

VILLAGE OF NEW PALTZ PLANNING BOARD
REGULAR MEETING
APPROVED MINUTES
August 5, 2014

Present: Maurice Weitman
Richard Steffens
Elizabeth Harschow
Michael Zierler
John Litton

Also Present: George Rodenhausen, Village Planning Board Attorney
Bren White, Village Planning Director
Brogan O'Donnell, Planning and Zoning Secretary

Call to Order:

Chairman Weitman called the August 5, 2014 Regular Meeting of the Village Planning Board to order at 7:05PM

**PB14-03: Proposed – Mixed Use Restaurant and Apartment Building – 51 Main Street
Site Plan Application for New Project including new buildings and site improvements
Applicant: Dimitri Viglis
Zoning District: B-2, Core Business
00:01:12-00:020:34**

The applicant, Mr. Viglis, and architect, Mr. Miller, presented modified design changes, complying with the required recommendations from the Ulster County Planning Board.

The Planning Board answered the short EAF at the table. Mr. Steffens moved to accept the short EAF, deeming that PB14-03 will have no significant adverse environmental impacts. Mr. Zierler seconded. 5 Ayes. 0 Nays. 0 Absent. Motion Carried.

Chairman Weitman moved to approve the application for 51 Main Street, PB14-03. Mr. Litton seconded. 5 Ayes. 0 Nays. 0 Absent. Motion Carried.

**VILLAGE OF NEW PALTZ PLANNING BOARD
25 PLATTEKILL AVE.
NEW PALTZ, NY 12561
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**51 MAIN STREET MIXED USE SITE PLAN AND SPECIAL PERMIT
RESOLUTION OF APPROVAL
PLANNING BOARD APPLICATION # PB 14-03**

Date: August 5, 2014
Resolution No. PB14-03

Moved by: Mr. Maurice Weitman
Seconded by: Mr. John Litton

WHEREAS, on March 31, 2014, Dimitri Viglis submitted an application for site plan and special use permit approval for a two-story restaurant with an apartment on the third floor, as set forth in a drawing entitled Proposed Site Plan prepared by Richard Miller, Architect, dated May 6, 2014, last revised August 5, 2014, with a sheet of elevations last revised August 5, 2014; and

WHEREAS, on May 20, 2014, the Planning Board resolved to serve as a lead agency in a coordinated SEQRA review, and on June 3, 2014, determined the application was complete; and

WHEREAS, on June 3, 2014, Richard Miller, on behalf of the applicant, submitted a parking study surveying the available parking spaces at relevant times of day within 400 feet of the site; and

WHEREAS, on July 8, 2014, the Zoning Board of Appeals granted the applicant area variances for lot coverage, bulk dimensions and fire district limits; and

WHEREAS, on July 15, 2014, a duly noticed public hearing on the site plan application was held at the Village Hall at which all those wishing to be heard were given the opportunity to speak; and

WHEREAS, the applicant submitted a short environmental assessment form dated May 5, 2014, which was reviewed by the Planning Board; and

WHEREAS, on August 5, 2014, the Planning Board determined that the proposed action did not have the potential to cause any significant adverse environmental effects and that a draft environmental impact statement would not be prepared; and

WHEREAS, the application was referred to the Ulster County Planning Board pursuant to General Municipal Law § 239-m, and the Planning Board received a response dated July 2, 2014, in which the County was supportive of the application in general, but recommended “the applicant utilize an alternative front façade, materials, and window treatments that are more reflective of the historic character of the Village.”

NOW THEREFORE, the Planning Board makes the following findings:

1. Under § 212-47, Schedule C, of the Village Code, a restaurant should have 1 space for each 3 seats devoted to service (100 seats = 34 spaces) and the apartment must have 2 spaces for a dwelling unit containing a maximum of 3 bedrooms. Therefore 36 parking spaces are recommended and 2 are provided in the Site Plan. Section 212-44 allows the Planning Board to use Schedule C as a guideline.

2. Under § 212-44B, the Planning Board may credit available municipal lot spaces toward the off-street parking requirements of nonresidential uses, provided that: (1) such spaces are within 400 feet of the use to be served, and (2) only the excess of such spaces, after the needs of existing uses within 400 feet have been satisfied shall be so credited.

3. The June 3, 2014 parking study submitted by the applicant identified all public parking spaces within a 400’ radius from the site. Available spaces were counted three times a day at times corresponding to lunch, dinner and evening use, beginning on Memorial Day weekend for 10 days. The study concluded available spaces exceeded the recommended spaces for the proposed occupancy.

4. The Planning Board finds, under the discretion given to it by section 212-44, that the two parking spaces provided on site by the applicant are sufficient, as there are an excess of publicly available parking spaces within 400’ of the project site;

5. The Planning Board further finds, under the discretion given to it by sections 212-29 and 212-31, that the two bicycle parking spaces provided on the site plan are sufficient.

6. Section 212-26 of the Village Code, which the Ulster County Planning Board cited as the basis for its recommendation that the site plan be modified, does not apply in the business district and need not apply to this project.

7. The Planning Board finds that the changes to the façade in his most recent submission dated August 5, 2014, satisfy the recommendation of the Ulster County Planning Board in that the façade design uses materials and fenestration more compatible with neighboring buildings.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Village of New Paltz Planning Board that the proposed special use permit and site plan prepared by Richard Miller, Architect, dated May 6, 2014, last revised June 10, 2014, with elevation drawings dated August 5, 2014, are hereby approved, subject to payment of all fees and escrow.

Moved by: Chairman Maurice Weitman

Second: Mr. John Litton

Elizabeth Harschow AYE

John Litton AYE

Richard Steffens AYE

Maurice Weitman AYE

Michael Zierler AYE

Maurice Weitman, Planning Board Chair

PB14-01: Proposed –Rock and Snow Annex (Construction of a New Business) – 28 Main Street

Site Plan Application for new project, including new buildings and site improvements

Applicant: Richard Gottlieb

Zoning District: G, Gateway

00:21:00-00:30:16

The applicant, Mr. Gottlieb, was not present.

The Planning Board answered the short EAF at the table. Mr. Steffens moved to accept the short EAF, deeming that PB14-03 will have no significant adverse environmental impacts. Mr. Zierler seconded. 5 Ayes. 0 Nays. 0 Absent. Motion Carried.

Chairman Weitman moved to approve the application for 28 Main Street, PB14-01. Mr. Litton seconded. 5 Ayes. 0 Nays. 0 Absent. Motion Carried.

VILLAGE OF NEW PALTZ PLANNING BOARD

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28 MAIN STREET (ROCK & SNOW ANNEX) SITE PLAN APPLICATION

RESOLUTION OF APPROVAL

PLANNING BOARD APPLICATION # PB 14-01

Date: August 5, 2014
Resolution No. PB14-01

Moved by: Chairman Maurice Weitman
Seconded by: Mr. John Litton

WHEREAS, on January 30, 2014, Richard Gottlieb submitted an application for site plan approval for a sporting goods retail store with storage on the second floor, as set forth in a drawing entitled Site Plan for Richard Gottlieb prepared by Medenbach & Eggers Civil Engineering & Land Surveying, P.C., dated June 2, 2014, last revised July 16, 2014; and

WHEREAS, on June 17, 2014, the Planning Board resolved to serve as a lead agency in a coordinated SEQRA review and determined the application was complete; and

WHEREAS, on July 15, 2014, a duly noticed public hearing on the site plan application was held at the Village Hall at which all those wishing to be heard were given the opportunity to speak; and

WHEREAS, the applicant submitted a short environmental assessment form dated June 3, 2014, which was reviewed by the Planning Board; and

WHEREAS, on August 5, 2014, the Planning Board determined that the proposed action did not have the potential to cause any significant adverse environmental effects and that a draft environmental impact statement would not be prepared; and

WHEREAS, the application was referred to the Ulster County Planning Board pursuant to General Municipal Law § 239-m, and the Planning Board received a response dated July 2, 2014, in which the County noted, "The Village and the applicant should review whether there is an opportunity to create a rain garden or other bio-retention facilities to help reduce stormwater runoff."

NOW THEREFORE, the Planning Board makes the following findings:

1. This new construction in the Gateway District is subject to and satisfies the Gateway District Development Standards ("GDSDS") adopted by the Board of Trustees on September 22, 1997 (212-31B).
2. Sporting goods supplies retail is considered core business retail and therefore is a principal permitted use in the Gateway District. No special use permit should be required. 212-13J(2)(b)(i).
3. The building setback is consistent with prevailing setbacks as required by 212-13J(7)(a)(1).
4. Adequate landscaped buffer has been provided to protect adjacent uses from nuisance as required by 212-13J(8)(a).
5. The maximum retail area permitted by 212-13J(9) is 3,000 sq. ft.; only 1,966 sq. ft. is proposed. .
6. The proposed signs (kiosk and wall sign) are in compliance with 212-25F(5) and are not internally lit.
7. The Planning Board finds that the changes to the site plan in the most recent submission dated July 16, 2014, satisfy the recommendation of the Ulster County Planning Board in that a gravel bed, landscaping and a river rock drainage area have been added to mitigate stormwater flow.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Village of New Paltz Planning Board that the proposed site plan prepared by Medenbach & Eggers Civil Engineering & Land Surveying, P.C., dated June 2, 2014, last revised July 16, 2014 is hereby approved, subject to payment of all fees and escrow.

Moved by: Chairman Maurice Weitman

Second: Mr. John Litton

Elizabeth Harschow	AYE
John Litton	AYE
Richard Steffens	AYE
Maurice Weitman	AYE
Michael Zierler	AYE

Maurice Weitman, Planning Board Chair

PB14-04: Proposed –Lot Line Revision – 66 Church Street

Pre-Application Review for a lot line revision to subdivide a barn

Applicant: Bruce Stevens

Zoning District: R3, Residential

00:30:18-00:30:55

The Applicant, Mr. Stevens, was not present.

PB14-05: Proposed – Water Street Cinema (Construction of a New Business) – Main Street

Site Plan Application for a new project, including new buildings and site improvements

Applicant: NFM, LLC - Harry Lipstein

Zoning District: G, Gateway

00:30:56-01:07:09

The Applicant, Mr. Lipstein, will provide and updated and revised site plan, to include drainage, landscaping, lighting and parking details. This will be submitted on Tuesday, August 12, 2014, enabling the Planning Board to review this application again during the August 19, 2014 meeting.

Discussion regarding the local law amending Section 212-12 of the Village of New Paltz Code

01:07:15-01:15:36

The Village Planning Director, Bren White, presented her memo regarding Section 212-12 of the Village of New Paltz Code, addressing single and two family home applications and subdivision applications.

Discussion regarding the Formula-Based Zoning local law for the Village of New Paltz

01:15:38-01:27:55

The Planning Board the Formula-Based Zoning local law for the Village of New Paltz, addressing issues such as design standards, lot size, and signage. The Village Planner, Bren White, will communicate the Planning Board's final recommendations to the Village Board of Trustees.

Adoption of Draft Planning Board Minutes from July 15, 2014

01:27:58-01:28:33

Mr. Zierler moved to adopt the draft planning board minutes from July 15, 2014. Ms. Harschow seconded. . 3 Ayes. 0 Nays. 1 Absent – Mr. Steffens. 1 Abstain – Chairman Weitman. Motion Carried.

Adjournment

Mr. Zierler moved to adjourn the July 15, 2014 Village of New Paltz Planning Board Meeting. Mr. Litton seconded. 5 Ayes. 0 Nays. 0 Absent. Motion Carried.

The Tuesday, August 5, 2014 meeting of the Planning Board was adjourned at 8:36pm.

Respectfully submitted by,

Brogan O'Donnell

Planning and Zoning Secretary for the Village of New Paltz