



Village of New Paltz Planning Board
Regular Meeting of Tuesday September 5, 2017
Village Hall-7:00p.m.
Approved MINUTES

Present: Michael Zierler, Chair
John Litton
Denis McGee
Rich Souto, arrives 7:03 p.m.
Rich Steffens

Also Present: Ashley Torre, Planning Board Attorney
William Murray, Village Board Liaison
David Gilmour, AICP, Municipal Planner
Christena Carp, Planning and Zoning Secretary

Welcome

7:02-7:03

Chair Zierler reviews the Agenda.

Public Hearings

1. Site Plan

Theater Construction

PB17-15, 12 Main Street

Applicant: W.L. Holdings

Zoning District: Gateway

SBL: 86.033-3-5

7:04-7:36

Mr. Litton moves to open the Public Hearing for PB17-15, 12 Main Street, W.L. Holdings/Theater. Mr. Steffens seconds. 5 ayes. Motion carried.

Peter Muller, Seth Branitz, Tim Rogers, Taylor Seupel, Anne Muller, Robbie Lynch submits her own letter to the Board and reads a letter from Greg Burton, Will Hermes, Bill Gehris, Jamie Strype, Richard Miller reads a letter from Harry Lipstein, Richard Gottlieb, Walter Heenan, Melanie Cronin, Theresa Fall, Rosemarie Navaro, Monique Heenan and Ben Williamson speak.

Mr. Steffens moves to close the Public Hearing for PB17-15, 12 Main Street, W.L. Holdings/Theater. Mr. McGee seconds. 5 ayes. Motion carried.

2. Site Plan Application

Hot Dog Cart

PB17-26, 115-121 Main Street

Applicant: Nicastro/Barqawi

Zoning District: B-2

SBL: 86.34-6-13

7:37-7:39

Mr. Litton moves to open the Public Hearing for PB17-26, 115-121 Main Street, Nicastro/Barqawi. Mr. McGee seconds. 5 ayes. Motion carried.

No one from the public comes forward to speak.

Mr. Steffens moves to close the Public Hearing for PB17-26, 115-121 Main Street, Nicastro/Barqawi.

Mr. McGee seconds. 5 ayes. Motion carried.

Public Comment (15 minutes)

7:39-7:44

Corinne Nyquist and Cara Lee speak regarding PB16-02, 87-91 & 93 North Chestnut, Net-Zero.

Ongoing Applications

3. Site Plan Application

Hot Dog Cart

PB17-26, 115-121 Main Street

Applicant: Nicastro/Barqawi

Zoning District: B-2

SBL: 86.34-6-13

7:44-7:51

The Board and Attorney Torre discuss the ability to place restricted hours in the resolution as long as the applicant agrees voluntarily.

The Board and Attorney Torre discuss concerns that the site plan amendment will travel with the land/landowner and not the applicants.

Chair Zierler will contact the landowner to see he is willing to voluntarily cease the site plan amendment when Messrs. Nicastro and Barquawi are finished with their student project.

Chair Zierler reads the resolution for PB17-216, 115-121 Main Street:

**RESOLUTION OF SITE PLAN AMENDMENT AND SPECIAL USE PERMIT APPROVAL
115-121 MAIN STREET, VILLAGE OF NEW PALTZ
PLANNING BOARD APPLICATION # PB 17-26**

Date: September 5, 2017

Resolution No. PB17-26

Moved by: Mr. Litton

Seconded by: Mr. McGee

WHEREAS, on August 21, 2017, Lawrence Nicastro and Abdelrahman Barqawi, on behalf of the property owner, Dino Toscani, applied for site plan amendment and special use permit approval to set up a hot dog cart on the patio in front of Tokyo Sushi as a temporary business at 115-121 Main Street, as shown in the application; and

WHEREAS, on September 5, 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 September 5, 2017, the Planning Board waived many of the site plan application requirements and an escrow payment; and

WHEREAS, on September 5, 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 Lawrence Nicastro and Abdelrahman Barqawi for site plan amendment and special use permit at 115-121 Main Street is hereby approved, subject to the following conditions: hours of operation are voluntarily restricted by the applicants to 10 PM to 4 AM on Tuesdays, Thursdays, Fridays, and Saturdays and payment of all fees.

Name	Ayes	Nays	Abstain	Absent
Chairperson <i>Michael Zierler</i>	✓			
Member <i>John Litton</i>	✓			
Member <i>Denis McGee</i>	✓			
Member <i>Rich Souto</i>	✓			
Member <i>Rich Steffens</i>	✓			
Totals:	5			

Moved by: Mr. Litton

Seconded by: Mr. McGee

Date of Approval: September 5, 2017

Date Filed in the Office of the Village Clerk: September 11, 2017

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. Litton moves to approve Resolution PB17-26, 115-121 Main Street, Nicastro/Barqawi. Mr. McGee seconds. 5 ayes. Motion carried.

4. Site Plan

Expand Habitable Living Space

PB17-08, 16 N Manheim

Applicant: Botros

Zoning District: R-2

SBL: 86.35-1-6.100

7:51-8:15

Mr. Souto mentions concerns regarding the ongoing maintenance of the new landscaping.

Attorney Torre refers to page 4, Specific Condition #4 in the resolution that includes the ongoing maintenance of the new landscaping.

Attorney Torre observes that the size of the deck and family room addition have been changed on the new site plan from 120 sf to 330 sf with the merging of the deck with the back porch.

Chair Zierler reads the resolution for PB17-08, 16 N Manheim, Botros:

**RESOLUTION OF SITE PLAN APPROVAL
16 NORTH MANHEIM BLVD., VILLAGE OF NEW PALTZ
PLANNING BOARD APPLICATION # PB 17-08**

Date: September 5, 2017

Resolution No. PB17-08

Moved by: Mr. Litton

Seconded by: Mr. McGee

Application Summary

1. Nabil Botros (hereinafter “the Applicant”) proposes to expand the habitable living space of an existing two-bedroom single-family residence and construct various site improvements.
2. The Applicant proposes to renovate the second floor to add four bedrooms, two bathrooms, a study, and a roof deck. The Applicant also proposes to construct a 360 sq. ft. family room addition, a 303 sq. ft. deck, a 1350 sq. ft. non-paved driveway with a 486 sq. ft. covered carport, and a 900 sq. ft. patio/shed/sauna/pool hot tub.

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:

3. Revised Application for Site Plan Review, dated 06/20/17
4. Revised Short Environmental Assessment Form Part 1, dated 06/20/17
5. Site Plan for Proposed Second Floor Renovation at 16 North Manheim Blvd, prepared by Kimberly R. Ryan R.A., Sheet SP100, lasted revised 09/04/2017
6. Architectural Plans for Second Floor Alterations, prepared by Kimberly R. Ryan R.A., identified as follows:

<u>Sheet No.</u>	<u>Description</u>	<u>Last Revised</u>
A101	Exterior Elevations	09/04/2017
A101	Floor Plans	09/04/2017

7. Stormwater Runoff Mitigation Plan, prepared by Christopher S. Behle, P.E., dated 07/14/2017

PROCEDURAL HISTORY

This application was originally filed on or around March 25, 2017. On April 18, 2017, 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)(9).¹

On June 6, 2017, the Planning Board deemed the application complete and referred it to the Ulster County Planning Board for review.

A revised application was filed on or about June 20, 2017. The Planning Board received the General Municipal Law § 239-m Recommendation from the Ulster County Planning Board dated July 6, 2017. The Ulster County Planning Board stated there is no county impact, meaning that the proposed action is primarily of local concern and involves no countywide or inter-municipal issues or concerns.

A duly noticed public hearing on this application was convened on July 18, 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. 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 Nabil Botros, but only as specifically set

¹Subsection 9 states that the following is considered a Type II action under SEQRA: “construction or expansion of a single-family, a two-family or a three-family residence on an approved lot including provision of necessary utility connections as provided in paragraph (11) and the installation, maintenance and/or upgrade of a drinking water well and a septic system.”

forth the plans as 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. Based upon the representation of the Applicant, and the concomitant narrowed review necessarily conducted in accordance with such representation, this approval is limited to site plan approval for a single-family dwelling as defined in the Zoning Law of the Village of New Paltz, New York. The building on the property shall not be used for any use other than the approved single-family dwelling unless or until further approvals are sought and obtained.
2. Three (3) of the required six (6) parking spaces and the carport are being approved as shadow parking spaces that shall not be constructed until the need for additional parking spaces arises. The need can be as recognized by the Applicant or determined by the Building Inspector based upon vehicle usage at the property. The shadow parking area shall be clearly delineated with sunken metal rods with a cap that is visible above ground placed at the four corners of the spaces, and small shrubbery planted on 10-foot centers delineating the boundary of the entire shadow parking area and driveway.
3. Prior to the issuance of a building permit, the Applicant shall submit a detail of all proposed lighting that is acceptable to the Building Inspector as conforming to the Village Code.
4. Prior to the issuance of a Certificate of Occupancy, the Applicant shall have installed all plantings and landscaping screening buffers along the perimeter of the property, and all stormwater improvements, as shown on the plan. All new trees shall have a minimum height of 4 feet. The Applicant shall maintain all plantings and landscaping screening buffers in a viable and healthy condition.

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 Inspector.
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 and any subsequent owner. 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. Any 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, if any, shall have been filed with the Village.
6. Any 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.

Name	Ayes	Nays	Abstain	Absent
Chairperson <i>Michael Zierler</i>	✓			
Member <i>John Litton</i>	✓			
Member <i>Denis McGee</i>	✓			
Member <i>Rich Souto</i>	✓			
Member <i>Rich Steffens</i>	✓			
Totals:	5			

Moved by: Mr. Litton

Seconded by: Mr. McGee

Date of Approval: September 5, 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.

The Board discusses the shadow parking and carport with Ms. Ryan and Attorney Torre. Chair Zierler explains that if parking demand requires additional parking spaces in the future, the shadow parking area can be improved with gravel and then a carport can be constructed with a poured concrete floor. Chair Zierler adds that, when the need arises, the shadow parking and carport shall be constructed.

Attorney Torre amends the resolution to include the covered carport after Ms. Ryan texts Mr. Botros and obtains permission to do so.

Mr. Litton moves to approve Resolution PB17-08, 16 N Manheim, Botros as amended. Mr. McGee seconds. 5 ayes. Motion carried.

5. Site Plan

Extension of Existing Store

PB17-03, 131 Main

Applicant: Sirdah/CITGO

Zoning District: B-2

SBL:86.34-6-10

8:16-8:36

Engineer James reviews the revised site plan.

Chair Zierler notes that truck turning plans were never submitted. Mr. James will drop off the paper copies and email a digital copy.

Attorney Torre reminds the Board that if they are adopting Ulster County Planning Board (UCPB) modifications, then the templates must be reviewed and adopted prior to approval. Attorney Torre also reminds the Board that UCPB mentioned lighting levels.

Mr. Gilmour notes that the UCPB made their standard comment that there's a need for a lighting plan and that the Board is required to have a super majority plus 1 to override UCPB's recommendation for a lighting plan.

Mr. Serdah responds that there is no lighting to review.

Engineer James and the Board review the truck turning plans and drainage.

Chair Zierler reviews the plans to be approved and notes that he has 3 sheets for engineering plans: A survey map dated 6/26/17; a site plan dated 8/30/17 and a construction with details map dated 7/31/17.

Engineer James confirms that these represent the updated plans.

Chair Zierler reads the resolution for PB17-03, 131 Main Street, Sirdah-CITGO:

RESOLUTION OF SITE PLAN APPROVAL

**13121 MAIN STREET, VILLAGE OF NEW PALTZ
PLANNING BOARD APPLICATION # PB 17-03**

Date: September 5, 2017
Resolution No. PB17-03

Moved by: Mr. Litton
Seconded by: Mr. Steffens

APPLICATION SUMMARY

Farooge Sirdah (hereinafter “the Applicant”) proposes to construct a two-story 3,720 sq. ft. addition to an existing Citgo gas station.

IDENTIFICATION OF THE PROPERTY

The property that is the subject of this Resolution is located along Main Street and is shown on the Tax Map of the Village of New Paltz, New York, as Section 86.34, Block 6, Lot 10. 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 02/21/2017
2. Short Environmental Assessment Form Part 1, dated 02/21/2017
3. Engineering Plans for Beacon Automotive prepared by A. Diachishin and Associates, P.C., identified as follows:

<u>Sheet No.</u>	<u>Description</u>	<u>Last Revised</u>
1	Survey Map	06/26/2017
2	Site Plan	08/30/2017
3	Construction Details	07/31/2017

4. Drainage Report for Beacon Automotive, Inc., prepared by A. Diachishin and Associates, P.C., dated June 28, 2017.
5. Architectural Plans for Addition & Alterations to the Beacon Automotive, Inc., prepared by Lee A. Frizzell identified as follows:

<u>Sheet No.</u>	<u>Description</u>	<u>Dated</u>
A1	Proposed First Floor Plan	06/30/2017
A2	Proposed Second Floor Plan, Proposed Prospect Sheet Elevation (East) and Proposed Main Street Elevation (South)	07/31/2017

6. Truck Turning Templates, dated 7/31/17

PROCEDURAL HISTORY

This application was filed on or around February 21, 2017.

On July 18, 2017, 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).²

On July 18, 2017, the Planning Board determined the application complete and referred it to the Ulster County Planning Board for review under General Municipal Law § 239-m. The Planning Board received the General Municipal Law § 239-m Recommendation from the Ulster County Planning Board dated August 2, 2017. The Ulster County Planning Board required two modifications as follows: First, as to lighting, “[l]ighting levels should be calculated for the plan and levels should not exceed the Illuminating Engineering Society (IES) Outdoor Site/Area Recommended Illuminance Levels...All luminaires should meet the ‘fully shielded’ definition adopted by the International Dark Sky Association (IDSA) or be an approved fixture of IDSA. Lighting under the canopy should be fully recessed or flush-mounted. The UCPB recommends a foot-candle of 25 or fewer foot-candles on average under the canopy.” Second, as to access, “[a] commercial driveway/access permit from NYSDOT will be required. Truck turning templates to demonstrate how trucks and emergency response vehicles will access the site will need to be provided for Town Planning Board review.” A duly noticed public hearing on this application was convened on August 15, 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. 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 Farooqe Sirdah, but only as specifically set forth on the plans as identified above, or as subsequently revised in accordance with this Resolution, and as further

² Subsection 7 states that the following is considered a Type II action 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 consistent with local land use controls, but not radio communication or microwave transmission facilities.”

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.

The Planning Board has decided to overrule the Ulster County Planning Board's required modification as to lighting because the Applicant is not proposing any new lighting on this site plan. The Planning Board has reviewed the truck turning templates and hereby adopts the Ulster County Planning Board's required modification as to access.

Specific Conditions

1. The two ADA ramps must be acceptable to the New York State Department of Transportation ("NYSDOT"). Prior the issuance of a building permit, the Applicant shall submit written confirmation from NYSDOT that the ramps are acceptable as currently proposed or shall modify the ramps as may be required by NYSDOT.
2. Prior to the issuance of a Certificate of Occupancy the Applicant must obtain all necessary approvals from NYSDOT including, but not limited to, approval of the land dedication necessary for the proposed sidewalks.
3. The Applicant shall maintain all landscaping as shown on 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 Inspector.
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 Transportation, 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 and any subsequent owner. 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. Any 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, if any, shall have been filed with the Village.
6. Any 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.

Name	Ayes	Nays	Abstain	Absent
Chairperson <i>Michael Zierler</i>	✓			
Member <i>John Litton</i>	✓			
Member <i>Denis McGee</i>	✓			
Member <i>Rich Souto</i>	✓			
Member <i>Rich Steffens</i>	✓			
Totals:	5			

Moved by: Mr. Litton

Seconded by: Mr. Steffens

Date of Approval: September 5, 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. Litton moves to approve Resolution PB17-03, 131 Main Street, Sirdah/CITGO. Mr. Steffens seconds. 5 ayes. Motion carried.

6. Special Use Permit/Site Plan
Decision regarding Part 3 of the Environmental Assessment Form
PB 16-02: 87-91 & 93 N Chestnut
Applicant: Net Zero Development LLC/David Shepler

Zoning District: NBR

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

8:36-8:54

Chair Zierler reviews modifications that he made to the draft Negative Declaration and asks Members if they have any further amendments to add.

Mr. Souto asks if the draft was made public.

Chair Zierler notes that the applicant and a member of the public asked for and received the draft.

The Board does not have any further changes to add to the draft Negative Declaration

Chair Zierler notes that there are specific items that will be considered during site plan review such as the roof deck, parking along Mulberry Street and additional landscape buffering. Chair Zierler asks Attorney Torre if these and other areas that didn't rise to the SEQRA threshold of a moderate to heavy impact, or were previously mitigated by the applicant during the SEQRA process but are still concerning to the Board, can be addressed during site plan review.

Attorney Torre responds that, as part of the planning process, these issues can be reviewed by the Board.

Mr. Steffens moves to make the determination of significance on the Zero Place Project as a negative declaration, to adopt the written negative declaration as modified and to authorize the Chair to sign Part 3 of the Full Environmental Assessment Form. Mr. McGee seconds. 5 ayes. Motion carried.

7. Site Plan

Theater Construction

PB17-15, 12 Main

Applicant: W.L. Holdings

Zoning District: Gateway

SBL: 86.033-3-5

8:54-9:52

Chair Zierler observes that comments were made during the Public Hearing referencing parking as the main problem for the project. Chair Zierler explains that it is not a question of parking vs. theater. Rather, Chair Zierler notes, it is a question of the Board making sure that a commercial project bordering a residential area does not impact the residents adversely. With that in mind, Chair Zierler requests that remaining issues be identified and reviewed.

The Board and Architect Miller discuss the landscape buffer, parking tallies, repositioning of the HVAC system and the revised Page 3 of 6 of the Landscape Plan.

The Board urges New Paltz Living and W. L. Holdings LLC to work out issues surrounding the easement such as maintenance and accessibility.

Mr. Steffens observes that New Paltz has an overall issue when it comes to parking spaces and does not think that a commercial project should be denied based on parking constraints.

Chair Zierler notes, however, that it would be remiss for the Board to approve a project that would be

detrimental to the operation of Water Street Market due to parking issues. Chair Zierler explains that, in order to understand the parking situation at Water Street Market, the Board will need to review parking data from June through October.

Chair Zierler asks if the Board can review the utilities and stormwater.

Ms. Torre responds that the Building Department will first need to provide a summary of the original application with any modifications that were approved by the Building Inspector.

The Board reviews the parking agreement between Rich Gottlieb and Harry Lipstein that provides for 12 additional parking spaces for theater patrons.

The Board asks Mr. Miller to provide additional easements, including an easement that provides ingress and egress to Main Street, an easement for utilities and an easement to dispose of garbage.

Chair Zierler reads a letter from Cory Wirthmann, First Assistant Fire Chief regarding access in the event of a fire emergency. Chair Zierler notes that the Board will make sure that the fire department approves any amendments.

Ms. Torre notes that there must be mutual consideration written into the easement that reflects some benefit to Water Street Market as the grantor of the easement along with other language regarding vehicle and pedestrian access.

Chair Zierler notes that, in order to reduce the impact of people moving across the Wurts Avenue right-of-way, Mr. Lipstein should be asked if he would be interested in providing an alternative route directly from Main Street. Chair Zierler notes that the Water Street Market file should be reviewed to check for any non-compliance issues and to determine whether or not those issues are relevant to the current application.

Chair Zierler strongly encourages the applicant to resolve issues surrounding the easements and to send any easement modifications to Planning Board Attorneys within one week.

New Applications

8. Pre-Application

Subdivide with new garage/residence

PB17-23, 56 Elting

Applicant: Steffens

Zoning District: R-2

SBL: 86.42-5-13.200

9:52-10:04

Mr. Steffens recuses himself as a Planning Board Member and returns to the table as an applicant.

Mr. Steffens introduces the Board to his son, John, and reviews his application.

The Board and Mr. Steffens discuss the easements for the shared driveway and the driveway expansion.

Mr. Steffens notes that the house is listed as a two-family and requests that the Board dismiss the requirement for a topographic map.

Chair Zierler requests that lighting and second floor dimensions be added to the site plan as well as a note stating that trees beyond a certain perimeter of the property will not be removed.

Mr. Steffens requests that the Board reconsider the \$4,500 recreation fee for a one-bedroom apartment and notes that the 2 easements for the shared driveway will be placed on the site plan/subdivision map.

9. Site Plan Application

Farm Brewery Tasting Room

PB17-27, 3A Church Street

Applicant: Arrowood Farms/Meglio

Zoning District: B-2

SBL: 86.143-1-1

10:05-10:27

Blake Arrowood summarizes his application and notes that the Tasting Room will be open Tuesdays-Sundays between 1 p.m. and 9 p.m.

Mr. Steffens inquires about parking for the Tasting Room.

Mr. Meglio responds that there are 7 metered spots on an adjacent property and that there are 2 parking spaces available from the right-of-way for the property.

The Board reviews Planner Gilmour's memo.

The Board and applicants discuss the differences between selling beer in a bar and selling beer samples in a tasting room.

Mr. Steffens observes that, although the business will be close to 2 churches, it will not affect their ability to sell beer.

Mr. Litton notes that the applicants are considered a farm brewery and tasting room which is technically different than a bar.

Mr. Arrowood explains that, in just the past two years in New York State, 160 new farm breweries were created and it has spurred a whole new side of economic development.

Chair Zierler requests that the applicants provide a list of what the Tasting Room intends to sell.

Chair Zierler explains that since the applicants are selling a multitude of products, the Board must figure out how to classify the project in terms of usage.

Blake Arrowood will provide a list and also hands out a pamphlet that lists what he sells at Arrowood Farms.

Chair Zierler asks when the applicants are proposing to open their business. Mr. Arrowood responds

that they have rented the space beginning in September and adds that they will be ready to go as soon as the Board issues an approval.

Mr. Arrowood will be submitting a short Environmental Assessment Form and also addresses handicapped accessibility.

Mr. Gilmour adds that safety concerns exist with limited emergency access to the eastern part of the building.

Ms. Carp adds that a meeting will need to take place between the applicants and first assistant chief, Cory Wirthmann, to discuss these safety concerns further.

Mr. Meglio responds that they will change the design of the internal space to make sure that fire code issues are resolved.

Mr. Litton moves to determine application PB17-27, 3A Church Street, Arrowood Farms complete, that it is exempt from review by Ulster County Planning Board and that a Public Hearing is set for 7:10 p.m. on September 19, 2017. Mr. McGee seconds. 5 ayes. Motion carried.

Administrative Business

- *Approval of Minutes from August 15, 2017*
Mr. Litton moves to approve the 8/15/17 Minutes. Mr. McGee seconds. 5 ayes. Motion carried.
- *Approval of Minutes from August 21, 2017*
Mr. Litton moves to approve the 8/21/17 Minutes. No one else was in attendance at the Meeting. Motion carried.
- *Approval of Minutes from August 29, 2017*
Mr. Steffens moves to approve the 8/29/17 Minutes. Mr. McGee seconds. 5 ayes. Motion carried.
- *Meeting Overview for September 19, 2017*

Adjournment

Mr. Steffens moves to adjourn. Mr. McGee seconds. 5 ayes. Motion carried.

The meeting adjourns at 10:31 p.m.

Respectively submitted by,

Christena Carp
Planning and Zoning Secretary