

**VILLAGE OF NEW PALTZ PLANNING BOARD
REGULAR MEETING APRIL 11, 2006**

Call to order: The meeting was called to order at 7:01 p.m.

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

Members Absent: Ray Curran, Ruth Elwell.

Also present: Chris Christoforou, William Doyne, and David Ruger.

Announcements:

The Chair announced that Stoneleigh Woods would not be on tonight's agenda. The applicant will submit DEIS revisions and additions to the Planning Board's consultants by the end of the week. The consultants will comment on the new materials by April 28, 2006 in time for the Board's discussion on "completeness" at the May 2, 2006 workshop.

New Applications with Public Hearings:

PB06-10: Chris Christoforou/BBQ Restaurant. 36-38 Main Street. [SBL: 86.33-3.9 (B-2)]
Special Use Permit: Create a 12' x 30' outdoor seating area on the west side of the building.
UCPB Review: No County Impact.
Applicant Present: Chris Christoforou.

The Public Hearing was opened at 7:01pm. There were no comments from the public. The public hearing was closed at 7:02pm.

PB06-12: William Doyne/Bill's Garage-Auto Repair. 117 N. Chestnut Street [SBL: 86.26-1-17 (B-3)]
Special Use Permit: Use existing vacant building for auto repair.
Applicant Present: William Doyne, David Ruger, Property Owner

The Public Hearing was opened at 7:02pm. There were no comments from the public. The public hearing was closed at 7:03pm

DISCUSSION:

PB06-10: Chris Christoforou/BBQ Restaurant. 36-38 Main Street. [SBL: 86.33-3.9 (B-2)]
Special Use Permit: Create a 12' x 30' outdoor seating area on the west side of the building.
UCPB Review: No County Impact.
Applicant Present: Chris Christoforou.

As requested at last week's meeting, the applicant submitted the following information

1. A copy of the deed with a survey indicating the easement on the property. Mr. Christoforou identified the holder of the easement as Richard Gottlieb. The Chair stated for the record that the Planning Board acknowledged the existence of the easement and noted that the granting of the site plan and special use permit for the outdoor patio did not affect the status of the easement since that is governed by the deed.
2. A statement specifying that nine potted Evergreens (three Boxwoods, three Arbor Vitae and three Alberta Spruces) would surround the brick patio.

There was a brief review of the seating (6 tables & 24 tables) and commitment that the total occupancy of the restaurant would remain unchanged when the patio was open by either blocking off the back indoor section of the restaurant or relocating the tables and chairs from that section to the patio.

There was a discussion about the nature of the property to the rear of the restaurant and whether it was in a residential or business district. The Chair noted that the historic use of that property was commercial. In reading the general code requirements for an outdoor café, the Chair pointed out that an outdoor café adjacent to a residence must close at 9:00 pm instead of 11:00pm.

Due to the patio's close proximity to the Gateway District, Board members were concerned about lighting and exterior advertisements. Mr. Christoforou said there would be gooseneck lights around the building directing the light downward as opposed to outward or upward. And there would not be any banners or neon advertising.

A motion was made by Ms. Heady and seconded by Ms. DuBois to issue a negative declaration for this application and to approve the site plan and special use permit with the following conditions:

1. The patio would be 50' from Main Street and would continue 30' to the back of the building.
2. There will be nine potted plants placed around the patio (three Boxwood, three Arborvitae and three Alberta Spruce).
3. The maximum seating of patio would be 24 – and for every seat located outdoors, there would be a corresponding reduction in indoor seating.
4. Outdoor food services will cease at 11:00 pm
5. Lighting would be directed to the café space itself so as not to create a nuisance off site.
6. No exterior advertisements or banners are permitted.

The motion was unanimously approved by the Board.

PB06-12: William Doyne/Bill's Garage-Auto Repair. 117 N. Chestnut Street [SBL: 86.26-1-17 (B-3)]
Special Use Permit: Use existing vacant building for auto repair.

Applicant Present: William Doyne, David Ruger, Property Owner

As requested last week, the applicant presented product information and specifications about the Blue & Gold waste oil burner indicating its legality in the state of New York.

There was a brief discussion about the recycling functions and efficiency of this hot air burner and the location of the oil tank right below the furnace. The applicant noted that this model actually burns cleaner than most other furnaces.

Although the Board doesn't have jurisdiction over signage, the applicant said he plans to have an old fashioned wooden sign with simple old English lettering designing "Bill's Garage." Regarding lighting, the Chair said if Walpacs were going to be used, they must be directional.

A motion was made by Ms. DuBois to approve the special use permit with a negative declaration. The motion was seconded by Ms. Heady and approved unanimously by the Board. –

New Applications:

PB06-09: Richard Gottlieb. Rock and Snow Parking Lot. 28 Main Street. [SBL:86.33-3-8 (G)]

Gateway Review: Construct a gate and barricades between the trees to limit vehicle access to vacant lot
Applicant Not Present.

Following up on the Building Inspector's concern about cars parked in the lot after closing time, Mr. Gottlieb submitted a statement to the Board (1) confirming that he would include signage designating the closing time of the parking lot and (2) listing a number of people/places with duplicate keys to that lot.

A motion was made by Ms. DuBois to issue a negative declaration and approve the Special Use permit per Gateway regulations, subject to the inclusion of signage explaining who patrons may contact in the event their cars are locked in the parking area after hours. The motion was seconded by Ms. Heady and approved unanimously by the Board.

Other Business:

The Chair reviewed the current status of Mr. Toscani's application and the Stoneleigh Woods project scheduled for next month's agenda.

Adjournment:

A motion to adjourn was made by Ms. Heady, seconded by Ms. DuBois and passed unanimously by the Board at 7:56 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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