



Village of New Paltz Planning Board
Regular Meeting of Tuesday, April 2, 2019
Village Hall - 7:00 PM
APPROVED MINUTES

Present: Eve Walter, Chair
Denis McGee
Cody Schatzle

Absent: John Oleske
Noelle Kimble McEntee, Alternate
Tom Rocco, Alternate

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

Welcome

7:01

Chair Walter opens the regularly scheduled April 2, 2019 meeting of the Planning Board.

Public Hearing(s)

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

7:01-7:12

Ms. Cara Lee comes forward to speak regarding mixed use requirements in the NBR and the proposed addition of the second floor. Ms. Lee also speaks to the heightened levels of traffic at the Route 32 intersection with Henry DuBois.

Mr. Roland Barrett comes forward to speak and seconds the comments of Ms. Lee. Mr. Barrett expresses support for Stewart's move to a larger lot.

Mr. Perry Goldshine comes forward to speak in support of the project and expresses a preference for not having a light installed at the intersection.

Chair Walter reads a written comment from Mr. Rex Pietrobono, who has asked that the Planning Board pay special attention to outdoor lighting on site.

Mr. McGee moves to close the Public Hearing for PB18-27, 76 N. Chestnut, Stewart's Shops Corp. Mr. Schatlze seconds. 3 ayes. Motion carries.

Chair Walter speaks in order to clarify certain public comments, noting that the Board has not required that Stewart's be a multi-use structure; that the HPC has been consulted as to the aesthetics of the building; and that the Empire Trail will not conclude at the end of DuBois. The Board and applicant are still exploring what to be done about potential traffic signage, lines, and traffic flow. Nothing has been confirmed at this point.

Ms. Lee asks for clarification on the Empire Trail.

Public Comment (00 Minutes)

7:13

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

7:13-7:25

Mr. Chuck Marshall and Dr. Philip Grealy approach the Board. Chair Walter remarks that DOT has provided additional comments and has found that the proposed entrance off of S. Chestnut is too close to the intersection and has asked Stewart's to leave it as is or move it further away from the intersection.

Mr. Marshall proposes two options: (1) To leave the current driveway where it is and prohibit left-hand turns onto DuBois; (2) To slide the building all the way to DuBois, which would require it to be moved further back, eliminating the tow shop. Stewart's would prefer the shop stays, but if they cannot make the driveway work it would have to be removed. This option would also require an adoption of land from a neighboring property owner.

Mr. McGee and Chair Walter express approval for the first option described. Mr. Marshall will develop design-level plans reflecting the first option. Chair Walter expresses an interest in the plans showing a widened DuBois that would allow for a turning lane. Stewart's has also expressed support for the first option as opposed to the second.

This application has yet to be referred to the UCPB as the plans are still being revised.

Attorney Golden notes that a few items still need to be addressed: (1) On sheet S-2 of the recent plans, the noted “15 ft. minimum” regarding the side yard setback should be revised to say “15 ft. maximum;” (2) The final landscaping plan will need to be submitted by a licensed landscape architect; (3) There is no SUP required for this application as confirmed with the BI, however the applicant will still need to comply as best they can with the standards applicable to a gas station, citing 212-41(F).

2. Site Plan

Establishment of permanent car port

PB19-03: 20 Church Street

Applicant: Stephen McMaster

Zoning District: B-2

SBL: 86.034-6-16

7:26-7:29

Ms. Cora Smaldone comes before the Board on behalf of Mr. Stephen McMaster. The applicant wishes to make a temporary car port permanent.

With no concerns from the Board, Chair Walter requests a motion to declare this application to be administratively complete; to be a Type II action under SEQRA with no county referral required; and to set a Public Hearing for May 7, 2019 at 7:00 PM. Mr. McGee moves, Mr. Schatzle seconds. 3 ayes. Motion carries.

Ms. Smaldone speaks to a small structure on the property that the BI would like removed, but the applicant would like it to remain. Chair Walter doesn't find the structure to be a part of this specific application, and doesn't believe it needs to be removed, as it is not a requirement but a suggestion made by the BI.

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

4. Change of Use

Residential to commercial

PB19-04: 24-26 Church Street

Applicant: Doree Lipson

Zoning District: B-2

SBL: 86.34-6-17

7:29-8:17

Ms. Lipson, Mr. Johnson, and Mr. Willingham approach the Board.

Chair Walter believes that these applications (PB18-33 and PB19-04) need to be discussed in tandem as they're located at the same address and the two projects will have an effect on one another. There is an existing two-story family home at this address. Mr. Johnson has given Ms. Lipson permission to change the home from residential to commercial in order to house a therapy office. The parking requirement will increase if both projects are approved.

Mr. Johnson is not certain he can provide the 16 spots that would be required should Ms. Lipson's application be approved. He references the option of street parking, but Chair Walter finds that doesn't necessarily work well at this location (Church Street).

The Board discusses the question of recreation fees with regards to a residential unit being converted to commercial and back to residential. Mr. Johnson asks whether or not a transfer of residential units within one lot would still require recreation fees. Attorney Golden explains that the BI would be the one to make that determination.

Ms. Lipson's real estate broker speaks to the 16 spot requirement being unnecessary given the hours of the office and prospective tenants.

The Board discusses the number of spots currently available on the site plan.

The Board speaks exclusively to PB19-33 with Mr. Johnson and Mr. Willingham who explain the most recent changes made to the plans. There will be 3 store fronts with 3 two-bedroom apartments on the second floor and 3 one-bedroom apartments on a third floor; the applicant has provided an improved parking area with more spots available; a grading plan and storm water plan with a small pond added to account for more water; a full landscape plan with street trees along the road and at the back of the site. The applicant submitted a full drainage analysis and revised EAF. A lighting and photometric plan has also been submitted.

Chair Walter speaks in support of the smaller structure that has been submitted. There are no further comments from Board members.

Mr. Willingham presents structural plans with an aesthetic rendering. No further comments from the Board.

Chair Walter requested a long form EAF due to the size of the project. Chair Walter calls for a correction to the number of bedrooms. Chair Walter asks after the following EAF questions:

- D-2(a.): Chair seeks clarification as to whether or not there will be any "excavating" on site. The applicant clarifies their position of "no," Chair confirms.
- D-2(j.): Chair questions the applicant's selection of "no," regarding whether or not the project will increase traffic and advises that the applicant change to "yes." The attorneys will do some research and return with information to better advise the Board.
- Regarding the project being within 5 miles of certain historical or archaeological sites, Mr. Willingham will contact SHPO for more information.

Mr. Willingham will adjust his EAF answers and re-submit to the Board.

Attorney Golden lists a few items that still need to be addressed: (1) This application still needs submission to the UCPB; (2) The application needs updating to reflect a SUP due to the mixed use building; (3) The zoning table should note that the building includes 7,500 sq. ft. for retail use and note that the required front yard setback is 5 ft., required rear yard setback is 38 ft., and side yard is 8 ft.; (4) Parking spaces located in the rear yard setback have to be restricted to commercial employee parking

only because residential parking is not allowed to be in the setback; and (5) The Planning Board is not approving encroachments of fencing, which should be removed from the site plans.

Mr. McGee moves to set a Public Hearing for May 7, 2019 at 7:00 PM, Mr. Schatzle seconds. 3 ayes. Motion carries.

Ms. Lipson returns to speak with the Board regarding PB19-04. The applicant requires a change of use from residential to commercial space. Chair Walter requests a motion to classify this project as administratively complete; as a Type II action under SEQRA; as being exempt from UCPB referral; and to set a Public Hearing for May 7, 2019 at 7:00 PM. Mr. McGee moves, Mr. Schatzle seconds. 3 ayes. Motion carries.

Chair Walter asks for written documentation regarding the therapist's office proposed hours of operation.

Administrative Business

- *Approval of Minutes from March 5, 2019*

Mr. McGee moves to approve the March 5, 2019 Minutes. Mr. Schatzle seconds. 3 ayes. Motion carries.

- *Approval of T/A Request to Close Letter*

Mr. McGee moves to approve the T/A Request to Close Letter dated April 2, 2019. Mr. Schatzle seconds. 3 ayes. Motion carries. Ms. Sawchuk, Planning and Zoning Secretary, would like to note a removal of the request to close T/A #55, as it was later learned that the related project could potentially require further escrow deposits.

Adjournment

Mr. McGee moves to close the April 2, 2019 meeting, Mr. Schatzle seconds. 3 ayes. The meeting adjourns at 8:18 PM.

Respectfully submitted by,

Alana Sawchuk
Planning and Zoning Secretary