



Village of New Paltz Planning Board
 Regular Meeting of Tuesday, September 17, 2019
 7:00 PM at Village Hall
APPROVED MINUTES

Present: Eve Walter, Chair
 John Oleske, Co-Chair
 Raquel Carrion
 Noelle Kimble McEntee, Alternate
 Tom Rocco, Alternate

Absent: Cody Schatzle
 Denis McGee
 William Murray, Village Board Liaison
 Don Kerr, EPB Liaison

Also Present: Rick Golden, Planning Board Attorney
 Alana Sawchuk, Planning and Zoning Secretary

Welcome

7:00

Chair Walter opens the regularly scheduled September 17, 2019 meeting of the Planning Board.

Public Hearing(s)

1. Amended Site Plan/SUP

Mixed use building

PB19-10: 51 Main Street

Applicant: Dimitri Viglis

Zoning District: B-2

SBL: 86.143-1-9.200

7:01

No one from the public comes forward to speak.

Chair Walter requests a motion to close the Public Hearing for PB19-10, 58 Main Street, Viglis. Mr. Rocco moves, Ms. Carrion seconds. 5 ayes. Motion carries.

2. Site Plan/COU

Coffee shop to restaurant

PB19-19: 58 Main Street

Applicant: Robert Downs

Zoning District: B-2

SBL: 86.143-1-12.100

7:01-7:07

Ms. Lily Lavender Wolf speaks in opposition to the closure of an official “coffee shop” space at 58 Main Street.

Dylan comes forward to speak in opposition to the closure of an official “coffee shop” space at 58 Main Street.

No one else from the public comes forward to speak. Chair Walter reads the names of other concerned community members who had reached out in opposition to this particular change of use via e-mail.

Mr. Rocco moves to close the Public Hearing for PB19-19, 58 Main Street, Downs. Mr. Oleske seconds. 5 ayes. Motion carries.

Public Comment (00 Minutes)

7:08

No one from the public comes forward to speak.

Application Review

1. Amended Site Plan/SUP

Mixed use building

PB19-10: 51 Main Street

Applicant: Dimitri Viglis

Zoning District: B-2

SBL: 86.143-1-9.200

7:08-7:19

Mr. Miller and Mr. Viglis approach the Board. Chair Walter speaks to an issue that was recently brought to the attention of the Board regarding the question of a parking easement.

Attorney Golden clarifies that unless otherwise revealed, the applicant does not currently have legal access to the lot space they’ve set aside for parking as the proposed plan assumes access through property that is owned by the Village. Unless the Applicant can demonstrate that the Village has granted them approval to use such access over its property, the Planning Board would then have to determine whether or not the property currently owned by the applicant would have adequate access without the Village property, which it does not appear they do. If the applicant does indeed have a written agreement with the Village this issue could be resolved today, otherwise the application will need to be halted. Attorney Golden notes that this property did receive Site Plan approval in 2014, but the issue

was not raised at the time.

Chair Walter explains that the residential units require the noted parking, which cannot be waived by the Planning Board.

Mr. Viglis had been under the impression that the Village Board had granted an informal approval as a part of the eventual selling of that property. However, although that approval may eventually materialize, no such approval is in place yet.

Chair Walter reviews two potential options for the applicant: (1) Work with Village to see if they will approve an easement ASAP; (2) Return to the ZBA in order to receive a parking variance, as the Planning Board cannot grant an easement.

Mr. Miller considers the creation of the initial lot and how that might provide a third option. People have been parking on the Village property since 1957 (the creation of the lot); there have been 2 approvals on this lot since those spaces were made available. Right of way for 50 years. The Applicant was advised that the Planning Board has no ability to recognize such a claimed right.

The Planning Board has no further power with regards to this application until this issue is resolved. As such, Attorney Golden will examine the code regarding the dormancy of the application.

2. Site Plan/COU

Coffee shop to restaurant

PB19-19: 58 Main Street

Applicant: Robert Downs

Zoning District: B-2

SBL: 86.143-1-12.100

7:19-7:33

Mr. Downs approaches the Board. Chair Walter addresses comments from the public.

Mr. Oleske asks about the context regarding the departure of the previous tenant. Mr. Downs explains that this particular tenant did not feel that the business could continue as it was. Mr. Downs says he read the comments from the public and largely agrees with them, but this seems to be a fiscal problem as opposed to a use problem.

Ms. McEntee-Kimble speaks to the size of the space in relation to the nature of the coffee business.

Mr. Downs addresses the comments submitted by the HPC and agrees with their assessment regarding the “vestibule” that was installed by the previous tenant; he has no plans for it to be erected again.

Mr. Oleske clarifies the role of the Planning Board for members of the public who had expressed concern.

Chair Walter moves through the Resolution for PB19-19, 58 Main Street, Downs. Mr. Rocco moves, Mr. Oleske seconds. 5 ayes. Motion carries.

Name	Ayes	Nays	Abstain	Absent
Chair <i>Eve Walter</i>	✓			
Member <i>Denis McGee</i>				✓
Member <i>Cody Schatzle</i>				✓
Member <i>John Oleske</i>	✓			
Member <i>Raquel Carrion</i>	✓			
Alternate <i>Tom Rocco</i>	✓			
Alternate <i>Noelle Kimble McEntee</i>	✓			
Totals:	5			2

3. Subdivision

Lot line revision

PB19-20: 4-6 Hasbrouck Place

Applicant: Maureen Walker

Zoning District: R-2

SBL: 86.42-4-8

7:34-7:36

Before the Planning Board can move forward this application the applicant will need to see the Zoning Board of Appeals for maximum lot coverage.

Chair Walter requests a motion to declare this application an Unlisted action under SEQRA and to declare the Planning Board lead agency with an uncoordinated review. Ms. Kimble-McEntee moves, Mr. Rocco seconds. 5 ayes. This application is exempt from county referral.

Administrative Business

- *Approval of September 3, 2019 Minutes*

Mr. Rocco moves to approve the September 3, 2019 Minutes. Mr. Oleske seconds. 5 ayes. Motion carries.

- *New Paltz Veterans Cemetery: FEAF and Intent to Lead*

Chair Walter moves to declare that under the Monroe County Public Interest Test that the Village of New Paltz Planning Board believes that the county's veterans cemetery expansion is not subject to Village Zoning Code. Mr. Rocco seconds. 5 ayes. Motion carries.

Adjournment

Ms. Carrion motions, Mr. Rocco seconds. The meeting adjourns at 7:39 PM.

Respectfully submitted by,

Alana Sawchuk
Planning and Zoning Secretary