

**VILLAGE OF NEW PALTZ PLANNING BOARD
REGULAR MEETING
Meeting Notes
April 19, 2011 @ 7:00 p.m.**

Present: Maurice Weitman
Tom Rocco
Rich Steffens
Linda Welles

Also Present: Amanda Erickson, Village Clerk
Jean Gallucci, Trustee

Chairman Weitman called the April 19, 2011 Regular Meeting of the Planning Board to order at 7:00p.m.

Public Hearing:

None

New Applications/Review for Completeness:

None

Pending Applications:

PB11-002: Lagusta Yearwood and Jacob Feinberg, 1 Watch Hill Rd. New Paltz, New York 12561. Application for Site Plan/Special Use Permit Approval at a property located at 25 North Front Street. New Paltz, New York 12561. Current use of site is empty; was previously a Laundromat. Proposed use of site is a small chocolate shop limited to retail business.

Chairman Weitman gave a description of the discussion held at the last meeting during which the issue of the sidewalk was raised.

Ms. Yearwood and the Board had since found that the sidewalk belongs to the Village, and Ms. Yearwood can not be obligated to pave village owned property.

Chairman Weitman stated that the property should have a 26 foot curb cut.

Mr. Steffens stated that for safety reasons there should be a defined driveway, which can be accomplished by landscaping.

The applicants should bring a to scale drawing showing the curb cut, planters, parking spaces to be painted out, lighting, and signage to the next meeting.

Mr. Steffens stated that there is an issue with the rear setback and the parking in the back must be rearranged in order to meet the rear setback specifications, which was established to be 10 feet from the rear setback line.

**CLASSIFICATION OF ACTION AND DETERMINATION OF SIGNIFICANCE
AND SETTING PUBLIC HEARING**

**LAGUSTA'S REQUEST FOR SITE PLAN APPROVAL AND SUP
25 NORTH FRONT STREET, VILLAGE OF NEW PALTZ**

PLANNING BOARD APPLICATION PB 11-002

Date: April 19, 2011
Resolution No. PB11-002:1

Moved by: Maurice Weitman
Seconded by: Rich Steffens

WHEREAS, on March 23, 2011, Lagusta Yearwood applied for special use permit and site plan approval for a change of use to create a chocolate shop in a portion of 25 Front Street, a property formerly used as a laundramat; and

WHEREAS, on March 23, 2011, applicant submitted a revised site plan showing 8 parking spaces with frontage and driveway access to North Front Street, and submitted a proposed floor plan dated March, 2011 for a "chocolate retail and production facility"; and

WHEREAS, the applicant has submitted a short form EAF dated March 1, 2011, which the Planning Board has reviewed;

NOW, THEREFORE, BE IT HEREBY RESOLVED:

- 1. That the Planning Board determines that the proposed action is an unlisted action under the State Environmental Quality Review Act ("SEQRA") for which a coordinated review will not be performed; and**
- 2. That the proposed action is unlikely to have any potential significant adverse environmental impact and that a draft environmental impact statement will not be prepared; and**
- 3. That a public hearing on the application is hereby scheduled for May 3, 2011, 7 pm, at the Village Hall, 25 Plattekill Avenue, Village of New Paltz, and the Planning Board secretary and applicant are hereby authorized and directed to provide notice thereof in accordance with the village code.**

Ms. Welles: Aye
Mr. Rocco: Aye
Mr. Steffens: Aye
Mr. Weitman: Aye

Recommendation to Zoning Board of Appeals:

ZB11-003: Richard Cusano, 151 Route 32 North, New Paltz, New York 12561. Applicant is requesting a variance from section 212-13 (G) (6) of the Village of New Paltz Code. The applicant is seeking a height variance to allow for unobstructed tennis play. A traditional indoor tennis facility requires 35 feet to the peak of the roofline so balls will not hit the ceiling.

RESOLUTION OF RECOMMENDATION TO ZONING BOARD OF APPEALS

CUSANO REQUEST FOR HEIGHT VARIANCE

ZBA APPLICATION # 11-003

Date: April 19, 2011
Resolution No. ZB11-003: 1

Moved by: Maurice Weitman
Seconded by: Linda Welles

WHEREAS, Richard Cusano (“applicant”) has applied to the Zoning Board of Appeals for a variance from the maximum height limit of 25 feet in section 212-13G(6) of the Village Code applicable to all uses in the B-3 Highway Business District, to a height of 35 feet for the construction of a domed tennis facility; and

WHEREAS, the applicant has not submitted a site plan application to the Planning Board, although the proposed tennis facility is a commercial use that will require site plan approval and a special use permit from the Planning Board under sections 212-23 and 212-13G(3)(h) of the Village Code and

WHEREAS, in the absence of a site plan conforming to the requirements of the Village Code, the only materials the Planning Board can review are the ZBA application, a short EAF, two altered layouts of “Map of Survey” originally dated 9/1/05 (one with the building perpendicular to Old Route 32 and one parallel), and 3 images of a domed structure; and

WHEREAS, the Planning Board met with the applicant at its regular meeting on April 5, 2011, at which time the Planning Board expressed its concerns with the lack of a prepared site plan and its concern with the location of the building, the lack of screening and other elements that would normally be addressed in the site plan and special use permit process;

NOW, THEREFORE, THE PLANNING BOARD MAKES THE FOLLOWING FINDINGS:

1. The proposed structure is out of character with the surrounding area, is proposed to be located with the end or side of the structure 25 feet from the front and side property lines, and will be directly visible from Old Route 32; and

2. The uncertainty of the final locations of the domed tennis facility, the lack of parking layout and the lack of any landscaping detail underscore the difficulty of properly reviewing the criteria for a variance without a proper application for site plan approval and a special use permit;

NOW THEREFORE BE IT RESOLVED that the Planning Board hereby recommends that the Zoning Board of Appeals (1) deny the requested area variances for an increase in the maximum height limit for the tennis facility from 25 feet to 35 feet on the basis of the submitted application materials; (2) direct the applicant to submit a site plan and special use permit application in compliance with the Village Code to the Planning Board, and (3) advise the applicant that the ZBA will reconsider the application upon referral from the Planning Board without payment of an additional application fee for the requested variance.

Ms. Welles: Aye
Mr. Rocco: Aye
Mr. Steffens: Aye
Mr. Weitman: Aye

Other Business:

Discussion of rescheduling the first meeting in May.
No motion made. No action taken.

Minutes:

Draft Minutes from the January 4, 2011 Regular Meeting of the Village of New Paltz Planning Board

Mr. Steffens moved to approve the amended draft minutes from the January 4, 2011 Regular Meeting of the Village of New Paltz Planning Board. Mr. Rocco seconded. 4 ayes.

Draft Minutes from the February 15, 2011 Regular Meeting of the Village of New Paltz Planning Board

Maurice moved to accept as amended. Tom seconded. 4 ayes.

Chairman Weitman moved to approve the amended draft minutes from the February 15, 2011 Regular Meeting of the Village of New Paltz Planning Board. Mr. Rocco seconded. 4 ayes.

The Board discussed the need for a clear sidewalk section on the code, and the board agreed that they should take a proactive role in creating a connected system of sidewalks in the Village.

Trustee Gallucci suggested that Mr. Watrous, Building Inspector, put forth a memorandum for a code change to the Town code regarding requirement of new development and use changes to be held responsible for creating sidewalks.

Mr. Seffens moved to adjourn. Mr. Rocco seconded this motion. 4 ayes.
The April 19, 2011 Regular Meeting of the Planning Board adjourned at 8:11p.m.

Respectfully Submitted by,

Amanda M. Erickson, Village Clerk