

Town of New Paltz
Zoning Board of Appeals
Final Meeting Minutes
August 9, 2016
7:00pm

The meeting was called to order at 7:02 pm by Ed Burke.

Roll call: Ed Burke – present; Caroline Paulson – present; Phil Subey– absent; Joe Douso – present; Leonard Loza – present;

Others Present: Stacy Delarede, Building Inspector; George Rodenhausen, alternate counsel

PUBLIC COMMENT ON ISSUES OTHER THAN PUBLIC HEARING:

None

MINUTES:

The July 12, 2016 minutes are presented for approval.

Motion to approve these minutes made by Caroline Paulson.

2nd by Leonard Loza.

All others present in favor. Motion passed.

PUBLIC HEARINGS:

ZBA 2013-06, Trans-Hudson Mgt./CVS, 22 N. Putt Corners Rd., Area Variances

The applicant has asked to keep this public hearing open until the September 2016 meeting, as the Planning Board has still not completed SEQRA.

Motion to keep the public hearing open until the August 9, 2016 meeting is made by Caroline Paulson.

2nd by Joe Douso.

All others present in favor. Motion passed.

ZBA 2016-02, Bolder Architecture/Master's Touch Church, 161 Route 208, Area Variance

Chairman Burke asks the applicant to come before the Board to give a brief status update of the application.

Dave Toder or Bolder Architecture comes before the Board to discuss this application. He goes over the proposed site plans, and discusses its current use as well as the proposed use. He also discusses the applicant's status with the Planning Board, as they did go before them already, and they do support the variance requests. He continues to discuss parking in both the front and rear yards, as well as setbacks,

and the addition of an electric vehicle charging station. Mr. Toder also states that the Civil Engineer, Barry Medenbach, has done a highway curb cut plan, which is being reviewed by the DOT.

Joe Douso questions the number of parking spaces in the front yard. Mr. Toder states that there will be seven in total.

Motion to open the public hearing is made by Leonard Loza.
2nd by Joe Douso.
All others present in favor. Motion passed.

Peggi Healy of 169 Route 208 comes before the Board to discuss the concerns that both she and her husband have with this project. They do not object to having a church as a neighbor, but they do have serious concerns with regards to safety. Exiting and entering their driveway at this location can be dangerous. There are always accidents here.

Phil Healy of 169 Route 208 gives the Board photographs of work being done in the Verizon right-of-way. He has concerns with drainage issues, as well as safety issues. He feels the proposed landscaping in front will impact line of sight views for the neighboring driveways.

There is a continued discussion on landscaping. Chairman Burke notes that these are issues that will be addressed by the Planning Board during their site plan review.

Karen Rhinehart of 171 Route 208 comes before the Board to discuss her concerns with this application. She would like to see an exit/entrance to this parcel from Cedar Ridge Road.

There is a discussion on the Planning Board not holding a public hearing for this project.

Stacy Delarede states that it is not a requirement for the Planning Board to hold a public hearing, but that residents could submit their concerns in writing to the Planning Board for their consideration.

There is a continued conversation on the required amount of parking as it relates to the buildings capacity.

Ed Burke again states that these are all Planning Board issues, the ZBA is only here to review the variance requests.

Karen Rhinehart also voices her concerns with regards to line of sight issues during snow plowing season.

George Fischer of 173 Route 208 discusses his concerns with all of the accidents in this area. Local residents have often contacted the DOT to reduce the speed limit here, but they have never been able to have it done. He is very concerned with the amount of cars that will now be entering and exiting this location. There will just be too many cars.

Ed Burke states that the parking requested meets zoning requirements. He also mentions that the applicant has stated that this application is currently being reviewed by the State DOT, and that these concerns should be sent on to the DOT as well as the Planning Board. The ZBA is only addressing the variance requests for relief from Town Code for parking set-backs and use.

Camille Fischer of 173 Route 208 also addresses the Board with her concerns on traffic, the number of accidents and how tractor trailers often use this site for U-turns. There are always cars that crash into her front lawn.

Dana Simmons of 165 Route 208 comes before the Board to address his concerns with this project. He asks for clarification on curbs and set-backs. He also notes that nary road side landscaping will die. He is also concerned because his property is 3' lower. He also states that church's usually have large functions, and that these functions could lead to people parking along Route 208, thus impeding the line of sight for neighboring parcels even more. He is also concerned about the existing septic being large enough to handle a 67 person capacity. He wants the Planning Board to set a public hearing for their site plan review, and he hopes that the ZBA will not act on these variances until that time.

Stacy Delarede clarifies that the variance being requested does not mean that cars will be allowed to park in front of the building.

There is continued discussion on the septic system. Dave Toder notes that it was originally build to handle a restaurant. This will also be looked at by the Planning Board, as they will require proper Health Department approvals.

There is a conversation on how to prevent people from parking along Route 208. It is noted that the Police Department can issue tickets for this.

Ed Burke mentions the possibility of putting language into the ZBA decision that would clearly state that there can be no parking parallel the road.

Joe Douso questions exactly where in the review process the Planning Board is, because he agrees with the concerns mentioned tonight. He agrees that larger functions with high attendance rates will add to potential hazards in that area.

John Oles of 167 Route 208 thanks the Board for hearing their concerns. He too has serious concerns with access for neighboring driveways. He mentions that he is also concerned about the septic, as they have had water issues before, as well as bacteria in their well.

A gentleman in the audience, who lives adjacent to the proposed project, states that he is very concerned about the potential added traffic on Sundays with regards to church services as well as Sundays being a heavy motorcycle traffic day.

Dana Simmons reiterates his concerns.

The Board has a discussion on these traffic concerns.

Joe Douso states that he has to seriously consider all of these issues, even though they are Planning Board issues, before he would feel comfortable considering these variance requests.

Dave Toder again states where the Planning Board is in their review process. He notes that the DOT did find their conceptual plan acceptable, and that they are in the process of reviewing the final plan as

submitted by their civil engineer. He mentions again how the Planning Board did make a recommendation to the ZBA that they are in favor of the requested variances.

Stacy Delarede mentions that all plans and information that was submitted to the Planning Board is available for review in the Planning Board office, as well as the fact that the plans are on the website.

Caroline Paulson mentions that she grew up in a house that was situated on a curve in the road, and so she does feel for what the neighbors of this project are saying with respect to safety and accidents.

Joe Douso again states that he would like the people to be heard by the Planning Board, and that he would also like to see the final review by the DOT before he is ready to vote on the variances.

Ed Burke states that though everyone is fine with the proposed change of use of this parcel into a church, there are just too many safety issues that he would like to see brought before the Planning Board. He is personally not ready to vote until this is done.

Leonard Loza also agrees that he is not ready to vote, and he would also like to hear back from the DOT as well.

Motion made by Ed Burke to hold open the public hearing until September 13, 2016, in the hopes of hearing back from the DOT as well as the Planning Board.

2nd by Leonard Loza.

All others present in favor. Motion passed.

Motion to have ZBA counsel draft a letter to the Planning Board requesting that they hold a public hearing for the site plan application by this applicant that is currently before them is made by Ed Burke.

2nd by Leonard Loza.

All others present in favor. Motion passed.

There is a discussion with the applicant as to how the timing of this will work. The ZBA hopes that they can get something back from the DOT before they meet again in September. It is also noted that the Planning Board would not be able to hold a public hearing, if they so choose, before September 12.

There is a conversation on splitting the two variance requests up from the change of use. The Board members agree to keep them all together, as splitting them up will not move things along any faster.

OLD BUSINESS:

None

ADMINISTRATIVE ISSUES:

There is a discussion on a quorum for the September 2016 meeting.

Motion to adjourn made by Ed Burke.

2nd by Leonard Loza.

All in favor,

Adjourned at 8:06 pm.

These minutes respectfully submitted by Kelly O'Donnell, Secretary