

**VILLAGE OF NEW PALTZ PLANNING BOARD
WORKSHOP MEETING MAY 15, 2007**

- Call to order:** The meeting was called to order at 7:05 p.m.
- Members Present:** George Danskin, Chair; Ray Curran, Marion DuBois, Ruth Elwell.
- Also present:** Jane Daly, Jay Samuelson, Michael Carubia, and other members of the public.

ZBA Recommendation:

ZB07-11: Michael Carubia. 7 Tricor Avenue [SBL: 86.42-5-17.2 (R-2)]
Area Variance/sideyard setback to construct a driveway.

Applicant Present: Michael Carubia

The applicant brought in drawings and discussed his plan to construct a driveway. He noted there was a steep incline traveling south on Tricor Avenue from Hasbrouck Park and his property's location at the top of the hill. He felt the placement of the driveway was a safety issue since smaller cars coming up the hill or out of the driveways would not be seen by each other unless his driveway was located on the northern most part the property line. He said this particular driveway placement would also keep the house away from the drainage area in the back and preserve more green space around the house. He said the water lines were relocated and the fire hydrant moved about 8' to the right (since he purchased the property last year) which made it unfeasible to put the driveway to the right of the hydrant. Mr. Carubia said he discussed these issues with Sheri Osbourne, (Shade Tree Commission); Trey Daniels, (Building Inspector) and Bleu Terwilliger, (Superintendent, DPW) and all had reviewed this plan favorably.

When asked about repositioning the driveway to the left side of the house, the applicant said he would have to take down more trees on the southern part of the lot and build a longer driveway. He said the house was designed so the living space would be oriented toward the southern exposure, and that he didn't want to construct the driveway underneath the deck for safety issues.

The Chair pointed out that a longer driveway would reduce the steep grade on the southern side and Mr. Carubia responded that his engineer was not concerned about the grade and that the road was placed at the highest elevation of the frontage for safety/traffic visibility. Regarding tree removal, the applicant said about the same amount of trees would need to be removed whether the driveway was placed on the left or right side. The applicant did not know if there was an issue with his neighbor regarding the lot line; The Chair noted this issue might arise at the ZBA's public hearing scheduled for next week. Some Board members were not convinced that there was a clear advantage to the proposed location.

Board members decided not to take a position on this application as they deemed it posed no planning issues or impacts.

Approval of Minutes:

A motion was made by Ms. Elwell to approve the minutes for the April 10, 2007 workshop and April 17, 2007 regular meeting with one clarification and several editorial changes. The motion was seconded by Mr. Curran and approved unanimously by the Board.

New Applications with Public Hearings:

PB07-08: 115 Main Street. Dino Toscani/119 Main Street LLC. [SBL: 86.34-6-13 (B-2)]

Site Plan: Enclose the existing outdoor patio.

Applicant Not Present.

The Chair distributed a denial letter for the Board to review.

A motion was made by Mr. Curran to deny the application for the reasons stated in the letter. The motion was seconded by Ms. Elwell and passed unanimously by the Board.

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, and Atty. Engineering Properties.

Planning Board Consultants: Dave Clouser, Engineer, Clouser & Associates; Michael Allan, Community Planner, Behan Associates.

Ms. Daly distributed a small booklet containing the project information requested by the Board (architecturals, plans and a brief narrative). Mr. Samuelson said the revised plan was based on three issues raised at previous meetings and stormwater drainage.

1. Impact on the northern neighbors (and mitigation of 127 Main Street deck). Mr. Samuelson said the 2-2-1/2 story building was relocated from the east side to along the north side of the property in order to mitigate the headlights and noise from the traffic in the parking lot light at this site and

the noise and light from the 127 Main Street deck. The architectural drawings show the building will be about a 35' in center (front) and drop off along the sides. Since the building will be several feet higher than the northern neighbors to the north, it will buffer the impacts (e.g. hide the car lights).

2. Parking. Based on code requirements, Mr. Samuelson said the proposed 1200 s/f of retail space required 60 spaces and the 10 apartments required 20 spaces. Since the plan shows 102 spaces, some of the extra spaces could be allocated to 127 Main Street and help alleviate the parking problem in the Village. He noted that the 60 daytime retail spaces would provide additional parking to help meet the evening parking demands of neighboring businesses.
3. Safety & Access. Since the applicant was unable to obtain another access point from the neighbors, they proposed a full service access using the existing driveway (entrance/exit) and emergency access to gravel driveway to 127 Main Street, which will be chained off.

Traffic: Mr. Samuelson said a traffic study is also being conducted by John Collins Engineers to measure the existing traffic volume on Main Street and the additional volume generated by this site. In addition to the study, they will be responding to Mr. Chamberlin's comments.

Stormwater Drainage. Mr. Samuelson said he received a phone call from Mr. Clouser's office and had no issues with the concerns raised and will re-work the design to address all their comment. Mr. Samuelson had not received Mr. Clouser's written report and was given a copy at the meeting.

Mr. Clouser noted the following most important issues/discrepancies:

- Drainage/groundwater analysis.
- The time of concentration.
- Closed system (need to show culverts and drainage outlets).
- Off-site drainage contribution.
- Retention/Infiltration System. Mr. Samuelson said they were proposing underground detention and will review his report for any inconsistencies.
- Retaining wall right on the property line will need some type of easement.

Mr. Clouser said the stormwater discharge currently goes into the Village storm sewer. Mr. Samuelson believed there is a pipe from 125-127 Main Street that discharges to an on-site swale and runs off-site. Mr. Samuelson will investigate the existence of drainage pipes linked to the village system with the DPW. He said the piping currently goes underneath the proposed building and is planned to be relocated around the building back to the current discharge point. Mr. Clouser said that this is a difficult site for drainage and emphasized that the rate of discharge cannot be greater than it is currently.

Ms. Daly spoke about the building's rooftop gardening and plan to collect and reuse the runoff from the roof for watering landscaping. She showed the location and design for eight 3-bedroom units and six 2-bedroom units.

The Chair noted this is one of the last undeveloped parcels in the downtown area and the Board wanted to insure that the project would be interesting, appropriate, and something to be proud of. To this end, he stated that he invited Michael Allen to review the site with no preconceived ideas. Mr. Allen noted that some of his assumptions were based on erroneous square footage for the retail stores and proceeded to explain various options. In general he wanted to bring the entire building closer to Main Street. He felt this would be more interesting commercially and more viable for retail shopping while creating a more Village scale outdoor space. He showed an outdoor plaza space (similar to the Water Street Market) where one could drive through an archway underneath one part of the building to parking hidden in the back, thereby creating the ambiance of a pedestrian mall.

Other options showed the building oriented more on the north-south with a lower, sunken level for parking and a raised area to help with the cut and fill; and more of a streetscape with parking on the upper level in front and ramped down to the building which would act as a retaining wall.

The Chair asked Mr. Samuelson to evaluate the alternatives and identify both workable opportunities and problems.

Comments from the Board

If the building was located to the rear (north) of the parcel, Mr. Curran was concerned that the view of the northern neighbors would be the building and that their backyards (and possibly their entire building) would be shaded all the time; he noted that noise and light would also emanate from this building and impact the neighbors. While the issue of buffering is important, he felt there were other ways to accomplish this without bringing the building so close to the neighbors and suggested that some of extra parking spaces be used for plantings/fencing.

He agreed with Mr. Allen that the building should not be segregated by a suburban parking lot and was amenable to any of the three options creating a very close connection to Main Street with an additional pedestrian/public courtyard type of cluster functioning as an extension of the Main Street ambiance. He reiterated that the proposal presented was a suburban scheme (driving into a suburban shopping mall) which is contradictory to the nature and quality of the Village life/standards and preferred to see alternative buffering that complied with code requirements.

Ms. DuBois noted that this was a heavily wooded area before the owner recently cleared it and discussed landscaping possibilities.

Although the building would buffer noise from Main Street, Ms. Elwell believed this would create a worse scenario for the neighbors than the existing condition. She noted that a satisfactory method to buffer the parking lot had not been presented and was especially concerned about the noise/light impacts after the retail stores closed and the lot was used by bar/restaurant patrons.

The Chair noted that the Village code concerning parking has been proven to be dysfunctional and that the requirements are scheduled to be re-drafted to provide more flexibility. Following up on Mr. Chamberlin's suggestion, he asked the applicant to consider developing a no-parking alternative. He said that Village would probably require a fee to establish parking elsewhere. He didn't think the Board has to be bound to an archaic formula for parking requirements. Despite the newness of the idea, he believed the concept of a project with either no, or less, parking was certainly worth considering and evaluating (e.g. residential parking only). He noted that such a plan would still require access for fire and safety apparatus. Mr. Curran said that if the parking was reduced in half, the applicant could recreate a dense wooded area forest as a buffer.

Based on the sessions concerning 127 Main Street, Ms. Daly said they were operating from the following set of assumptions rather than on the direction just expressed this evening:

1. Maximum Parking was desirable. (Parking was maximized to assume some of the burden of 127 Main and provide 80 spaces at night to prevent impacts on Prospect Street.)
2. The neighbors should be buffered as much as possible from Main Street noise. (The use was reduced from a hotel to a relatively quiet facility of 10 apartments with most retail stores closing by early evening).

The Chair said he would like a plan developed that satisfies competing objectives for adequate buffers and parking for an appropriately scaled business center and use those goals/examples to drive the legislation rather than creating another formulaic approach. He mentioned that the site might be more suitable for other commercial uses (e.g. professional offices etc) than high activity retail. He also asked the applicants to consider improving the conditions at the rear of the building/property since the backyards of Main Street properties look terrible.

Board members noted that the reduction of parking to just residential would eliminate the problems associated with after-hour parking, increase the buffer areas, expand design possibilities to a more pedestrian scale (smaller buildings, island parking, courtyards with Main Street access), add creativity in working with the grade, and reduce traffic impact on Main Street. Ms. Elwell encouraged the direction of reduced parking but emphasized that the Planning Board needed to work in tandem with the Village Board on how parking is conceptualized in the core downtown area so the applicant doesn't proceed in the wrong direction. She also recognized the issue of economy of scale when discussing the design of more than one building.

Noting that the concept of reduced parking and increased buffering of plantings and trees pleased everyone, Ms. Daly wanted to insure that considering/designing with the new parameters would still adhere to code requirements and asked for direction from the Board. The Chair suggested the applicant provide an attractive package as opposed to concentrating on individual components.

Follow-Up and Future Schedule:

- A. The Chair asked the applicant to consider a Memorandum of Understanding to reimburse the Board for project related expenses (e.g. consultant fees) exceeding their application fee and will send the applicant a sample to review.
- B. The Board will need to determine if there is a need for a draft environmental impact statement; it would not be required if the Board determined that the safeguards provided supported a negative declaration.
- C. Drainage report. The applicant will respond/revise the plan based on Mr. Clouser's comments.
- D. Alternative Access: The applicant's traffic study will also clarify how to make the best use of the existing driveway.
- E. Design Alternatives have been presented for the applicant's consideration.
- F. Relationship to 127 Main Street will need to be addressed at a future date. Ms. Elwell said that if the parking requirement is reduced for this project, the Board cannot hold 127 Main Street to a different standard.
- G. Neighboring Properties: The Chair suggested the applicant meet with their commercial and residential neighbors to the north and along Prospect Street so they have an opportunity to convey their concerns early in this process.

Other Business: Update on Stoneleigh Woods Facilitated Meetings

The Chair said the developer has reduced the project to about 116 units and 24 senior units and reviewed various linear and grid layouts. The facilitators will present their report to the Board on July 12, 2007.

Executive Session

A motion was made by the Chair to go into executive session to interview Linda Welles for the vacant planning board position. The motion was seconded by Ms. Elwell and passed unanimously. At 9:10 p.m. Mr. Curran made a motion to come out of executive session. The motion was seconded by Ms. DuBois and carried unanimously by the Board.

A motion was made to recommend by Ms. DuBois to recommend Ms. Welles' for appointment. The motion was seconded by Ms. Elwell and passed unanimously by the Board.

Additional Discussion:

Members revisited some of the discussion points for the 123 Main Street project regarding content and procedure.

Adjournment:

A motion to adjourn was made by Ms. DuBois, seconded by Ms. Elwell and passed unanimously by the Board at 9:35 pm.

Respectfully submitted,

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

Drayton Grant, Attorney
Ted Fink, Planner

Bob Chamberlin, Traffic Engineer Michael Allen, Planner