



Village of New Paltz Planning Board
Regular Meeting of Tuesday May 16, 2017
Village Hall-7:00p.m.
APPROVED MINUTES

Present: Michael Zierler, Chair
John Litton
Will Murray
Rich Souto

Absent: Rich Steffens

Also Present: Denis McGee, Alternate
David Gilmour, AICP, Municipal Planner
Christena Carp, Planning and Zoning Secretary

Welcome

7:03

Chair Zierler amends the Agenda to include a Bicycle-Pedestrian Committee Announcement, Town/Village Joint Training Opportunity and the closing of a Trust and Agency account.

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

Public Comment (15 minutes)

No one comes forward to speak during Public Comment.

Mr. Litton moves to open the Public Hearing for PB17-07, 15 North Chestnut Street, Kniffen.
Mr. Murray seconds. Mr. Steffens is absent. 5 ayes. Motion carried.

Public Hearing

Site Plan

PB17-07, 15 North Chestnut Street

Applicant: Floyd Kniffen

Zoning District: B-2

SBL: 86.34-2-7.100

7:04

No one comes forward to speak at the Public Hearing.

Mr. Murray moves to close the Public Hearing for PB17-07, 15 North Chestnut Street, Kniffen. Mr. Litton seconds. Mr. Steffens is absent. 5 ayes. Motion carried.

Mr. Souto moves to open the Public Hearing for PB17-10, 34-38 Main Street, Cronin. Mr. Murray seconds. Mr. Steffens is absent. 5 ayes. Motion carried.

Site Plan

For Painting a Mural

PB17-10, 34-38 Main Street

Applicant: Melanie Cronin

Zoning District: B-2

SBL: 86.33-3-9

7:05

No one comes forward to speak at the Public Hearing.

Mr. Murray moves to close the Public Hearing for PB17-10, 34-38 Main Street, Cronin. Mr. Litton seconds. Mr. Steffens is absent. 5 ayes. Motion carried.

Ongoing Applications

Site Plan

For Painting a Mural

PB17-10, 34-38 Main Street

Applicant: Melanie Cronin

Zoning District: B-2

SBL: 86.33-3-9

7:06-7:08

The Board has no further comments on the application and agrees to recommend to the Village Board that the application fee of \$500.00 be refunded to Ms. Cronin.

Chair Zierler reads the resolution for PB17-10, 34-38 Main Street, Cronin:

**RESOLUTION OF SITE PLAN AMENDMENT APPROVAL
34-38MAINSTREET, VILLAGE OF NEW PALTZ
PLANNING BOARD APPLICATION # PB 17-10**

Date: May 16, 2017

Resolution No. PB17-10

Moved by: Mr. Murray

Seconded by: Mr. Litton

WHEREAS, on April 26, 2017, Melanie Cronin, on behalf of the owner, Pyrgos of Ulster Inc., applied for site plan amendment approval to paint a mural on the westerly wall of the building; and

WHEREAS, on May 4, 2017, the Planning Board determined that the application was administratively complete, 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, the Planning Board waived many of the site plan application requirements and an escrow payment, and recommended unanimously that the Village Board refund the \$300.00 (three hundred dollar) application fee upon request; and

WHEREAS, on May 16, 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.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Village of New Paltz Planning Board that the application of Melanie Cronin for site plan approval amendment at 34-38 Main Street 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.

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:	5			

Moved by: Mr. Murray

Seconded by: Mr. Litton

Date of Approval: May 16, 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.

Site Plan

PB17-07, 15 North Chestnut Street

Applicant: Floyd Kniffen

Zoning District: B-2

SBL: 86.34-2-7.100

7:08-7:28

The Board discusses concerns expressed by Mr. Kniffen's neighbor, Mr. Mathews.

Mr. Kniffen notes that Mr. Mathews was concerned that the stormwater runoff onto his property at 5 Academy Street would increase. In response, Mr. Kniffen agreed to place rain barrels under each downspout, add grassy areas and grading. Chair Zierler visited the site today and met with Mr. Mathews and Mr. Kniffen, and it was observed that much of the stormwater running east to west came from the roadway and not Kniffen's property.

Mr. Kniffen reviews the letter received from New York State Parks, Recreation and Historic Preservation with recommendations inclusive of clapboard siding and a transitional newel post. Mr. Kniffen will install clapboard siding, but will likely use a wood composite material for ease of maintenance. The changes to the newel post are reflected on the latest plans.

Mr. Litton asks for the height and width of the signage. Mr. Kniffen relates that the sign will be 10' high and possibly 4-5' wide.

Chair Zierler reads the resolution for PB17-07, 15 North Chestnut, Kniffen:

**RESOLUTION OF APPROVAL
SITE PLAN
FOR
FLOYD KNIFFEN
15 NORTH CHESTNUT STREET**

APPLICATION NO. PB17-07

APPLICATION SUMMARY

Floyd Kniffen (hereinafter “the Applicant”) proposes to construct a 1,157 sq. ft. addition to an existing 1,819 sq. ft. commercial office building, two American with Disabilities Act ramps, a new porch, and five parking spaces, including one handicap space, on property containing .14 acres.

IDENTIFICATION OF THE PROPERTY

The property that is the subject of this Resolution is located on North Chestnut Street (New York State Route 32) at its intersection with Academy Street and is shown on the Tax Maps of the Village of New Paltz, New York, as Section 86.34, Block 2, Lot 7.100. The property is located in the B-2 (Core Business) District.

IDENTIFICATION OF THE PLANS & SUBMITTALS

The following are the plans and other submittals that form the basis of the Planning Board's action in this matter:

1. Application for Site Plan Review, dated 01/24/17, last revised 03/20/2017
2. Short Environmental Assessment Form Part 1, dated 01/24/2017
3. Site Plan for Kniffen Commercial Building prepared by Alfandre Architecture, Sheet No. PB, dated 03/01/2017
4. Letter from Floyd Kniffen, Re: Public Hearing Submission, 15 North Chestnut Street, Site Plan Review, dated 05/02/2017
5. Letter from Floyd Kniffen, Re: Freestanding Sign, 15 North Chestnut Street, Site Plan Review, dated 04/06/17
6. Letter from Floyd Kniffen, Re: Building Lighting, 15 North Chestnut Street, Site Plan Review, dated 04/05/17
7. Public Hearing submission - Affidavit of Service by Mail and Posting of Signs, dated 5/02/17
8. Letter from Todd Mathews, dated 05/08/17
9. Letter from The Historic Preservation Commission of the Village of New Paltz, Re: Recommendations Concerning 15 North Chestnut Street, Kniffen Commercial Building, dated 03/21/17

PROCEDURAL HISTORY

The application was filed on or around January 24, 2017, and resubmitted on or around March 20, 2016. The Planning Board determined that under the State Environmental Quality Review Act ("SEQRA") the application was a Type II action, requiring no further environmental review. 6 N.Y.C.R.R. § 617.5(c)(7).¹

¹ Under 6 N.Y.C.R.R. § 617.5(c)(7), the following is a Type II action not subject to review under SEQRA: "construction or expansion of a primary or accessory/appurtenant, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and

On April 4, 2017, the Planning Board acknowledged that the building is listed on the State Register for Historic Places.

On April 4, 2017, the Planning Board determined the application complete and referred it to the Ulster County Planning Board. The Planning Board received the General Municipal Law § 239-m Recommendation from the Ulster County Planning Board dated May 4, 2017. The Ulster County Planning Board stated there is no county impact.

A duly noticed public hearing on the site plan application was convened on May 16, 2017 and closed on that same date.

FINDINGS

The Planning Board has determined that approval of this site plan will protect and promote public health, safety, comfort, convenience, and economy, as well as the natural, agricultural and cultural resources, aesthetics, and the general welfare. Furthermore, the character of the land is such that it can be used safely for building purposes without danger to health or peril from fire, flood, or other menace.

The Planning Board has found that the site plan conforms to the Village's adopted Comprehensive Master Plan and Village Code. There will be no unreasonable interference with traffic on surrounding streets and the site plan includes adequate stormwater-detention facilities. The Planning Board has reviewed conservation features, aesthetics, landscaping, and impact on surrounding development and the entire Village in making this determination of approval.

RESOLUTION OF APPROVAL

NOW, THEREFORE, the Planning Board of the Village of New Paltz, New York hereby resolves to issue Site Plan Approval to the application of Floyd Kniffen, his successors and assigns, but only as specifically set forth on the plans, reports and other documents identified above, and as further conditioned as set forth below. The Chairperson is hereby authorized to sign such plans and other documents evidencing this Approval only in strict accordance with all of the terms and conditions of this Resolution of Approval.

SPECIFIC CONDITIONS

1. The Applicant shall maintain the exterior of the structure with the same or substantially similar architectural designs in accordance with the memorandum of The Historic Preservation Commission of the Village of New Paltz noted above, dated March 21, 2017.

consistent with local land use controls, but not radio communication or microwave transmission facilities."

2. Parking shall be in accordance with the determinations of the Planning Board at its May 16' 2017 meeting, and the plans must reflect such parking determinations prior to the signing of the plans.

GENERAL CONDITIONS

1. This Resolution of Approval is conditioned upon the Applicant submitting all necessary final copies of the plans, reports and documents to the Village of New Paltz Building Department.
2. This Resolution of Approval is further conditioned upon all other approvals that are needed by operation of federal, State or local laws and regulations, whether or not noted above in the Specific Conditions of this Resolution, including, but not limited to the United States Army Corps of Engineers, New York State Department of Environmental Conservation, New York State Department of Health, Ulster County Department of Health, the Village of New Paltz Board of Trustees, and compliance with the New York State Uniform Fire Prevention and Building Code.
3. The site plan as approved by the Planning Board shall be binding upon the Applicant. Any changes from the approved plan shall require resubmission and re-approval by the Planning Board. No deviation from the plans, reports or other documents that form the basis for this approval are effective unless and until an amendment to this Resolution is secured from the Planning Board in writing. The Village may stop work on this project, and/or revoke a building permit, and/or withhold a certificate of occupancy, and/or seek any other additional relief as authorized by law, if any term or condition of this Resolution is violated.
4. If no construction or other site improvements have been initiated at the site during the 12-month period following site plan approval, the approved plan shall require resubmission and re-approval by the Planning Board.
5. All fees regarding this Application must be paid in full, including all application fees, other fees required by the Village Code, and the fees of the Planning Board consultants, including all engineering, planning, and legal fees. All bonds or other security required by this Resolution shall be submitted in a timely manner as required by the Village Code or Building Inspector. No building permit may be issued by the Building Inspector unless and until such fees have been paid in full and such bonds or other security shall have been filed with the Village.
6. All bonds necessary for the performance of the work shall be in such form and in such amounts as required by the Village Board of Trustees, in consultation with the Village

Engineer, the Superintendent of the Village Department of Public Works, and the Village Attorney.

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:	5			

Moved by: Mr. Murray

Seconded by: Mr. Litton

Date of Approval: May 16, 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.

Mr. Murray motions to approve Resolution PB17-07, 15 North Chestnut, Kniffen as amended. Mr. Litton seconds. Mr. Steffens is absent. 5 ayes. Motion carried.

Administrative Business

7:29-8:14

- *Referral by Village Board of Proposed Local Law to change the Zoning Map to Gateway Zoning District on 4 parcel by Water Street*

Mr. Souto relates that the Committee is not recommending changes to the District, but is alerting the Village Board to improvements needed in terms of signage, traffic flow and parking. Mr. Souto notes that, notwithstanding changes in the flood designation, the Committee continues to have concerns regarding water.

The Board discusses inconsistencies with the Principal permitted uses and Special permit uses as pertains to Section 212.13 (J) Gateway District.

Mr. Souto notes that any Special Use requires Site Plan review. Mr. Souto explains that the Committee's expectation is that inconsistencies in the Code will be caught and clarified during the Site Plan review process.

Mr. Gilmour observes that, unlike the NBR District, the Gateway District has site plan review and some special uses. Mr. Gilmour states that, in 2014, the Village adopted a policy where just about every use requires site plan review. Due to this, Mr. Gilmour notes, the Planning Board is always going to review applications.

Chair Zierler remarks that he'd like to ask the Village Board to consider the inconsistencies presented by the principal permitted uses for the Gateway District, Section 212.23. Chair Zierler notes that principal permitted uses in the B-1 District are also allowed in the B-2 District, but that the Use Schedule does not reflect this.

By way of example, Chair Zierler notes that although gas stations and repair shops are not on the Use Table, Highway Business Retail is listed as a permissible use under Special permit uses. Chair Zierler adds that if you look up the description of Highway Business Retail, it includes gas stations and repair shops and these uses are clearly not intended for the Gateway District.

Mr. Souto observes that the Committee agrees that some timeline should be placed on improving the Code to address the present inconsistencies.

Chair Zierler notes that his concern is about the Gateway District as a whole and that the intention is to protect the area by creating a consistent Code.

Mr. Murray moves to forward the referral to the Village Board as written and recommends applying a timeframe to address the deficiencies in the code, particularly as they relate to District use allowances. Mr. Litton seconds. Mr. Steffens is absent. 5 ayes. Motion carried.

- *New Paltz Bicycle Pedestrian Committee (BPC)*

Chair Zierler notes that the BPC sent an email explaining that they are "trying to organize those of us who are active in the bicycling community so that we can leverage our collective strength and advocate for safer and better cycling conditions." Chair Zierler notes that the BPC is inviting the public to their Monday, May 22nd Meeting at the New Paltz Village Hall (upstairs conference room) from 7:00-9:00 p.m. to "identify issues and strategies for making New Paltz and the larger Hudson Valley a safer and more inviting place for cyclists."

- *Joint Town-Village Planning Board Training Session*

Chair Zierler remarks that the Town of New Paltz Planning Board will be discussing, at their next meeting, holding two joint in-house training sessions with the Village of New Paltz Planning Board. The first one would be on SEQR and presented by Attorney Golden. A training date will be set for the purposes of training both Village and Town Planning Board Members.

- *Personnel Announcements*

Chair Zierler observes that Mr. Murray's term as a Planning Board Member expires May 31, 2017 and he will not be seeking reappointment as he is now a Village Trustee. Chair Zierler recommends to the Village Board that Mr. McGee be appointed as a full Planning Board Member with a 5 year term beginning on June 1, 2017 and expiring on May 31, 2022.

Chair Zierler notes that Ms. Harschow's term as an Alternate expires on May 31, 2017 and that she is not asking for her term to be extended. Chair Zierler observes that the Board now has two vacancies for Alternate Members.

Mr. Litton suggests that the request for Members be sent to the New Paltz Times.

Mr. Murray notes that he will continue to act as liaison to the Ulster County Planning Board.

- *Site Visit for PB17-06, 12 Main Street, W.L. Holdings/Theater*

Chair Zierler notes that he will contact neighbors in advance of the Sunday, June 4, 2017 site visit at 10 a.m. in order to ask permission to access their property as requested by a Village resident.

The Board requests that the site be marked as follows: 1. Corners of the building; 2. Height of the building; 3. Access to the building and access paths around the building; 4. Outdoor lighting; 5. Landscaping.

- *Update from Traffic Consultant regarding PB16-02, 87-91 & 93 North Chestnut, Net-Zero*
Chair Zierler notes that Alta Planning has begun reviewing the Maser traffic report.

- *Closing of Trust and Agency Account #57, PB17-11, 68 Plattekill Avenue, Russo*

Mr. Litton moves to close T/A #57, PB17-11, 68 Plattekill Avenue, Russo. Mr. Murray seconds. Mr. Steffens is absent. 5 ayes. Motion carried.

- *Approval of Minutes from May 4, 2017*

Mr. Murray moves to approve the 5/4/17 Minutes. Mr. Litton seconds. Mr. Souto abstains. Mr. Steffens is absent. 4 ayes. Motion carried.

- *Meeting Overview for June 6, 2017*

Chair Zierler observes that three, rather than two, weeks will separate the upcoming Meeting from today's date. Messrs. Litton and Souto will not be able to attend. Chair Zierler notes that the possibility exists that a quorum will not be achievable but that, if it is, Mr. Gilmour will be addressing PB16-02, 87-91 & 93 North Chestnut, Net-Zero regarding community character and community plans.

- *NBR District Committee - Member Status*

Chair Zierler notes that another Member will need to attend these Meetings.

Ms. Mano adds that the NBR District Committee meets on Tuesdays from 5 p.m. to 6:20 p.m. before a Village Board or Planning Board Meeting.

- *New Paltz - Safe Building Community*

Mr. McGee recommends that the Board request to have Mr. Wirthmann, Safety Fire Inspector, present at a Meeting to relate how New Paltz is now a Safe Building Community and what constitutes a safe building as designated by the Fire Department.

Adjournment

Mr. Litton moves to adjourn. Mr. Murray seconds. Mr. Steffens is absent. 5 ayes. Motion carried.

The meeting adjourns at 8:15 p.m.

Respectively submitted by,

Christena Carp
Planning and Zoning Secretary