

**VILLAGE OF NEW PALTZ PLANNING BOARD
REGULAR MEETING
MINUTES
June 21 2011**

Present: Maurice Weitman, Chairman
Linda Welles
Rich Steffens

Absent: Tom Rocco

Also Present: George Rodenhausen, Planning Board Attorney
Amanda Erickson, Village Clerk

Call to Order:

Chairman Weitman called the June 21, 2011 Regular Meeting of the Planning Board to Order at 7:04pm.

New Applications/Review for Completeness:

PB11-004: Sal Nicolosi, 87 Main St. New Paltz, NY12561. Application for Site Plan/ Special Use Permit Approval at a property located at 87 Main St. New Paltz, NY 12561. The current use of site is a restaurant. The proposed use of site is outdoor dining.

Mr. Nicolosi stated that a bench had been outside his store front until it was broken. He would like to add more permanent seating so that it will not be stolen or broken.

Richard ? (architect) stated that he had worked with Building Inspector Watrous, to make sure the seating was code compliant. The entire seating will be within the confines of the property line. The body of the table and the seating will be masonry with seal reinforcement and the table-top will be stainless steel.

Chairman Weitman stated his main concern in considering the project is pedestrian traffic.

Mr. Nicolosi stated that they will develop a ledge to keep food from falling off the table and onto the sidewalk.

Mr. Steffens moved to consider the application complete. Ms. Welles seconded this motion. 3 ayes, 1 absent (Mr. Rocco). Motion passed.

Mr. Steffens moved to schedule a public hearing for July 5, 2011 at 7:00 p.m. Ms. Welles seconded this motion. 3 ayes, 1 absent (Mr. Rocco). Motion passed.

Recommendation to Zoning Board of Appeals:

ZB11-006, James Caffrey, 226 Windsor Rd., Fishkill, NY 12524. Applicant is requesting a variance from section 212-13 E(4)(a) of the Village of New Paltz Code. The applicant would like to restore property to original use as a 2 family (3 bedrooms each) apartment house.

Mr. Caffrey stated that since the last meeting he had changed his plans in an attempt to make the building mixed use, as the Board had said that is what is desired in this location. Mr. Caffrey was now proposing that the first floor be a 2-bedroom apartment and an office, and the floor will be a 3-bedroom apartment.

Mr. Steffens stated that this is not an ideal compromise.

Chairman Weitman stated that this new proposal does not address the issue of density.

The applicant stated that he believes the use he has proposed is compliance with the criteria used by the Zoning Board of Appeals when considering a variance.

Ms. Welles thanked the applicant for the compromise and moved to recommend to deny the requested area variance for 2 , 3-bedroom apartments based on the desire to create more mixed use in the space as per the resolution below. Mr. Steffens seconded this motion. 3 ayes, 1 absent (Mr. Rocco). Motion passed.

RESOLUTION OF RECOMMENDATION TO ZONING BOARD OF APPEALS

44 N. CHESTNUT STREET – TWO FAMILY DWELLING

Date: June 21, 2011
Resolution No. ZB11-006

Moved by: Linda Welles
Seconded by: Rich Steffens

WHEREAS, Mr. James Caffrey (the “applicant”), has applied to the Zoning Board of Appeals for an area variance of 14,520 sq. ft. to permit a two-family dwelling on .16 acres (6,969.6 sq. ft.) in the B-1 Zoning District, located at 44 N. Chestnut Street; and

WHEREAS, each of the proposed units would have three-bedrooms; and

WHEREAS, two-family dwellings are a permitted use in the B-1 District, subject to the Density Control Schedule, which requires a minimum of 7,260 sq. ft. per dwelling unit; and

WHEREAS, the Planning Board wishes to provide the Zoning Board of Appeals with a report and recommendation on the requested variance, in accordance with section 212-59A(4) of the Village Code; and

WHEREAS, the Planning Board met with the applicant and reviewed the application at Planning Board meetings on June 7 and June 21, 2011.

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

1. The requested variance is substantial. The applicant has not investigated alternate uses for the site which would reduce the size of the variance, such as commercial use on the first floor and a single-dwelling unit on the second floor.

2. The site is located in the commercial business district. Uses on either side of the site include commercial uses. A two-family dwelling, while permitted, would detract from the commercial character of the neighborhood.

NOW THEREFORE BE IT RESOLVED that the Planning Board hereby recommends that the Zoning Board of Appeals deny the requested area variance of 14,520 sq. ft. to permit two dwelling units on a 6,969 sq. ft. lot.

Ms. Welles moved that the applicant’s proposal to create a 3 bedroom apartment upstairs and 2 bedroom apartment downstairs with an office space be recommended to the Zoning Board of Appeals for approval. No second. Motion Failed

Minutes:

Draft Minutes from the May 3, 2011 Regular Meeting of the Planning Board

Tabled

Draft Minutes from the May 17, 2011 Regular Meeting of the Planning Board

Ms. Welles moved to approve the Draft Minutes from the May 17, 2011 Regular Meeting of the Planning Board with a correction to the spelling of the word recused. Mr. Steffens seconded this motion. 3 ayes, 1 absent (Mr. Rocco). Motion passed.

Motion to Adjourn:

Ms. Welles moved to adjourn. Mr. Steffens seconded this motion. 3 ayes, 1 absent (Mr. Rocco).

The June 21, 2011 Regular Meeting of the Planning Board adjourned at 7:54 p.m.

Respectfully Submitted by,

Amanda Erickson, Village Clerk