



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

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

Absent: Noelle Kimble McEntee, Alternate
Rick Golden, Planning Board Attorney
William Murray, Village Board Liaison

Also Present: Ashley Torre, Planning Board Attorney
Alana Sawchuk, Planning and Zoning Secretary

Welcome

7:01

Chair Walter opens the May 7, 2019 Planning Board meeting and notes that PB19-05 has been withdrawn.

Public Hearing(s)

1. 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

7:02-7:06

Ms. June Wheeler comes forward to speak. Ms. Wheeler is a member of the Elting Memorial Library Board. Ms. Wheeler expresses concern about potential misuse of the library parking lot with this new project.

Mr. Rocco notes that he also sits on the Board of Trustees for the Elting Memorial Library and is unaware of the library taking an active position on this application and asks Attorney Torre to let him and the Board know if that could be considered a conflict of interest.

Mr. Bob Miller also comes forward to speak. Mr. Miller is also a member of the Library Board and expresses similar concerns about parking availability. Neither Ms. Wheeler nor Mr. Miller explicitly note that they are speaking on behalf of the Library Board, merely that they do sit on it.

No one else comes forward to speak.

Mr. McGee moves to close the Public Hearing for PB18-33, 24-26 Church Street, Johnson. Mr. Schatzle seconds. 5 ayes. Motion carries.

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

7:06

No one from the public comes forward to speak.

Mr. McGee moves to close the Public Hearing for PB19-03, 20 Church Street, McMaster. Mr. Schatzle seconds. 5 ayes. Motion carries.

Public Comment (00 Minutes)

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

7:07-7:44

The Board discusses the recently submitted UCPB comments:

- **Traffic Study and Signalization:** The county felt that older traffic studies of that area and the newer study provided by the applicant did not quite sync up. The Board then moved forward with their discussion regarding the inclusion of a traffic light (per county and DOT comments), and how much the applicant is responsible. Mr. Marshall explains that while Stewart's is more than happy to assist with resolving the traffic concerns, the entire cost will not be "borne by Stewart's." Chair Walter suggests holding a meeting with all involved parties in order to resolve the traffic signalization. Attorney Torre advises on waiting for DOT's response on Stewart's latest submission. Mr. Marshall expresses a desire to receive Site Plan approval from the Board in order to fulfill his contractual obligation by including a condition of DOT approval.

- **Pedestrian Connection:** Chair Walter explains Dennis Doyle’s position that when the structure was closer to Rt. 32 it aligned better with what the Village envisions for the NBR. They recommend the addition of more sidewalk. The applicant takes no issue with this particular recommendation. Chair Walter and other Board members agree that since it’s a gas station, they don’t particularly see the need for extraneous sidewalk, but the applicant is willing to accommodate that recommendation.
- **Grading and Drainage:** The applicant has proposed an increased number of catch basins. A grading plan can be submitted should the Board request it. Mr. McGee expresses support of that submission (storm water survey or study). Chair Walter notes that if the Village Planning Board does request that plan, it will have to be resubmitted to the UCPB. Attorney Torre remarks that she will review the agreement with the UCPB on whether the County is entitled to a re-referral. Attorney Torre also notes that the Village Code may potentially require a SWPPP.
- **Historic Preservation Committee:** The UCPB has recommended a second review by the HPC. The applicant and the Board take no issue with that.
- **Consistency with the NBR Zoning District:** The Board notes that this is an advisory comment. Attorney Torre advises that the ZBA has previously determined that this was not a substantial enlargement of the nonconforming use and met the standard of Section 212-54(D).
- **Electric Charging Station:** The UCPB has recommended the inclusion of an electric charging station as an advisory comment. Chair Walter agrees. Mr. Marshall explains that they are willing to do that, but the usual system is a subscription program. Stewart’s would prefer use of a single point charge machine.

The Board takes a straw poll on some of the county’s recommendations. The Board agrees on the inclusion of more sidewalk space. Mr. Oleske and Mr. Schatzle agree on overriding the recommendation for drainage and grading plans. The rest of the Board concurs. Chair Walter will reach out to UCPB to see if they are willing to pull together a meeting with the DOT and Village representatives.

2. 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

7:45-8:15

Attorney Torre advises Mr. Rocco that if a library board member was speaking officially on behalf of the Board then he should recuse himself for appearance purposes but there is no reason for recusal if the person was speaking for themselves or others on the Board but was not officially authorized to speak on the Board’s behalf.

Applicant confirms that the existing single-family home is 6BR, not 4BR as noted on the 4-18-19 project narrative and not 9BR as indicated during public comment.

Mr. Willingham and Mr. Johnson approach the Board. The Board plans to discuss SHPO comments, UCPB, and HLD comments.

- **SHPO:** As part of this site has never been disturbed, an archaeological dig has been recommended. Chair Walter asks after the logistics of how this has worked in the past and

whether it was necessary. Attorney Torre notes that it is necessary for SEQRA to take a hard look and evaluate potential impacts to archeological impacts. Chair Walter plans to reach out to the organization to see if a middle ground might be reached, as a study would require significant time and cost. SHPO's letter also indicated it would be sending separate comments on architectural resources that have not yet been received.

- **HLD:** The applicant plans to make all modifications requested by HLD.
- **UCPB:** Lighting along access road is recommended. The applicant concurs with this recommendation and will revise the plans to show lighting in the back and coming up the driveway. A recommended sidewalk that connects employee parking lot to proposed building. Mr. Willingham explains the road space available to accommodate pedestrians. Chair Walter is fine without the inclusion of the sidewalk. The Board agrees that there is no need for a pedestrian path in this location. The county recommended signage plans, but as there are no tenants, the applicant can't realistically supply that imagery as of yet. The applicant can provide a rendering of where the signs will be located. Attorney Torre notes the Code will dictate what is required on the site plan for signage. Building elevations were requested, but they've already been provided. Attorney Torre requests a Zoning Compliance Table for the signage.

Regarding the Library's concern about parking, Mr. Johnson believes there will be ample parking on site to deter people from parking in the library lot. Chair Walter also notes that the Planning Board has paid plenty of attention to the applicant's parking plan in order to ensure that there was enough parking for tenants and businesses alike.

Attorney Torre asks if a traffic study is still desired by the Board and notes there is potentially a need for a SWPPP (Stormwater Solution Prevention Plan) under Village Code. CEO, Cory Wirthmann should be consulted regarding a landscaping "screen" between districts to advise if it is suitable under Village Code § 212-46. An SUP narrative has been provided.

A member of the public asks after a formal traffic analysis. Chair asks if any Board members feel the project necessitates a traffic study. Mr. Oleske agrees that the Village should consider the issue of parking on Church Street, but not that the applicant necessarily needs to submit a formal traffic study. Mr. McGee does not feel a need for a formal study.

The Board requests a truck delivery/turnaround plan.

3. Site Plan

Establishment of car port

PB19-03: 20 Church Street

Applicant: Stephen McMaster

Zoning District: B-2

SBL: 86.034-6-16

8:16-8:18

The applicant is unable to attend this evening.

Chair Walter requests a motion to approve PB19-03, 20 Church Street, McMaster. Mr. Rocco moves, Mr. Schatzle seconds. 5 ayes. Motion carries.

5. Site Plan

New construction of deck/carport

PB19-06: 1 Orchard Lane
Applicant: Thomas Mulvihill
Zoning District: R-2
SBL: 86.42-4-23.100
8:19-8:24

Mr. and Mrs. Mulvihill approach the Board in order to summarize their project. The applicant requests permission to construct a deck over the existing driveway and have it double as a carport.

Mr. Rocco asks about visibility from the road. Applicant confirms, not visible.

The applicant will go before the ZBA on May 14, 2019. Mr. McGee moves to set a Public Hearing for June 4, 2019 at 7 PM. Mr. Schatzle seconds. 5 ayes. Motion carries.

Administrative Business

- *Approval of Minutes from April 2, 2019 and April 16, 2019 Minutes*
- *Discussion of 212-23*

Adjournment

The meeting adjourns at 8:26 PM.

Respectfully submitted by,

Alana Sawchuk
Planning and Zoning Secretary