Use Permit/Site Plan Application*

*FEAF - Part 3 discussion*

PB 16-02: 87-91 & 93 North Chestnut Street

Applicant: Net Zero Development LLC/David Shepler

Zoning District: NBR

SBL: 86.26-1-14.110, 86.26-1-14.210

7:59-9:42

The Board revisits question 10. Impact on Historic and Archeological Resources located on Part 2 of the Final Environmental Assessment Form (FEAF). The Board notes that at their September 20, 2016 Meeting, the majority of the Board answered yes. However, Attorney Golden observed that answering yes to question 10 was inconsistent with the Board's original typing of the project as an Unlisted Action.

The Board discusses their original intent when answering yes to question 10 centered on concerns with the potential impact of traffic, visual aesthetics, scale and size on Historic Huguenot Street. The Board notes that those concerns were addressed in other areas of Part 2.

Chair Zierler motions that the project does not meet the criteria of substantially contiguous as pertains to Historic Huguenot Street and that the Board change the answer to question 10 of Part 2 of the FEAF from a yes to a no while recognizing that concerns regarding the potential impact of traffic, visual aesthetics, scale and size are addressed in other areas of Part 2 of the FEAF. Mr. Steffens seconds. 5 ayes. Motion carried.

The Board revisits questions numbered 9, 13, 17 and 18 on Part 2 of the Final Environmental Assessment form that were noted by the majority of the Board as moderate to large impact and address each question in terms of magnitude, duration, importance and likelihood framed through the lens of reasonableness as defined by SEQRA. The Board will elaborate on each question, but will not yet address the issues raised.

Attorney Torre adds that under Site Plan review, as opposed to SEQRA, the Board has broad plenary powers to address issues of concern and request modifications to alleviate or mitigate those concerns.

Question 9: Impact on Aesthetic Resources.

The Board discusses the proximity of the project to the Wallkill Valley Rail Trail.

Mr. Medenbach remarks that they designed the site to integrate the proposed building with the Rail Trail.

Mr. Litton observes that the land use of the proposed action is obviously different from, or in contrast to, the current land use patterns, but that there is no value judgment attached to this observation.

Chair Zierler remarks that one of the objectives of the NBR district code is to expand the number of connections to the Rail Trail from properties in the NBR district as they get developed or re-developed.

The Board discusses Water Street Market as a successful example of a positive relationship between the Rail Trail and adjacent buildings. Mr. McGee remarks that shopping, tourism and commerce are encouraged by such integration and connectivity.

Chair Zierler observes that the idea is to create projects in the NBR District that enhance local resources such as Historic Huguenot Street.

Mr. Souto notes that studying who uses the Rail Trail would assist in furthering the Board's understanding of the relationship between the Rail Trail and future development.

### Question 13. Impact on Transportation.

The Board identifies areas of concern, particularly with the parking positioned along Mulberry Street. Mulberry Street is of particular importance as it is located right next to the Rail Trail. Chair Zierler contends that a better design would be to have a continuous curb and sidewalk along the northern side of Mulberry Street. Chair Zierler states that if cars are backing out of parking spaces onto Mulberry Street, they will first have to cross a bicycle shoulder. Chair Zierler is also concerned about traffic flow generated by people leaving the Mulberry Street parking spaces and heading north. Their options would be to turn left onto Route 32 or turn right onto Mulberry Street and then right onto Huguenot Street. This would increase the traffic on Huguenot Street, which is used a lot by pedestrians and bicyclists.

Mr. Steffens maintains that parking will be visited more extensively during site plan review.

Mr. Murray notes that, in terms of traffic, it is hard to know what traffic will be generated from the businesses located on the first floor.

Mr. Steffens agrees and states that there is an assumption that the businesses will operate during regular business hours.

Mr. Greely notes that two of the parking spaces on Mulberry Street were marked as handicapped to allow for easier access to the retail spaces.

Mr. Souto observes that the Board can highlight and inventory all issues such as Mulberry Street parking, parking along Route 32, parallel parking problems, increase in volume, but does not have to discuss mitigation or resolution at this point.

### Question 17. Consistency with Community Plans

Chair Zierler remarks that the proposed project largely conforms to NBR Zoning, but is inconsistent with at least two of our land use plans because the allowable building height in the NBR is greater than is recommended in those land use plans.

### Question 18. Consistency with Community Character.

The Board agrees that the project complies with zoning. Issues raised focus on mass and size, possible noise and lighting issues from proposed rooftop deck.

Mr. Steffens remarks that most change comes with a price and that the Board will be taking some risk with a project of this scale. However, NBR zoning allows for 4 stories and public hearings were held by the Village Board about the creation of the NBR zoning district.

The Board notes that connectivity to the Rail Trail, the small retail shops, and the energy efficiency goals are all positive traits of the project, but that the SEQRA process is not involved with addressing positive aspects of a project.

Ms. Torre explains that the Board can make a positive or negative determination of significance based on the discussion tonight or can proceed to an Expanded Part 3 of the Environmental Assessment Form (EAF) in which case the Board will hold in abeyance a positive or negative determination of significance pending receipt of more information from the Applicant.

Chair Zierler reviews that the Board can proceed to an EAF or make a positive or negative determination of significance that will lead to an Environmental Impact Statement being requested of the Applicant. Chair Zierler states that if the Board feels the Applicant has successfully mitigated all of the issues, then they can make a positive or negative determination of significance tonight.

The Board agrees to proceed to an expanded part 3 EAF.

Chair Zierler explains that based on the four areas identified by the Board, Attorney Torre will prepare a document that will serve as a scope for an Expanded Part 3 EAF.

Mr. Souto requests that the scope have multiple references for each of the four areas rather than review the same thing from multiple areas.

Attorney Torre notes that the scope will be constructed so as not to be duplicative.

*Revised Site Plan, Special Use Permit and Subdivision (Lot#8)*

PB 16-22: 56 South Manheim

Applicant: George Sifre

Zoning District: R-2

SBL: 86.42-7-17.1 & 16

9:43-10:11

Chair Zierler remarks that Engineer Willingham visited the site and prepared a report. The Board requests that Mr. Sifre obtain a sign-off letter from the Army Corps of Engineers for the Village records since the Village is the holder of those easements.

The Board and Mr. Sifre discuss the level of traffic flow from the site onto Route 32 South.

Chair Zierler does not believe that additional traffic information is warranted.

Mr. Gilmour agrees and states that there is no indication of congestion during peak a.m. and p.m. on weekdays and that no additional traffic impact analysis for the intersection with Route 32 South is needed.

The Board informs Mr. Sifre that the Village code requires that 10% of the residential units must be affordable housing, so he will need two affordable housing units out of the 12 proposed units.

The Board and Mr. Sifre discuss the landscaping plans, including the removal of a retaining wall and the saving of mature trees.

Mr. Gilmour requests that bicycle rack specs be included for the property as well as landscaping specs in the retention basin and in conjunction with the retaining wall.

Mr. Murray asks if the plantings in the bio-retention area are native.

Mr. Medenbach states that New York State provides a list of what to plant in these areas and the Applicant picks from that list.

Mr. Murray leaves at 10:00 p.m.

Chair Zierler and Mr. Gilmour note that the ZBA and NYSDOT will be on the Involved Agency list.

Chair Zierler makes a motion to consider application PB16-22, 56 S Manheim, Sifre complete and to refer it to the Ulster County Planning board. Mr. Steffens seconds. Mr. Murray is absent. 4 ayes. Motion carried.

***Administrative Business***

10:12-10:14

***Approval of Minutes from October 4, 2016***

Mr. Steffens makes a motion to approve the 10/4/16 Minutes. Mr. McGee seconds. Messrs. Litton and Souto abstain. 3 ayes. Motion carried.

***Closing escrow accounts***

Mr. Litton makes a motion to close the PB16-12, 122 Main, Pine and PB16-14, 48 Plattekill, Otis Trust and Agency accounts. Mr. Steffens seconds. 4 ayes. Motion carried.

***Meeting Overview for November 1, 2016***

The Board reviews the upcoming 11/1/16 Meeting

***Adjournment***

Mr. Litton makes a motion to adjourn. Mr. Souto seconds. 4 ayes. Motion carried.

The meeting adjourns at 10:14p.m.

Respectfully submitted by,

Christena Carp  
Planning and Zoning Secretary