



Village of New Paltz Planning Board
Regular Meeting of Thursday May 4, 2017
Village Hall-7:00p.m.
APPROVED MINUTES

Present: Michael Zierler, Chair
John Litton
Will Murray, arrives 7:05 p.m.

Absent: Rich Souto
Rich Steffens

Also Present: Denis McGee, Alternate
Tom Rocco, Village Board Liaison
Rick Golden, Planning Board Attorney
David Gilmour, AICP, Municipal Planner
Christena Carp, Planning and Zoning Secretary

Welcome

7:00-7:02

Chair Zierler reviews the Agenda.

Chair Zierler notes that Mr. Steffens is absent and Mr. McGee will serve in his place.

Public Comment

7:03

No one comes forward to speak during Public Comment.

Public Hearing

Site Plan

For Existing Addition

PB17-09, 32 Prospect Street

Applicant: Ben and Ada Wood

Zoning District: R-2

SBL: 86.34-8-19

7:03-7:11

Mr. Litton moves to open the Public Hearing for PB17-09, 32 Prospect Street, Wood. Mr. McGee seconds. Messrs. Souto and Steffens are absent. 3 ayes. Motion carried.

Mr. Murray arrives at 7:05 p.m.

Neighbor, Mr. Caccamo, wants to know what the application is all about.

Attorney Golden relates that it is normal procedure at a public hearing to request that an applicant review his/her project.

Applicant representative, Architect Ciro Interrante, reviews the history of the application.

Mr. Caccamo, a member of the public, is concerned about the footprint of the house expanding. Chair Zierler explains that the current owners are preparing to sell the house and discovered that a Certificate of Occupancy (C/O) was never issued for a screened-in porch and deck addition. Chair Zierler further explains that if the Board votes to approve the resolution tonight, Building Inspector Arms still has code compliance issues that must be addressed before the C/O is issued.

Mr. Murray moves to close the Public Hearing for PB17-09, 32 Prospect Street, Wood . Mr. McGee seconds. Messrs. Souto and Steffens are absent. 4 ayes. Motion carried.

New Application

Site Plan

For Painting a Mural

PB17-10, 34-38 Main Street

Applicant: Melanie Cronin

Zoning District: B-2

SBL: 86.33-3-9

7:11-7:15

Mr. Ryan Cronin reviews his application. Mr. Cronin explains that the mural is roughly 15'x15' and is scheduled to be painted on the west side of Schatzi's (side of 34-36 Main Street). Mr. Cronin further explains that the mural is part of a fundraising effort to benefit Go Doc Go, a women's health initiative, and the TMI Project, a memoir readingvenue.

Chair Zierler notes that Village Code requires that murals be reviewed and approved by the Board. Chair Zierler observes that the mural is proposed to be painted on May 17, 2017.

Mr. Murray moves to accept the application as submitted and to waive most site plan requirements and any need for escrow. Mr. Litton seconds. Messrs. Souto and Steffens are absent. 4 ayes. Motion carried.

Mr. Murray moves to recommend that the Village Board refund the \$300 application fee. Mr. Litton seconds. Messrs. Souto and Steffens are absent. 4 ayes. Motion carried.

Chair Zierler notes that the application is a Type 2 action under SEQR and does not require submission to the Ulster County Planning Board.

Mr. Litton moves to set a Public Hearing for PB17-10, 34-38 Main Street, Cronin for May 16, 2017. Mr. Murray seconds. Messrs. Souto and Steffens are absent. 4 ayes. Motion carried.

Ongoing Applications

Site Plan

For Existing Addition

PB17-09, 32 Prospect Street

Applicant: Ben and Ada Wood

Zoning District: R-2

SBL: 86.34-8-19

7:15-7:19

Chair Zierler notes that the Board wants to ensure that the house, which is identified as a two-family residence with 2 bedrooms on the ground floor and 3 bedrooms on the second floor, has only 5 bedrooms.

Chair Zierler explains that remaining compliance issues will have to be resolved between the property owner and Building Inspector Arms before a Certificate of Occupancy (C/O) will be issued.

Chair Zierler reads Resolution PB17-09.

**RESOLUTION OF SITE PLAN AMENDMENT APPROVAL
32 PROSPECT STREET, VILLAGE OF NEW PALTZ
PLANNING BOARD APPLICATION # PB 17-09**

Date: May 4, 2017
Resolution No. PB17-09

Moved by: Mr. Litton
Seconded by: Mr. Murray

WHEREAS, on April 4, 2017, Ben and Ada Wood applied for site plan amendment approval for an existing addition that was constructed under a building permit issued in 1972, but for which a certificate of occupancy was never issued; and

WHEREAS, on April 25, 2017, the Village of New Paltz Building Inspector, Bryant Arms, provided an opinion, which states that the property at 32 Prospect Street (SBL #86.34-8-19) has received permits for a two-family house having five bedrooms, a rear addition to the house, and a garage. Furthermore, Mr. Arms states that permits have been closed with certificates of occupancy issued for the two-family house and the garage, but no certificate of occupancy was ever issued for the rear addition. Mr. Arms also says, "The use of the lot is legally pre-existing and currently non-conforming. It exceeds by one the current limitation by lot size for establishing new dwelling units. It exceeds by two the current limitation by lot size for establishing new bedrooms. The layout of the parking plan may not be conforming to current standards." Mr. Arms also says, "Except for the permitted addition, a record of the approved interior layout of the house is not available. We are certain that a three bedroom dwelling can exist upstairs and a two bedroom dwelling can exist downstairs. The actual addition seems to expand the living space."

WHEREAS, on April 18, 2017, the Planning Board classified the action as a Type II action under the State Environmental Quality Review Act, and determined that a referral to Ulster County Planning pursuant to Section 239-m of the General Municipal Law was not required; and

WHEREAS, on May 4, 2017, a duly noticed public hearing was held at Village Hall, 25 Plattekill Avenue, New Paltz, at which all those who wished to be heard were permitted to provide testimony regarding the application, and the Planning Board determined that the application was administratively complete;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Village of New Paltz Planning Board that the application of Ben and Ada Wood for site plan approval amendment at 32 Prospect Street, as shown on the above-referenced application materials, is hereby approved, subject to the following conditions: payment of all fees and escrow and submission of a final site plan with a signature block suitable for signature by an authorized representative of the Planning Board.

This Resolution approves nothing beyond that authorized by the Zoning Code. All Code violations on this property identified by the Building Inspector and otherwise must be remedied to the satisfaction of the Building Inspector.

Name	Ayes	Nays	Abstain	Absent
Chairperson <i>Michael Zierler</i>	X			
Member <i>John Litton</i>	X			
Member <i>William Murray</i>	X			
Member <i>Rich Souto</i>				X
Member <i>Rich Steffens</i>				X
Alternate <i>Denis McGee</i>	X			
Alternate <i>Liz Harschow</i>	N/A			
Totals:	4			

Moved by: Mr. Litton

Seconded by: Mr. Murray

Date of Approval: May 4, 2017

Date Filed in the Office of the Village Clerk: _____

Signed by: Alberta Shaw
Village Clerk
Village of New Paltz

The Planning & Zoning Secretary shall send a final endorsed copy of this Decision to the Applicant by mail, as well as by email, and place of copy of this decision on-file with the Village Clerk and the Chief Building Inspector/ Building Department Head within five (5) business days.

Special Use Permit/Site Plan Application

Discussion of Site Visit

PB16-02: 87-91 & 93 North Chestnut Street

Applicant: Net Zero Development LLC/David Shepler

Zoning District: NBR

SBL: 86.26-1-14.110, 86.26-1-14.210

7:20-8:38

Chair Zierler notes that Alta Planning & Design has been chosen to serve as transportation consultant and Behan Planning & Design will be engaged to review the impacts on visual and aesthetic, community character and consistency with community plans during the continued review of the Expanded Part 3 Environmental Assessment Form (EAF).

Mr. Shepler acknowledges the need for a transportation consultant, but expresses concern regarding the inherent subjectivity in the impacts that Behan Planning & Design is expected to review. In addition, Mr. Shepler notes Behan's perspective already exists as the Village employed Behan to review the area in 2007 with a subsequent report produced. Mr. Shepler observes that a point of disagreement occurs between Behan's report and the Net-Zero project and current Village Code regarding height.

Mr. Shepler notes that Behan Planning & Design has been hired to help the NBR Committee readjudicate the code and is now being considered to administrate the Expanded Part 3 EAF for the Board. Mr. Shepler observes that this represents a potential conflict that may lead to a lack of objectivity. Mr. Shepler adds that financial costs are also a concern.

Chair Zierler notes that comprehensive input was not generated by the Board when it came to the three concerning areas of impact. Due to this, Chair Zierler hopes to expand input and discussion among Board Members by providing an external and independent professional perspective.

Attorney Golden adds that Boards often retain a consultant to review the visual impacts and ascertain that they are being interpreted and presented correctly.

Mr. Litton observes that the consultant should be restricted to technical analysis of the visual impact and not weigh in on the impacts of community character and consistency with community plans as the Board can review same with the Village Planner. Mr. Litton comments that the potential for a bias exists if the same firm is chosen to draft new laws for the NBR Committee and work with the Planning Board on the 3 remaining areas of impact.

Mr. McGee notes that the hiring of a consultant should not draw the decision-making process out for a long period time.

Attorney Golden comments that community character is about the impact in the surrounding neighborhood and the extent to which that impact can be reasonably and practicably mitigated. Attorney Golden adds that Members should also review what the comprehensive plan envisions for the area.

Chair Zierler notes that the Board views significant overlap with consistency with community plans and consistency with community character. The Board agrees to combine the two areas for purposes of review.

Chair Zierler notes that he would like to use the resources of Attorney Golden and Planner Gilmour to provide a framework for the Board to view visual and consistency with community character impacts. The Board agrees to do so.

Attorney Golden responds that he can help guide the Board through the SEQR process, but that Planner Gilmour has the expertise regarding the community plans and community character.

Mr. Murray notes that he has concerns regarding what pedestrians will see from street level looking up at the top of the building, should there be a rooftop deck there.

Mr. Shepler will provide a visual to address Mr. Murray's concerns.

Planner Gilmour will prepare to speak with the Board on June 6, 2017.

Mr. Shepler makes the point that the use of the term "public" to describe oppositional elements to the project can be used just as easily to describe the many supportive elements to the project.

Administrative Business

- *Briefing / Request for Comments on Ulster County Multi-Jurisdictional Natural Hazard Mitigation Plan*
Mr. Gilmour reviews the existing and current updates to the County's Hazard Plan that involves hazard events - whether man-made or natural and efforts to mitigate same.

Mr. Gilmour notes that public input is being requested regarding the Hazard plan. Public comment can be forwarded to the Building Department at (845) 255-3055/barms@villageofnewpaltz.org or the Village Clerk at (845) 255-0130/clerk@villageofnewpaltz.org.

- *Site Visit - PB17-06, 12 Main Street, W.L. Holdings/Theater*
The Board sets a site visit for Sunday, June 4th at 10 a.m.

- *In-house Training*

Chair Zierler notes that the Village and Town are discussing hosting two joint Planning Board training sessions resulting in 1.5 to 2 hour training credits each. The Board agrees to a SEQR training session by Attorney Golden and a training session that provides an in-depth review of site plans. Mr. Gilmour mentions that Ulster County Planning Board may be interested in presenting material as well.

- *Closing of T/A 62, PB16-22, 56 South Manheim, Sifre/The Ridge*

Mr. Litton moves to close T/A 62, PB16-22, 56 South Manheim, Sifre/The Ridge. Mr. Murray seconds. Messrs. Souto and Steffens are absent. 4 ayes. Motion carried.

- *Approval of Minutes from April 18, 2017*

Mr. Murray moves to approve the 4/18/17 Minutes as amended. Mr. McGee seconds. Messrs. Souto and Steffens are absent. 4 ayes. Motion carried.

- *Meeting Overview for May 16, 2017*

The Board reviews upcoming projects for the 5/16/17 Agenda and sets the Agenda-Setting Meeting.

Adjournment

Mr. Litton moves to adjourn. An announcement follows.

Chair Zierler congratulates Mr. Murray on his new post as Village Trustee and thanks Ms. Rotzler for her years of service to the community.

Mr. Murray seconds. Messrs. Souto and Steffens are absent. 4 ayes. Motion carried.

The meeting adjourns at 9:07 p.m.

Respectively submitted by,

Christena Carp
Planning and Zoning Secretary