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Village of New Paltz Planning Board  
Regular Meeting of Tuesday December 5, 2017  
Village Hall-7:00p.m.  
**APPROVED Minutes**

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Present: Michael Zierler, Chair  
John Litton  
Denis McGee  
Rich Souto, leaves 9:09 p.m.  
Rich Steffens

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

***Welcome***

7:01-7:02

Chair Zierler reviews the Agenda.

***Public Comment (15 minutes)***

7:02-7:10

Tom Nyquist and Miriam Strouse speak, and Ms. Strouse reads Judy Gueron's letter into the record, regarding PB16-02, 87-91 & 93 North Chestnut, Net-Zero.

***Application Review***

***1. Pre-Application***

*Reconfigure space for restaurant use and construct outdoor patio*

PB17-32: 19 North Front Street

Applicant: Jeremiah Pitkin

Zoning District: B-2

SBL: 86.127-1-1

7:10-7:24

Mr. Pitkin summarizes his application and notes that there will be no structural changes. Mr. Pitkin adds that he wants to install pavers to create a ground-level patio and use the deck for outdoor seating as well.

Mr. Pitkin confirms that the entrance will be on North Chestnut and notes that the restaurant will have indoor seating for 12-15 people and explains that the outdoor deck, with cultured stone added to the adjacent facade, and patio dining will expand his customer base when the weather is nice.

Mr. Pitkin notes that the restaurant will be open from 11/11:30 for lunch and the kitchen will remain open until 9 p.m., except for Fridays and Saturdays when it will be open until 10 p.m.

The Board and applicant discuss fire safety issues for a mixed use building with a wooden frame. Mr. Pitkin will speak with the Building Inspector, Fire Code Inspector and Health Inspector about his application.

The Board and applicant discuss the Planner's Memo, the difference between a bar and a restaurant according to Village code, and the need for the Historic Preservation Commission to review the application as the restaurant will be within a 100' radius of a locally landmarked building.

Chair Zierler notes that the applicant will need to submit a site plan or survey from an architect/engineer since he is performing some exterior site changes. Chair Zierler recommends that the applicant speak with Building Inspector Arms about potential site plan items that can be formally waived by the Board.

Mr. Pitkin notes that parking currently exists where he plans to locate the patio dining area.

Chair Zierler observes that stormwater will not be affected since parking currently exists in the same area as the proposed patio dining area. Chair Zierler explains that the site plan will need to include property boundaries, setbacks within the property boundaries, exterior existing lighting, proposed exterior lighting, utilities, signage, dumpsters and recycling barrels. Chair Zierler encourages Mr. Pitkin to meet with Building Inspector Arms to get through that step and then get in touch with the Health Department in order to submit his application in time for the Board's January meetings.

## *2. Pre-Application*

*Reconfigure interior space and 2' expansion of exterior space*

PB17-33: 31 Tricor Avenue

Applicant: John Johnson

Zoning District: R-2

SBL: 86.042-5-9

7:24-7:33

Mr. Johnson summarizes his application.

Chair Zierler notes that the Board has the background on how the house was converted to a 3-family and that the Board will need a survey or site plan illustrating the proposed changes.

Mr. Johnson responds that he does not want the expense of a site plan.

Chair Zierler responds that he will query Board Attorney Golden regarding the need for a site plan and respond back to Mr. Johnson so that he can submit a full application.

Chair Zierler notes that, other than the site plan issue, the application will need to be determined complete with a date set for a Public Hearing.

Ms. Waltermaurer notes that the build-out of two feet may not represent a lot of space, but that a site plan may reveal if construction is located on top of drainage, or other, lines.

### *3. Site Plan Amendment*

PB17-13, 51 Main Street

Applicant: Dimitri Viglis

Zoning District: B-2

SBL: 86.143-1-9.200

7:33-7:54

Chair Zierler notes that the applicant's presence was not required at tonight's Meeting.

The Board discusses the addition of the proposed screening to block the Rooftop mechanicals as a potentially adequate visual solution; setting a Public Hearing for January; and sending a recommendation to the ZBA.

Chair Zierler explains that if a building hits the height maximum for that zoning district then, as per Village Code, the rooftop mechanicals can't exceed 10% of the roof coverage.

Mr. Steffens observes that the ZBA should be aware that the applicant can potentially put up a system that falls under the 10% roof coverage, but is 20' tall and there would be nothing the Board could do about it.

The Board notes that the project cannot be viewed solely in the context of whether the coverage exceeds the 10%, but within the context of the whole project, i.e. how it looks from the street once the screening is installed.

The Board generally agrees that should the ZBA grant the requested variance for exceeding the maximum rooftop coverage, then the Board will address the issues of visibility of the rooftop mechanicals and how to reduce that impact. The Board may consider the applicant-presented option of screening as well as other options such as placing the components on the roof so that they are as far from the street sides as possible or not allowing the large elements on the roof at all.

The Board will continue to discuss the project, as well as the recommendation to the ZBA, at the next Meeting.

#### *4. Special Use Permit/Site Plan/Subdivision*

PB 16-02: 87-91 & 93 N Chestnut

Applicant: Net Zero Development LLC/Shepler

Zoning District: NBR

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

7:54-9:18

Mr. Shepler hands out an updated punch list to Members.

The Board, Mr. Shepler and Engineer Medenbach discuss the transformer, natural gas generator, dumpster, bicycle rack placement and design, utilities, shut off valves for solar panels, lighting plans with addition of timers/motion sensors on some locations and Rail Trail Access design.

The Board agrees to move forward on some type of letter of agreement, easement, or contract that will address development, access, liability, and maintenance for the two proposed connectors between the proposed Zero Place project and the Wallkill Valley Rail Trail. The Board agrees to have Chair Zierler ask the Planning Board attorney to draft the appropriate legal document for the Village Board, Wallkill Valley Land Trust, and Zero Place applicant to consider.

Engineer Medenbach notes that they are in discussion with Dan Koehler of Hudson Land Design and are responding to his comments concerning stormwater.

Chair Zierler notes that Village Engineer Richard Ruth and Department of Public Works Superintendent Bleu Terwilliger will meet to discuss municipal sewer and water connections to the project and will generate a comment letter.

The Board discusses the Snow Management Plan; Rooftop Management and Accountability Program; and Affordable Housing information with David Shepler.

Mr. Souto leaves at 9:09 p.m.

The Board and applicant will further discuss Affordable Housing after getting feedback from Chair Kempe and the Affordable Housing Committee.

### ***Administrative Business***

9:18-9:27

- *Zoning Review - 212.23, NBR District*

The Board will obtain a copy of the current 212.23 proposal and place it in dropbox for Members to review. Mr. McGee and Mr. Steffens agree to read through the material, mark it up, and review the information with Building Inspector Arms.

- *Recreation Fee discussion*

Chair Zierler notes that recreation fees represent a 2-part process and that the first part is to determine whether a property provides significant recreational area. If it does not, Chair Zierler explains, then the Board has the right to request recreation fees. Chair Zierler notes that, currently, subdivision recreation fees are \$1,000 per lot and site plan recreation fees are \$5,000 per unit if a multi-family building is being constructed. Mr. Litton and Ms.

Waltermaurer agree to read through the pertinent material that will be posted on dropbox for Members to review.

- *Approval of Minutes from November 21, 2017*

Mr. Steffens moves to approve the 11/21/17 Minutes. Mr. McGee seconds. Mr. Souto is absent. 4 ayes. Motion carried.

- *Meeting Overview for December 19, 2017*

### ***Adjournment***

Mr. Steffens moves to adjourn. Mr. McGee seconds. Mr. Souto is absent. 4 ayes. Motion carried.

The meeting adjourns at 9:28 p.m.

Respectively submitted by,

Christena Carp  
Planning and Zoning Secretary