

**VILLAGE OF NEW PALTZ PLANNING BOARD
WORKSHOP MEETING OCTOBER 10, 2006**

Call to order: The meeting was called to order at 7:02 p.m.

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

Consultants Present: Ted Fink, GreenPlan; Al Wegener

Also present: Susan Woodburn, Gretchen and Kathy Schoonover, George Sifre, Ellen Mosen James, Frank Mandy, Cynthia Rosenberg, Susan Blickman, Michael Zierler; Village Trustee and Planning Board Liaison, and other members of the public.

Approval of Minutes:

- A motion was made by Ms. DuBois to adopt the minutes of the July 25, 2006 special meeting. The motion was seconded by Ms. Elwell and passed unanimously by the Board
- A motion was made by Ms. DuBois to adopt the minutes of the August 1, 2006 workshop meeting. The motion was seconded by Ms. Elwell and passed unanimously by the Board.
- A motion was made by Mr. Curran to adopt the minutes of the August 8, 2006 workshop with one correction related to the amount of soil removal. The motion was seconded by Ms. DuBois and passed unanimously by the Board.
- A motion was made by Ms. Elwell to adopt the minutes of the August 15, 2006 special meeting. The motion was seconded by Ms. DuBois and passed unanimously by the Board.

Applications with Public Hearings:

PB06-24: Susan Woodburn. 70-74 Church Street. [SBL: 86.26-2-12 & 32 (R-3)]

Preliminary Subdivision Plat Review (lot line revision)

Applicant Not Present

The Chair stated that the applicant had submitted the corrections/revisions on the plat requested at the August workshop including the general location of the water and sewer line connection to the house from the street and a demarcations for a (future) driveway within the building envelop/setbacks. The Chair urged the members to review the property prior to next week's public hearing.

PB06-35: Robert & Gretchen Schoonover. 14 Mulberry Street [SBL: 86.26-2-24, 25, 26 (R-1)]

Lot line Revision: Preliminary Subdivision Plat Review

Applicant Present: Gretchen Schoonover; Kathy Schoonover

The applicant showed the boundaries of the three lots including one awkward U-shape lot around the perimeter of the other two parcels. There is a rental house on one of the lots. The applicant felt that none of the lots are "buildable" and the proposed revision creating two more standard lots sizes and shapes would facilitate the sale of both the existing house, making it a conforming lot, and the use/sale of the other lot.

The Chair asked the applicant to provide the following additions/changes on the plat for next week's public hearing: (1) the dimensions/area, set backs and structures on all three existing parcels noting whether the lots are code compliant; (2) the two proposed lots with their respective building envelopes; (3) the driveway entering the building envelop from the front and remaining within the setback and (4) the frontage figure. The applicant noted that the garage is non-conforming and will be removed. The Chair suggested the applicant contact the building inspector if she had any questions.

New Applications:

PB06-33: Dino Toscani. 127 Main Street [SBL: 86.34-6-11 (B-2)]

Special Use Permit: To create a catering hall upstairs from the restaurant.

Applicant: Not Present.

The Chair noted that Mr. Toscani also has an application for an area variance to construct an outdoor deck at this location. The applicant's engineer for the project at 123 Main Street had contacted the Chair and was advised on the Village's site plan requirement and the need for a drainage study. The Chair noted that many of the parking spaces at 123 Main had been allocated to this site. There was no discussion of this application by the Board. A public hearing is required for the special use permit.

ZBA Recommendations:

ZB06-31: Ellen Mosen James. 127 Huguenot Street [SBL: 86.25-1 5 (H)]

Area Variance: To construct a one story addition located at the north side of the existing residence.

Applicant Present: Ellen Mosen James

The Chair read the memo from the Historic Preservation Commission to the ZBA supporting the requested area variance. The HPC stated that the required 50 foot setback was not feasible due to the physical conditions on the site and all the neighboring properties had setbacks of only 10-15 feet.

The applicant explained why the only viable location for the addition was on the North side of the house and that there would be no adverse impacts to the neighbors. She showed photos of the existing site and drawings of the proposed addition illustrating how it would blend in with the character and scale of the neighborhood.

Ms. Elwell made a motion for a positive recommendation, noting that the setbacks were consistent with the surrounding older homes on that part of Huguenot Street and that the design and style of the addition was compatible with the immediate environment and appropriate to the historic district. The motion was seconded by Mr. Curran and carried unanimously by the Board.

ZB06-36: Naveed Iqbal/Big Charlie's Dollar Store & Deli. 76 N. Chestnut Street [SBL: 86.26-2-34(B-3)]

Use Variance: To install two 3' x 8' signs of each side of the Citgo gas station barn.

Applicant Not Present.

Ms. Elwell questioned whether this application should be for an area rather than a use variance since the signage itself was not a non-conforming use and the criteria use for each type of variance. The Chair said he would include that comment in the recommendation to the ZBA.

The Board noted the signage was quite large and that the applicant did not offer a justification for a variance of this magnitude (50% over the space permitted by code). The Board recommended that this variance be significantly smaller and suggested that the two other businesses at this location reduce their signage so the aggregate signage would be more compliant or that the owner of the property designate the entire area/plaza under one name with appropriate signage.

The Board agreed to recommend denial of the variance, noting there is some indication that this application should be for an area, not a use, variance and suggested the ZBA resolve this issue prior to ruling on it. The Board suggested the option of reducing the existing signage to accommodate this new business or naming the entire area under one sign (e.g. N32 Plaza).

ZB06-37: Seakill Custom Home Builders. Victorian Square. Cicero Court [SBL: 86.42-1-13; 17 (R-2)]

Area/Height Variance: To construct a building apartment complex 33' high.

Applicant Present: George Sifre

The Chair advised Mr. Sifre that the ZBA will not be able to vote on this variance until the (FEIS) Final Environmental Impact Statement for the Victorian Square apartment complex, currently under review by the Planning Board, is approved by the Planning Board.

The applicant explained the height variance in this district is 30' (or 3 stories) and 35' in the rest of the Village and therefore there are numerous private homes/apartment buildings higher than these structures. In addition, he stressed his close proximity to the tall buildings at SUNY. He presented rendering of the building and noted that the additional 3' is a design that allows adequate ceiling height for the duplexes in the four 3-story buildings in the six building complex. Ms. Elwell emphasized that the additional height of the buildings was part of the solution endorsed by the Planning Board to reduce the footprint of the overall development.

The Board noted that the development would not be visible to any areas outside the complex and therefore there would be no discernable impacts to the community. A motion for a positive recommendation was made by Mr. Curran, seconded by Ms. DuBois and carried unanimously by the Board.

ZB06-38: Dino Toscani. 127 Main Street. [SBL: 86.34-6-11 (B-2)]

Area Variance: To build an outdoor dining area for the restaurant downstairs.

Applicant Not Present.

Based on the applicant's history of buffering issues at other locations, the Chair expressed surprise that he would design such a large site (2,066 s/f with an occupancy of 138) so close to neighboring properties. Members noted there were no other establishments in the Village of that magnitude and expressed reservations about the size and occupancy of the structure, regardless of the setback issue. Although they could only conjecture about potential repercussions until hearing evidence from the applicant to the contrary, they strongly believed it would pose significant impacts (noise, parking) to the community with no opportunities for effective mitigation.

Members suggested that the deck be reduced to half or one third of the size so it would (1) require less buffering and (2) provide sufficient space in which to provide the adequate buffering. Based on the size of the variance, the potential significant impacts of the project and the lack of potential mitigation possibilities, Ms. Elwell made a motion for a negative recommendation. The motion was seconded by Ms. DuBois and carried unanimously by the Board.

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)]
Determination of DEIS "completeness."

Applicants Present: Frank Mandy, NLMD; Cynthia Rosenberg, KRHCS, Susan Blickman, The Chazen Companies

Consultants Present: Ted Fink, GreenPlan; Al Wegener

Topic: Revised FEIS

On Friday the applicant submitted the revisions requested by the Planning Board at the last meeting. The Chair said a vote to accept the FEIS could be taken tonight if the Board considered the document to be complete. Once the document is accepted, the Board will issue Findings prepared by Mr. Fink

certifying that the Board has completed/complied with the SEQR review process. The revised FEIS will then be distributed to the list of involved/interested agencies and parties.

The Board reviewed and accepted the revisions as submitted for: grading, utilities, traffic, building materials (with one editorial comment), trees and landscaping, visual impacts, impervious surfaces and all the items listed under miscellaneous (engineering drawings, stormwater, entrance culvert, parking, ambulance calls and nighttime noise levels). Since the number of parking spaces were reduced (as requested) the applicant was concerned that there might not be sufficient parking to accommodate social events and concerts that are open to the general public and the independent use of their (free) conference spaces by a variety of community groups/organizations.

The following two sections were revised

1. Wetlands. Due to a misunderstanding regarding the use of road deicers by the Village DPW, revised wording was accepted: was developed and accepted to ensure such alternatives for roads in close proximity to the wetlands (whenever possible) while other appropriate material and methods would/could be used to insure the safety of residents.
2. Open Space. Based on the recommendation of their attorney, and after some revision of the initial text, the Planning Board agreed to record its acceptance of the FEIS with the understanding that the applicant has made the following commitments: (A) The remaining 48 acres of undeveloped land will remain undeveloped. (B) There is a Town-Village committee project to establish a public preserve which may include a trails network through 40 acres of the undeveloped land and the applicant has make a commitment to participate in that program.

Other Business:

Stoneleigh Woods

The Chair continued the August discussion concerning the exploration of mediation and dialogue to facilitate the process of re-designing/modifying the proposed development to better serve the concerns of the community and needs of the applicant. Using the Pace Law Land Use Center's program as a resource, the Chair suggested that representatives from the Planning and Village Boards interview at least two facilitators with an expertise/background in land use. The chosen consultants would conduct a series of facilitated meetings with the applicant and various levels of stakeholders, implement fact finding sessions and provide recommendations. There was a general discussion of qualifications, potential candidates, and cost assumption. The Chair will research and propose at least two consults (or groups) groups for review by the two boards.

Adjournment:

A motion to adjourn was made by Ms. Elwell, seconded by Ms. DuBois and passed unanimously by the Board at 9:30 pm

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