

**VILLAGE OF NEW PALTZ PLANNING BOARD  
WORKSHOP MEETING FEBRUARY 3, 2009**

**Call to order:** The meeting was called to order at 7:07 p.m.

**Members Present:** Raymond Curran, Chair; Marion DuBois, Terence Ward; Linda Welles.

**Also present:** Ruth Elwell, Jack Gordon, Michael Zierler; Village Trustee and Planning Board Liaison and other members of the public.

**Announcements:**

Mr. Curran said he had received information on a consultant to review the wetlands portion of the Stoneleigh Woods project. Information from Norbert Quenzer, Senior Ecologist, at Bagdon Environmental will be distributed to the Board. Tonight's agenda included a presentation on the changes in the Ulster County Planning Board Referral Process and the impact on local planning boards; review of proposed changes to local law 212-41 regarding particular uses; and an interview with potential candidate Jack Gordon regarding the vacant position on Planning Board.

**Changes in Referral Process to Ulster County Planning Board (UCPB).**

Presentation by Ruth Elwell, Village of New Paltz Representative to UCPB

Ms. Elwell noted changes in county government that affected the status of the UCPB. Under the jurisdiction of the newly created County Planning Department, referral officers will determine/return "incomplete" applications instead of the UCPB. This will allow a more efficient use of the Board's time.

The other major change was the modification to the 500' rule. Previously, only projects within 500' of a state or county road or municipal boundary were required to be submitted to UCPB. Now, all Planning Board and ZBA applications/action and any land use action by a municipal board must be submitted. If the action is beyond 500' the UCPB will act in an advisory capacity only.

The board reviewed the list of referral exemptions for actions within the 500' rule which the UCPB determined did not have a county-wide impact. Ms. Elwell noted the exemptions proposed by the County and agreed to by the Village Planning Board were basically a re-statement of a current list of exceptions adopted under a previous agreement with County.

Ms. Elwell explained the changes in the submission dates and referral procedure to county. She discussed county's review considerations (potential impacts), reviewed the classification of actions that must be referred (e.g. site plan, special use permit and subdivision), various county responses (e.g. no county impact, required modifications) and levels of county authority (e.g. advisory comments) based on the type and specifics of an application (e.g. distance to a state/county road).

To create a consistent process throughout the county, new administrative procedures and policies now require local boards to approve each referral as "complete" prior to its submission to County. Regarding this "full statement" approval by the local board's (showing completeness), Ms. Elwell emphasized that UCPB was entitled to **all** of the material requested, used or developed by the referring local board to make its SEQR determination and decision. If additional information is later requested by a local board, the entire application with the new information must be re-submitted to UCPB.

To help local boards better organize and consolidate the types of information requested from an applicant for completeness (and to avoid a piecemeal approach to gathering data), the county has provided a suggested checklist for each type of approval. Ms. Elwell suggested the Board review and adapt the list to meet the types and size of applications submitted in the Village.

Ms. Elwell referenced the new deadline dates for review, the county's required response timeframe, and noted public hearings can only be held after a full statement has been submitted to County. She reviewed the types of SEQR actions and noted the location in DEC's SEQR reference book 6NYCRR Part 617:

- Type 1: applications likely to have a significant impact and require the preparation of an environmental impact statement (EIS) unless there is a Negative Declaration.
- Type 2: applications determined not to have a significant adverse impact on the environment and therefore exempt from the long SEQR process. This includes the construction or expansion of a commercial structure of less than 4000 s/f not involving a zoning change or use variance.
- Unlisted: actions not included in Type 1 or Type 2.

Ms. Elwell answered several questions and concluded the presentation.

**Other Business:**

Proposed code modifications to 212-31: Standards for particular uses.

The proposed code modification consisted of changing the phrase "single family" to "owner occupied." This revision would allow a special use permit to convert a single family detached dwelling by adding an additional apartment unit **only** if it were owner occupied.

Noting that "single family" refers to a particular type of dwelling unit and "owner occupied" refers to the occupant, the Board questioned whether the new requirement could result in over-densification by allowing more than one additional dwelling unit to be added when the building was owner occupied.

The Board also questioned how or if the stipulation of "owner occupied" differed from the definition of an accessory apartment which is currently allowable in the code.

The Chair believed the intent of the proposed law was to decrease the number of houses converted from single family dwellings with relatively low impact to higher impact uses resulting from increased density (the number of people living in the building). Having more owner-occupied dwellings, rather than rental units, would be an attempt to maintain and protect the character of a residential neighborhood. Dr. Welles pointed out this proposal could reduce the overall number of dwellings available for habitation. Trustee Zierler said if there is a need for a specific kind of housing, the Village should promote that type of housing in appropriate locations. The Chair felt this proposal could be one of the ways to refer the problem of insufficient student housing back to the State rather than the Village continuing to respond to that need at the expense of residential neighborhoods.

To clarify the language and intent of the proposed law, the Board preferred to add, rather than replace, the phrase owner occupied so the revised code would read "owner occupied single family."

Mr. Ward made a motion to recommend the insertion of owner occupied prior to single family so the phrase would read *owner occupied single family* instead of replacing the phrase "single family" with "owner occupied." The motion was seconded by Chair Curran. There was no further discussion by the Board. The motion passed unanimously. The vote was as follows: R. Curran – aye; M. DuBois- aye; T. Ward – aye; L. Welles – aye.

The Board asked Trustee Zierler to review/clarify the definition of accessory apartment to see if there is a conflict or redundancy with the above referenced change.

Review of Permitted and Special Uses. Trustee Zierler felt the Planning Board was more appropriate/knowledgeable than the Village Board to review the current definitions and list of permitted and special uses and to recommend changes/re-classification of the items included in

each category. He suggested the Planning Board could either work collaboratively with the Village Board or present its own recommendations to the Village Board.

Proposed Escrow Accounts to cover Planning Board Expenses. There was a discussion on how best to reimburse the Planning Board for expenses incurred to review an application (e.g. escrow accounts, MOUs). The Chair said the Board's attorney was preparing a document for review at the next meeting. The Board will review that information in conjunction with suggested increases to the current fee schedule.

**Executive Session**

Ms. DuBois made a motion to enter executive session to interview Mr. Gordon, a candidate for the vacant seat on the Planning Board. The motion was seconded by Dr. Welles and approved unanimously by the Board at 8:55pm. A motion to close the executive session was made by Ms. DuBois, seconded by Chair Curran and passed unanimously by the Board at 9:30pm. No action was taken by the Board.

**Adjournment:**

A motion to adjourn was made by Ms. DuBois, seconded by Dr. Welles and passed by the Board at 8:24pm. The vote was: R. Curran – aye; M. DuBois- aye, T. Ward – aye; L. Welles – aye.

Respectfully submitted,

Alison Shestakofsky  
Secretary to Village Planning Board

Copies to Trustee Michael Zierler  
David Clouser, Engineer

Drayton Grant, Attorney Bob Chamberlin, Traffic Engineer  
Ted Fink, Planner