

**VILLAGE OF NEW PALTZ PLANNING BOARD  
REGULAR MEETING  
MINUTES  
December 20, 2011**

**Present:** Maurice Weitman; Chairman  
Rich Steffens  
Linda Welles  
Michael Zierler

**Absent:** Tom Rocco

**Also Present:** Amanda M. Erickson, Deputy Clerk  
Victoria Polidoro; Planning Board Attorney  
Mayor Jason West

**Call to Order:**

Chairman Weitman called the meeting to order at 7:05 pm.

**Public Hearing:**

**PB11-10: Mulberry Commons, Robert and Gretchen Schoonover. Application for Subdivision Plat Review and Approval at a property located at 14 Mulberry St.**

Ms. Welles moved to open the public hearing regarding Mr. Steffens seconded the motion. 4 ayes, 1 absent (Mr. Rocco) Motion passed.

The Public Hearing regarding PB11-010 (Mulberry Commons Subdivision) was opened at 7:12p.m.

Vin Tibiri, resident of 27 Mulberry Street, inquired about proposed development and potential traffic issues.

Chairman Weitman explained that the application before the Board is for a subdivision and the issue of parking is not something that the Planning Board will decide on. The developer will have to develop to fulfill the Code requirements to the satisfaction of the building inspector.

Mr. Steffens explained further that what is before the Board is the dissolution of one lot line and the creation of 2 new lot lines, which will divide the property into three lots.

A member of the public inquired about access points and drive ways.

The Board considered requiring an agreement or language in the deed establishing that two of the lots will share a drive way.

Ronald Turner stated that he believes that the properties in question are commercial properties and inquired as to the last time the land was assessed. He stated that the Town Planning Board would like the Village Planning Board to stop all action regarding this application for 90 days so that the Town can engage and investigate as to why Ulster County has been issuing maps in which the lot lines have changed from what is shown on the assessors maps.

Ira Margolis asked if the Board has taken any safeguards so that the lots will not be converted into high density student rental properties.

Maurice reiterated that the uses of the lots are not in question. The applicants will have to adhere to what is allowable as per the code.

Ira Margolis asked the Board if they would consider impact when making this decision. He also inquired as to whether or not recreation fees have been assessed.

The Board stated that they will make a finding that the applicants will be required to pay \$3,000 in recreation fees since the net gain will be one (1) new lot.

June Mark, a resident of Mulberry Street, inquired as to whether or not the sidewalks would encroach on Mulberry Street proper or on the applicants' property.

The Board explained that the sidewalks will be on the applicants' property and will not affect the width of the street.

Ms. Mark also asked if the historical value of the existing house has been assessed and stated that she feels that it should be protected.

The Board explained that this house has not been designated as a historical landmark by the Historic Preservation Commission, and suggested that she contact them.

Ronald Turner asked the Board to define family and inquired about the lot lines on the Zoning Map hanging in the Village Hall.

Mr. Steffens moved to close the public hearing. Ms. Welles seconded the motion. 4 ayes, 1 absent (Mr. Rocco).

The Public Hearing regarding PB11-010 was closed at 7:35p.m.

Ms. Welles raised the concern about the potential number of people (density) should the application be approved.

It was determined that the total possible allowable density as per the Code for the property is less when divided into three lots.

In completing the second part of the EAF, the Board found that there will be no significant environmental impact as a result of the proposed subdivision.

Ms. Welles moved that the Board find that \$3,000 recreation fees in lieu of lands set aside for recreational purposes is appropriate. This motion was seconded by Mr. Zierler. 4 ayes, 1 absent (Mr. Rocco)

Chairman Weitman moved, and Mr. Steffens seconded, that the Board accept the following resolution:

**SUBDIVISION APPROVAL**

**ROBERT AND GRETCHEN SCHOONOVER (MULBERRY COMMONS)  
APPLICATION SUBDIVISION APPROVAL**

**14 MULBERRY STREET, VILLAGE OF NEW PALTZ  
PB APPLICATION - PB 11-010**

Date: December 20, 2011  
Resolution No. PB11-010: 1

Moved by: Maurice Weitman  
Seconded by: Rich Steffens

WHEREAS, on October 4, 2011, Robert and Gretchen Schoonover applied for subdivision approval for the elimination of a lot line between their two lots at 14 Mulberry Street, Village of New

Paltz, to consolidate them into one lot, to be followed by construction of four two family residences on the surviving lot; and

WHEREAS, on October 4, 2011, the applicants applied for site plan approval for four two family residences and applied to the ZBA for a density variance; and

WHEREAS, on October 24, 2011 the applicant withdrew both aforementioned applications; and

WHEREAS, on October 31, 2011, the applicants submitted a revised subdivision plat for approval under application number PB 11-010, subdividing the current two lots at 14 Mulberry Street into three lots for the purpose of building a one-family or two-family residence on each lot; and

WHEREAS, referral to the County Planning Department under General Municipal Law section 239-m is not required pursuant to the County's MOA with the Village because the subdivision creates less than five lots and no lots are located within the 100 year flood plain; and

WHEREAS, notice to the Town of New Paltz under General Municipal Law section 239-nn is not required because the property is more than 500 feet from the Town boundary; and

WHEREAS, the applicants have submitted a short form environmental assessment form ("EAF") pursuant to the State Environmental Quality Review Act ("SEQRA"), which the Board has reviewed and completed part 2; and

WHEREAS, a duly noticed public hearing on the application was held on December 20, 2011, at which all members of the public wishing to be heard were heard;

**NOW, THEREFORE, IT IS HEREBY RESOLVED by the Planning Board of the Village of New Paltz:**

- 1. That the proposed action is classified as an unlisted action under SEQRA for which a coordinated review will not be performed; and**
- 2. That the proposed action does not present any potentially significant adverse environmental impacts and a draft environmental impact statement will not be prepared; and**
- 3. That the proposed preliminary and final plat prepared by Donald Brewer Land Surveying, PLLC, dated 10/30/2011, last revised 12/06/2011, is hereby granted preliminary and final approval, subject to the following conditions:**
  - 1. Payment of all fees, including \$3,000.00 recreation fee for 1 new lot, and escrow**
  - 2. Revision of the Plat to contain the following note: No Certificate of Occupancy shall be issued for any structure on lot 1, 2, or 3 until a sidewalk has been installed along Mulberry Street for the entire frontage of the lot or lots for which a certificate of occupancy is sought**
  - 3. Submission of an easement for the common driveway over lots 2 and 3, in form, manner, and substance acceptable to the Planning Board Attorney**

**BE IT FURTHER RESOLVED, by the Planning Board of the Village of New Paltz that the issuance of a certificate of occupancy for any of the lots included in the approved subdivision**

**shall be conditioned on the installation by the owner of sidewalks along Mulberry Street for the entire frontage of the affected lot or lots.**

**Minutes:**

**Draft Minutes from the October 18, 2011 Regular Meeting of the Planning Board**

Mr. Steffens moved to accept the Draft Minutes from the October 18, 2011 Regular Meeting of the Planning Board. Mr. Zierler seconded the motion. 4 ayes, 1 absent (Mr. Rocco). Motion passed

**Draft Minutes from the November 15, 2011 Regular Meeting of the Planning Board**

Ms. Welles moved accept the Draft Minutes from the November 15, 2011 Regular Meeting of the Planning Board as amended to correct plots to plats. Mr. Zierler seconded this motion. 4 ayes, 1 absent (Mr. Rocco). Motion passed

**Motion to Adjourn:**

Mr. Steffens moved to adjourn. Ms. Welles seconded the motion. 4 ayes, 1 absent (Mr. Rocco). Motion passed

The December 20, 2011 Regular Meeting of the Planning Board adjourned at 8:30p.m.

**Respectfully Submitted by,**

**Amanda Erickson, Deputy Clerk**