

**VILLAGE OF NEW PALTZ PLANNING BOARD  
WORKSHOP MEETING MARCH 7, 2006**

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

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

**Members Absent:** Ray Curran.

**Also present:** Maury Levitz, Rick Alfandre, Pamela Rice, Dino Toscani, Jordan Valdina, Rick Rausch, Jeannie Zetterstrand, Rabbi Plotkin, Erin Quinn, reporter, Michael Zierler; Village Trustee and Planning Board Liaison, and other members of the public.

**Approval of Minutes:**

A motion was made by Ms. Elwell to adopt the minutes of the February 14, 2006 regular meeting with several corrections noted by Ms. Elwell and Ms. Heady. The motion was seconded by Ms. DuBois and carried by the Board.

Approval of the minutes from the February 7, 2006 workshop was postponed until next week as only two members at tonight's meetings were present at that workshop.

**Announcements:**

1. The Chair announced that an Open Space Meeting would be held tomorrow evening, Wednesday, March 8, 2006 at 7:00pm at BOCES.
2. To insure a more consistent approach in classifying and handling applications, the Chair requested the Board review the intention and parameters of a "preliminary discussion" (e.g. single session or series of meetings) for discussion at the April meeting.

**Preliminary Discussion:**

PB06-07: Maury Levitz/The New Paltz Karate Academy. 22 N. Front Street [SBL: 86.34-1-16.12 (B-2)]  
Site Plan/Special Use Permit: Construct a new two story building on an existing gravel lot for use as a Karate Academy with office space on the second floor.

Applicant Present: Maury Levitz, Rick Alfandre, Architect, Pamela Rice, Project Manager

Last year, Mr. Levitz submitted a preliminary discussion application for a Karate School with two residential apartments on the second floor. This year he has a new application for a preliminary discussion since one of the original intended uses has changed from residential to office space. Mr. Levitz said the 4,000 s/f footprint would house the Karate on the first floor and two small offices (3,000 s/f) on the second floor. He said this was a permissible use in the B-2 district and noted there is a shortage of business space in the area (e.g. office rentals in the Cherry Hill mall)

In reviewing the parking situation, the applicant designated 2 owner spaces behind spaces 9, 10, and 11. These two spaces (12 & 13) are not required to meet code requirements but to allow staff parking. The applicant said the offices would be used primarily in the daytime and the school during the evening. When Mr. Alfandre indicated the 13<sup>th</sup> space overlapped the setback line, Ms. Elwell suggested the applicant seek a variance for this space.

Ms. Heady was concerned about stormwater management, pointing out the downward slope to the Ordway property and general flooding that occurs in the neighborhood. There was a brief discussion about the use of pervious materials, directing the rainflow from the roof onto North Front Street, and recapturing and recycling rainwater for interior uses (toilets). Mr. Levitz said he inquired about connecting to the senior housing's larger storm water system, but they were not receptive to the idea.

The Chair requested Mr. Levitz to include the following information in his special use application:

- Calculations determining the lot coverage.
- Identification of parking spaces (existing vs. applicant's requirements) noting whether a variance will be required or use of the municipal lot on Huguenot Street.
- Connection to the existing sidewalk at the lot line (on the street).
- Landscaping plan (showing street trees between the sidewalk and the building based on the location of the 15' setback and utility lines)
- Off site drainage plan reviewed by Bleu Terwilliger, DPW, that's prevents additional problems at the condos.

**New Applications:**

PB06-06: Rick Rausch/Catskill Mountain Brewing Co. 3 Main Street [SBL: 86.003-2-7.1 (G)]

Site Plan: Install canvas awning over outdoor dining area.

UCPB Review Required

Applicant Present: Rick Rausch

The applicant showed a picture and fabric of the awning he would like to put up to provide shade for outside diners at the Gilded Otter. He said the awning would be a permanent aluminum structure

(rather than retractable) due to the effects of high winds in the area. The canvas would be painted aspen green to match the color at La Station.

The Board approved of the design and color and anticipates a “no county impact” response from the Ulster County Planning Board.

PB05-49: Robert Downs/Interzone Inc. 58 Main Street. [SBL: 86.143-1-12 (B-2)]

Special Use Permit: Convert existing retail space to a restaurant with no exterior changes to the building.

Applicant: Not Present

PB06-95: Dino Toscani. 127 Main Street. [SBL: 86.34-6-11 (B-2)]

Special Use Permit: Convert existing deli into a restaurant with no exterior changes to the building.

Applicant Present: Dino Toscani, Jordan Valdina, Synergy Design

The applicant described the conversion of the deli into the 127 Tavern, a family style restaurant and bar, similar to his piano bar in services and hours of operation. He noted that an enclosed outdoor dining area had already been approved for the deli. Board members pointed out a distinction between the use of the space as a full service restaurant and as a delicatessen (where you buy a sandwich and sit down) and therefore felt the prior special use permit approval for the deli enclosure may not be applicable to the new business of a full restaurant. The Chair said he would like to review this special use permit as a separate entity and look at the past approval for the location. For next week’s meeting the Chair requested the applicant to bring in the previous approval with a new map indicating corresponding parking. He also requested clarification on the following issues:

- An interior plan showing both the existing structure and approved addition
- The scope of the entire project.
- The seating layout for the entire restaurant (tables and booths, since code requirements differ for fixed and unfixed seating).
- Parking requirements, on-site parking, and a formal street parking availability analysis (noting that the projects at 127 Main Street and 123 Main Street appear to share/cross-lease the same parking spaces)
- Identification of previous unresolved issues regarding 123 Main Street including drainage, lighting and landscaping if restaurant parking is proposed for this site.

The Board then continued the preliminary discussion of Mr. Toscani’s application for 123 Main Street

**Preliminary Discussion continued:**

PB05-52: Dino Toscani. 123 Main Street [SBL: 86.34-6-16.3 (B-2)]

Site plan: New construction of a mixed use building with retail (commercial group) on the first level and apartments on the second and third levels

Applicant Present: Dino Toscani, Jordan Valdina, Synergy Design

The proposed concept of a mixed used building consisting of 13,200 s/f of commercial space on the first floor (for 12 small stores) and 24 (2-bedroom) apartments on the second floor was well received by the Board when initially presented at the November 11, 2005 meeting.

Mr. Valdina presented a building elevation, concept design drawing for the site. Since this structure would impact the Main Street experience, Mr. Valdina included various aspects to create a design consistent with and reminiscent of downtown Main Street, such as historic elements for the roof line, gables, siding and rustic entryways. There was a brief discussion about patios to provide tenants with some private outdoor space. The applicant said his original intent was to create balconies in the back of the building but he didn’t want to create an intrusive situation since (due to its higher elevation) the balconies would be looking down on the Village Gardens Co-op.

The Board asked Mr. Valdina to pay special attention to the following aspects as the project moves forward:

- Traffic Egress and Access and the impact on the safety and welfare of pedestrians and vehicles at the intersection from Main Street.
- Parking Lot Layout for development in relation to Mr. Toscani’s other adjacent projects
- Landscaping of the development, including the parking area.
- Building placement (site is lower than the approach).  
The Chair requested that the applicant consider an L-shape building and address the architecture of the rear of the building
- Drainage Calculations for stormwater and sewer management plan (site is prone to flooding).  
The applicant noted a 30’ vegetative setback and a detention pond is planned to prevent drainage problems. (There was some discussion about a pervious paver system.)  
Mr. Valdina has been in contact with Bleu Terwilliger, DPW, to discuss sewer and pump stations.
- Dumpster Area
- Lighting (low lighting instead of spill over)

The Chair informed the applicant of two upcoming public hearings that might affect the applications for 123 Main Street and 127 Main Street respectively, if the proposed changes to the current local laws are implemented:

1. Affordable Housing – This would require a certain percent of the development be reserved for affordable housing.
2. A 6-Month Moratorium on the construction of new restaurants and the expansion of existing restaurants requiring on-street parking.

**ZBA Recommendations:**

**ZB06-04: Jeannie Zetterstrand. 33 Center Street. [SBL: 86.34-11-13 (R-2)]**

Area Variance: Change of Use from owner occupied with an accessory apartment to a two family residence.

Applicant Present: Jeannie Zetterstrand

Ms. Zetterstrand talked about her history in this location, the creation of the accessory apartment in 1995, the recent changes to the village way of life, and specifically in the residential nature of her neighborhood (families have left due to high taxes). Since her daughter will be going to college next year, she would like to be able to retain her property in the event she relocates closer to her employment (in Rhinebeck). She also cited the ZBA's recent approval of such a change of use for Mr. Pidel, noting that the size of his lot is identical to hers and that the neighborhood composite is quite similar.

Board members were sympathetic to the applicant's request but stated that the law for accessory apartments was intended to allow homeowners to (1) add a living space for family members and/or (2) generate income to financially reduce the burden of housing expenses. Accessory apartments are fairly common in the village and are based on the assumption that owner occupied dwellings are better maintained, have less impact on their neighbors, and are less likely to change the residential fabric of the neighborhood. Ms. Elwell noted that although many of the houses in Ms. Zetterstrand's neighborhood have renters, they are still under the current code for single family houses.

The Board felt that Ms. Zetterstrand did not demonstrate any practical difficulty required in considering a variance and that she had other options related to the sale of the house (either with or without the accessory apartment).

Mr. Danskin stated that preserving village neighborhoods is an important priority, particularly when the neighborhood is residential. He was opposed to creating more negative consequences in this particular neighborhood (and thereby exacerbating the complaints already expressed by Ms. Zetterstrand) and in the larger community by providing a means to circumvent the established zoning which determines community character in terms of density of use.

A motion was made by Ms. Elwell to issue a negative recommendation for this application. The motion was seconded by Ms. DuBois and passed unanimously by the Board.

**Other Business:**

Rabbi Plotkin asked the Board for a few minutes to review the ZBA and Planning Board procedures for enlarging his house. The Rabbi was instructed to apply for an area variance from the ZBA. If the variance is granted, he would require site plan approval from the Planning Board, since his home was now designated a House of Worship and not solely a single family residence.

**Adjournment:**

A motion to adjourn was made by Ms. Heady, seconded by Ms. DuBois and passed unanimously by the Board at 9:22 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