



Village of New Paltz Zoning Board of Appeals
Regular Meeting of Tuesday, August 13, 2019
Village Hall – 7:00 PM
MINUTES

Present: John Litton, Chair
Victoria Danskin
Sean O’Sullivan

Absent: Rob Egan
Anthony Saracino

Also Present: Alana Sawchuk, Planning and Zoning Secretary
Ashley Torre, Zoning Board of Appeals Attorney
Michele Zipp, Village Board Liaison

Welcome

7:15

Chair Litton opens the regularly scheduled August 13, 2019 meeting for the Zoning Board of Appeals.

Public Hearing(s)

1. Area Variance/212-13(F)(4)

ZB19-02: 51 Main Street

Applicant: Dimitri Viglis

Zoning District: B-2

SBL: 86.143-1-9.200

7:15-7:16

Ms. Danskin moves to open the Public Hearing for ZB19-02, 51 Main Street, Viglis. Mr. O’Sullivan seconds. 3 ayes. Motion carries.

No one from the public comes forward to speak.

Ms. Danskin moves to close the Public Hearing for ZB19-02, 51 Main Street, Viglis. Mr. O’Sullivan seconds. 3 ayes. Motion carries.

Application Review

1. Area Variance/212-13(F)(4)

ZB19-02: 51 Main Street

Applicant: Dimitri Viglis

Zoning District: B-2

SBL: 86.143-1-9.200

7:16-7:33

Mr. Miller and Mr. Viglis approach the Board. Chair Litton summarizes the status of the application: SEQRA will not be completed this meeting due to an error in paperwork; the UCPB has determined, “No County Impact.” The Board also notes an error on the Referral Response misstating the numbers involved with the variance request. The Referral reads, “3,000 square foot minimum lot area variance (has 7,000, needs 10,000),” Attorney Torre stated that the UCPB should be advised of the error in that description, which should have reflected that the Applicant has a lot size of 2,614 sq. ft. and requires 10,000 sq. ft.

The Board proceeded through the balancing test for the requested Area Variance:

- (1) Whether benefit can be achieved by other means feasible to the applicant: Board agrees, no, considering the size of the lot there is no way to have the uses desired without a variance.
- (2) Undesirable change in neighborhood character or to nearby properties: No, as the original use on the first floor was for a restaurant and the retail use now proposed will have less impact.
- (3) Whether request is substantial: Yes, 7,386 sq. ft. is a large variance request based on size alone. Board also notes that the lot is severely undersized.
- (4) Whether request will have adverse physical or environmental effects: No, as the building is already built and changing from the prior restaurant will mitigate environmental effects.
- (5) Whether alleged difficulty is self-created: Yes, but after the removal of the initial building, the lot was too small to really allow for any other option.

The Board plans to complete SEQRA at the September meeting. Chair Litton requests a motion to authorize Attorney Torre to draft a Decision based upon discussions held by the Board. Ms. Danskin moves, Sean seconds, 3 ayes.

Mr. Miller reminds Board that they are increasing the permeable area on site from the prior use.

Administrative Business

- *Approval of Minutes from 7/09/19*

Ms. Danskin notes typo on page 2. Ms. Danskin moves to approve with correction, Sean seconds. 3 ayes.

- *Request to Close T/A #67*

Ms. Danskin moves, Sean seconds. 3 ayes. Motion carries.

Adjournment

Ms. Danskin moves, Sean seconds. 3 ayes. The meeting adjourns at 7:36 PM.

Respectfully submitted by,

Alana Sawchuk
Planning and Zoning Secretary