



Village of New Paltz Planning Board
Regular Meeting of Tuesday, January 15, 2019
Village Hall - 7:00 PM
APPROVED MINUTES

Present: Eve Walter, Chair
Denis McGee
Cody Schatzle
John Oleske
Noelle Kimble McEntee, Alternate
Tom Rocco, Alternate

Absent:

Also Present: Alana Sawchuk, Planning and Zoning Secretary
William Murray, Village Board Liaison
Rick Golden, Planning Board Attorney

Welcome

7:04

Chair Walter opens the meeting for January 15, 2019.

Public Hearing(s)

1. Site Plan

Construction of home addition

PB18-34: 40 Plains Road

Applicant: Denis McGee

Zoning District: R-2

SBL: 86.41-1-25.110

7:04-7:05

No one from the public comes forward to speak.

Mr. Rocco moves to close the Public Hearing for PB18-34, 40 Plains Road, McGee. Mr. Schatzle seconds. 6 ayes. Motion carries.

2. Subdivision

Subdivide existing lot into 2 lots

PB18-31: 4 Grove Street

Applicant: Radi Serdah

Zoning District: R-2

SBL: 86.034-10-12

7:05

No one from the public comes forward to speak.

Mr. McGee moves to close the Public Hearing for PB18-31, 4 Grove Street, Serdah. Mr. Schatzle seconds. 6 ayes. Motion carries.

Public Comment

7:05

No one from the public comes forward to speak.

Application Review

1. Site Plan/SUP

New construction of gas station and convenience store

PB18-27: 76 North Chestnut Street

Applicant: Stewart's Shops Corp.

Zoning District: NBR

SBL: 86.26-2-34.100

7:05-7:54

Mr. Chuck Marshall and Dr. Philip Grealy, the traffic study consultant with Maser Consulting, come before the Board. Chair Walter comments on the submittal of a new landscaping plan and traffic study. The Board plans to discuss UCPB comments that were submitted to the Zoning Board of Appeals, particularly those regarding new NBR regulations.

Mr. Oleske asks about the status of the tow shop that currently exists on the lot. Mr. Marshall indicates that it will stay where it is and remain in business. Applicant states that he is hoping the abandoned house that currently exists on the lot will be subdivided off.

Upon receiving a request from the Planning Board to include a bike rack on the plans, Mr. Marshall notes that the submitted landscaping plans do include a bike rack.

Mr. Oleske asks a question regarding the trucks that will arrive on site in order to fill gas tanks. Mr. Marshall responds that the canopies are designed for trucks to go beneath and be filled on the passenger side.

Mr. Oleske asks a question regarding the turning intersection at Route 32, and how the project might present an opportunity for turning lanes or lights.

Dr. Grealy refers to the NYS DOT and how they have in recent years discouraged people from having two lanes at a lightless intersection. They would need to be consulted in order to add turning lanes at this intersection. Dr. Grealy will request a letter from NYS DOT regarding the possibility of having multiple

lanes.

The Board continues their discussion of the submitted traffic study. Dr. Grealy recommends signage in order to decrease confusion concerning entering and exiting the lot.

The Board expresses concern about pedestrian traffic in addition to vehicular traffic. Mr. Oleske is curious about the Planning Board's ability to call for traffic lights or a crosswalk. Dr. Grealy will refer that question to the NYS DOT.

Chair Walter asks about the research methods of this study given that it is winter and the traffic patterns will change with warmer weather (i.e., more pedestrians and bikes). Dr. Grealy explains that a lot of their understanding of warmer weather traffic comes from a recent study made for the Net Zero project, which was undertaken in warmer weather.

Mr. Rocco asks if Maser Consulting had received support from the Village Board regarding additional signalization during the development of the Net Zero project. Dr. Grealy stated he was unaware of any. Mr. Rocco asks an additional question about the possible planting of maple trees on the Dubois side and expresses concern about visibility.

Attorney Golden remarks that the Planning Board still needs to take certain NBR regulations into account, namely 212-13(G)(13)(15). As the site is pre-existing non-conforming, it is not required that the proposed structure be multi-story, multi-use, but as it is being recommended by the UCPB it should be discussed. Mr. Murray notes that the Village Board has been encouraging builders to use plants native to the area.

Chair Walter comments on the beautification of the Route 32 corridor and a desire on the part of the Board to ensure the most aesthetically pleasing project possible.

Mr. Marshall refers to proposed dormers on the current plan in order to create a "second story appeal." He notes that a free-standing sign was also not proposed.

Chair Walter asks about the possibility of making this structure multi-story as designated in the NBR. Mr. Marshall notes that as a practice Stewart's does not generally build multi-story structures and that an additional story could increase the density on the lot.

Attorney Golden remarks that the reason the Zoning Board of Appeals superseded the UCPB comments was because their comments were more relevant to Site Plan concerns, which is a matter for the Planning Board. As such, those comments do need to be addressed and the UCPB will be consulted again when the application referral is submitted on behalf of the Planning Board.

Mr. McGee moves to re-classify this application as an unlisted action with an uncoordinated review under SEQRA. Mr. Schatzle seconds. 5 ayes. Motion carries.

2. Site Plan

Construction of home addition

PB18-34: 40 Plains Road

Applicant: Denis McGee

Zoning District: R-2

SBL: 86.41-1-25.110

7:54-7:56

Mr. McGee comes before the Board as an applicant and temporarily recuses himself as a Planning Board member. Chair Walter notes that there were no comments from the public and requests a motion to approve.

Ms. Kimble McEntee moves to approve the resolution for PB18-34, 40 Plains Road, McGee. Mr. Schatzle seconds. 5 ayes. Motion carries.

3. Site Plan

New construction of multi-use structure

PB18-33: 24-26 Church Street

Applicant: John Johnson

Zoning District: B-2

SBL: 86.34-6-17.1

7:56-8:37

Mr. John Johnson and Mr. Andy Willingham approach the Board.

Mr. Rocco moves to declare this application an unlisted action and uncoordinated review under SEQRA. Mr. Schatzle seconds. 6 ayes. Motion carries.

Chair Walter begins the discussion following comments from the Code Enforcement Officer regarding parking and storm water. The Board requests that the applicant submit storm water analysis.

Attorney Golden notes that the applicant would require a parking variance should the applicant keep parking in the northerly side setback unless the applicant can provide a record of those pre-existing spots being legally permitted at some point in the past.

Mr. Oleske asks after STC input. The applicant remarks that is a plan to do substantial landscaping.

The Board suggests that the applicant have a conversation with Mr. Cory Wirthmann, CEO, regarding the proposed parking and whether or not it would be allowed in the rear setback.

The Board also suggests that the applicant consider sizing down the scale of the project.

4. Special Use Permit/Change of Use

Extension of bar business hours

PB18-09: 119 Main Street

Applicant: Chainam/Bangkok Café

Zoning District: B-2

SBL: 86.34-6-13

8:37-8:47

Mr. Dino Toscani appears before the Board on behalf of the applicant.

Chair Walter reads the drafted Resolution of Denial in preparation for a final vote:

In reviewing the information provided by the applicant, the Board finds that it is unable to determine that the mandatory requirements which are conditions precedent to the issuance of a special use permit have been met. In Section VI of their application, entitled "Special Use Permit Information," the applicant has provided simple one word responses. These responses are inadequate and do not provide the Board with any meaningful information which would allow a determination that the special use permit standards in the Code have been satisfied. Moreover, the applicant's appearances before the Board have not resulted in the production of any information at all which would allow the Board to make the findings and determinations required by the Village Code. The failure to appear at the scheduled public hearings is particularly unhelpful for the applicant as the information provided by the public is the only information for the Board to consider when determining whether to grant the Special Use Permit approval. The simple fact is the information provided by the public indicates that the use would be objectionable to nearby properties and that the use is not in harmony with the appropriate and orderly development of the district in which the property is located.

Mr. Toscani notes that as he is often out of town, the applicant plans to re-apply for this special permitted use with another representative.

Mr. Rocco moves to approve the Resolution of Denial for PB18-09, 119 Main Street, Chainam/Bangkok Café. Mr. Schatzle seconds. 6 ayes. Motion carries.

5. Subdivision

Subdivide existing lot into 2 lots

PB18-31: 4 Grove Street

Applicant: Radi Serdah

Zoning District: R-2

SBL: 86.034-10-12

8:47-9:02

Attorney Golden advises that the Planning Board move to waive subdivision requirements 178-22 and direct that the plat contain all information contained in 178-23(c)(1). Mr. McGee moves, Mr. Schatzle seconds. 6 ayes. Motion carries.

Attorney Golden suggests that the proposed future house be removed completely from the site plan. Mr. Oleske identifies that the subdivision would result in the existing driveway being located on the lot with no house further leaving the lot with a house with no driveway. He further inquired about the plan to add a driveway and expressed concern for the loss of on street parking as a result. Attorney Golden responded that the building inspector would need to be able to approve the driveway without the planning board or the application would have to change to include a site plan review.

Mr. McGee moves to classify this as an unlisted action and uncoordinated review under SEQRA. Mr. Schatzle seconds. 6 ayes. Motion carries.

Administrative Business

- *Approval of Minutes from December 18, 2018*

Mr. McGee moves to approve the Minutes from December 18, 2018. Mr. Schatzle seconds. 6 ayes. Motion carries.

- *SUNY Ulster SEQRA Training, Thursday, February 12, 2019 at 7:00 PM*

Adjournment

Mr. Rocco moves to close the January 15, 2019 meeting, Mr. Schatzle seconds. The meeting adjourns at 9:04 PM.

Respectfully submitted by,

Alana Sawchuk

Planning and Zoning Secretary