



Town of New Paltz Zoning Board of Appeals
Regular Meeting of Monday, **May 15, 2023**
In-Person, Live-streamed/Recorded at 7:00 p.m.

APPROVED MINUTES

Present: Leonard Loza, Chair
Steven Esposito, Member
Katherine Fuller, Member

Absent: Amy Donnelly, Member
John Gotto, Member

Also Present: Joseph Moriello, Esq., Counsel for the Zoning Board
Kristine Tabasko, Planning/Zoning Secretary

The meeting was opened at 7:05 pm by a motion made by Ms. Fuller, seconded by Mr. Esposito and all voting in favor.

Chair Loza did a quorum check for the June 22, 2023 meeting, and all members in attendance indicated they are available to attend.

Chair Loza asked if there were any questions or comments regarding the drafted version of the Zoning Board meeting minutes of April 17, 2023, and there were none. Ms. Fuller made a motion to approve the minutes and Mr. Esposito seconded with all voting in favor.

Chair Loza asked if there was anyone in attendance either in person or via Zoom who wished to make a public comment, and there was none.

Public Hearings /Application Review: CPD Group/GTY Leasing 409 Main St.

The public hearing continued for 409 Main Street (from March 20, 2023) and Tom Kievit appeared from CPD Group.

The Chair read from a letter written by the Town of New Paltz Planning Board which asked that the applicant adhere to the sign code requirements.

The Chair also read from the review of the application by the Ulster County Planning Board which had issued a response of "Disapprove" for the variance request seeking two additional signs.

The Chair then read the five area variance questions (a-e) from the application and the applicant responded “No” to (a-d), and “Yes” to (e) regarding the “alleged difficulty was self-created.”

The ZBA attorney noted that procedurally, any voting to approve this variance in light of the Ulster County Planning Board disapproval response, would require a supermajority vote to grant the variance request. A denial of the variance request would require all three members in attendance to vote to deny it. The ZBA could ask the applicant if he would consent to a continuation of the public hearing to the next meeting, where possibly there would be more members in attendance.

The Chair asked Mr. Kievit if he preferred to receive a decision by the Board that night and Mr. Kievit responded “Yes, I’m comfortable with that.”

The Chair made a recommendation of denial based upon both agencies (Ulster County Planning and Town of New Paltz Planning) recommending disapproval of the variance. He stated he disagreed with the applicant’s answer of “No” regarding whether or not there would be an undesirable change. Ms. Fuller stated she believed there is another “feasible method for the applicant to pursue” and she found the request was substantial given the 100% increase in signage requested. The Chair stated he believed the Ulster County Planning Board’s determination was based upon the adverse effect on the physical conditions of the additional signage would create.

The Chair made a motion to close the public hearing for 409 Main Street, and made a recommendation to agree with the TONP Planning Board and the Ulster County Planning Board in denying this application. Ms. Fuller seconded the motion. All members present (Fuller, Esposito and Chair Loza) voted ‘Aye’ in favor of the motion.

Chair Loza made a motion to adjourn the meeting, seconded by Mr. Esposito and all voted in favor.

Prepared by Kristine Tabasko, Zoning Board of Appeals Secretary

This meeting is viewable online at: <https://www.youtube.com/watch?v=gcFuhygPgOA&t=926s>