

**VILLAGE OF NEW PALTZ PLANNING BOARD
REGULAR MEETING
MINUTES
July 5 2011**

Present: Maurice Weitman; Chairman
Tom Rocco
Rich Steffens
Linda Welles

Also Present: Amanda Erickson, Secretary
George Rodenhausen, Planning Board Attorney

Call to Order:

Chairman Weitman called the July 5, 2011 Regular Meeting of the Planning Board to order at 7:00pm.

Public Hearings:

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. Rocco moved to open the public hearing for PB11-004. Mr. Steffens seconded this motion. 4 ayes. Motion passed.

The public hearing opened at 7:05p.m.

Michael Zierler spoke in support of the proposed outdoor dining area.

Mr. Rocco moved to close the public hearing. Mr. Steffens seconded this motion. 4 ayes. Motion passed.

The public hearing was closed at 7:08p.m.

Mr. Steffens moved to issue PB11-004 a Negative Declaration. Ms. Welles seconded this motion. 4 ayes. Motion passed.

CLASSIFICATION OF ACTION AND DETERMINATION OF SIGNIFICANCE

**NICOLOSI (MEXICALI BLUE) REQUEST FOR SPECIAL PERMIT
ANDSITE PLAN APPROVAL
87 MAIN STREET, VILLAGE OF NEW PALTZ**

PLANNING BOARD APPLICATION PB 11-004

Date: July 5, 2011
Resolution No. PB11-004:1

Moved by: Rich Steffens
Seconded by: Linda Welles

WHEREAS, Sal Nicolosi applied on May 6, 2011, for site plan approval and special use permit for the addition of an outdoor seating area to the existing restaurant use at 87 Main Street, Village of New Paltz; and

WHEREAS, the applicant has submitted a short form EAF dated May 11, 2011, and

WHEREAS, the Planning Board is lead agency for purposes of review under the State Environmental Quality Review Act ("SEQRA") because there are no other involved agencies; and

WHEREAS, in response to a request from the Planning Board the applicant supplemented his application with architectural drawings dated June 28, 2011, prepared by Domus Studios; and

WHEREAS, the Planning Board has reviewed the EAF dated May 11, 2011, and all other relevant factors concerning the potential environmental impact of the proposed project;

NOW, THEREFORE, BE IT HEREBY RESOLVED:

1. That the Planning Board hereby declares itself to be lead agency pursuant to the SEQRA regulations and determines that the proposed action be classified as an unlisted action; 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.

APPROVAL OF SPECIAL USE PERMIT AND SITE PLAN

**NICOLOSI (MEXICALI BLUE) REQUEST FOR SPECIAL PERMIT
AND SITE PLAN APPROVAL
87 MAIN STREET, VILLAGE OF NEW PALTZ**

PLANNING BOARD APPLICATION PB 11-004

Date: July 5, 2011
Resolution No. PB11-004:2

Moved by: Linda Welles
Seconded by: Rich Steffens

WHEREAS, Sal Nicolosi applied on May 6, 2011, for site plan approval and special use permit for the addition of an outdoor seating area to the existing restaurant use at 87 Main Street, Village of New Paltz; and

WHEREAS, in response to a request from the Planning Board the applicant supplemented his application with architectural drawings dated June 28, 2011 and renderings in color dated July, 2011, prepared by Domus Studios; and

WHEREAS, on July 5, 2011, the Planning Board determined 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

WHEREAS, on July 5, 2011, a duly noticed public hearing on the application was held at the Village Hall, 25 Plattekill Ave., New Paltz, New York, at which all persons present were given the opportunity to be heard; and

WHEREAS, no referral to the County Planning Department is required because no increase in parking spaces is required;

NOW THEREFORE, the Planning Board hereby makes the following findings of fact:

1. The project is the addition of an outdoor fixed bench and table within an existing exterior alcove at front facade of an existing restaurant; the detail of which is shown on the Domus Studio drawings dated 6/28/11.
2. The remaining space on the sidewalk for pedestrians to pass by is adequate.
3. The proposed use qualifies as an outdoor cafe/restaurant as defined by section 212-13F[3] of the Village Code, and as such it is permitted by special permit in the B-2 District.
4. No additional parking is needed as it is within the prescribed distance of municipal parking.
5. It is an accessory use of a restaurant on same premises as required by section 212-41(J)[1].
6. There will be no outdoor cooking of food as required by section 212-41(J)[5].
7. There will be no outdoor electronically amplified music, entertainment or sound transmission, as required by section 212-41(J)[6].
8. The normal setback and coverage requirements in the B-2 District are met.
9. Before approval, the Board will have to complete SEQRA, hold a public hearing and make findings for a special use permit.
10. The proposed use is compatible with surrounding business uses, is in harmony with the appropriate and orderly development of the district, will not discourage appropriate use or development of adjacent properties, and will not be objectionable to nearby properties.

NOW, THEREFORE, IT IS HEREBY RESOLVED::

1. **That the proposed special permit for outdoor restaurant use at 87 Main Street, as set forth in the application dated May 11, 2011, and in the Domus Studio drawings dated June 28, 2011 and color renderings prepared by Domus Studio dated July, 2011, is hereby approved.**
2. **The application for site plan for outdoor restaurant use at 87 Main Street, as set forth in the application dated May 11, 2011, and in the Domus Studio drawings dated June 28, 2011, is hereby approved, and the Planning Board chairman is hereby authorized and directed to sign the approved drawings to indicate such approval.**

Minutes:

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

Mr. Steffens moved to approve the Draft Minutes from the May 3 2011 Regular Meeting of the Planning Board. Mr. Rocco seconded this motion. 3 ayes. 1 abstain (Ms. Welles) Motion passed.

Draft Minutes from the June 7, 2011 Regular Meeting of the Planning Board

Tabled

Motion to Adjourn:

Ms. Welles moved to adjourn. Mr. Rocco seconded this motion. 4 ayes. Motion passed.

The July 5, 2011 Regular Meeting of the Planning Board adjourned at 7:45p.m.

Respectfully Submitted by,

Amanda M, Erickson, Secretary