

Town of New Paltz
Zoning Board of Appeals
Final Amended Meeting Minutes
January 8, 2019

Chair Loza welcomed everyone to January 8, 2019 meeting of the Zoning Board of Appeals meeting held at the Town of New Paltz Community Center at 7:00pm.

Roll Call: Steve Esposito – present, Kelly O'Donnell – present, Caroline Paulson – present, Leonard Loza – present.

Also present: Attorney Joe Moriello

Absent: Joe Douso, Building Inspector Stacy Delarede

Review and Approval of Minutes

The minutes from the December 11, 2018 are presented by Chair Loza, who asked for a motion to accept the minutes as written.

Motion 1 by Caroline. Motion 2 by Kelly O'Donnell. All present in favor. Minutes approved.

Chair Loza asked if anyone was there for public comments, not for the public hearing. No public comments.

Public Hearing:

McDonald's Renovation – Main Street – Area Variances

Chair Loza stated that McDonald's is before them for 8 variances, one for double striping in the parking lots, and the others are for signage on and around the property.

Chair Loza asked for a motion to open the Public hearing on the double striping (ZBA 18-260).

Motion 1 by Caroline Paulson to open the public hearing

Motion 2 Kelly O'Donnell. All present in favor. Motion carried.

ZBA 18-260

Chair Loza read the letter from Adele Ruger, Chair of the Planning Board dated December 5th, which was sent in response to the ZBA's request to the Planning Board for their comments on the variance (ZBA 18-260), which the Planning Board voted to keep the double striped parking layout lines, but as a result, the applicant would need to obtain a variance to reduce the number of required parking spacing as a consequence of the area left from the double striping.

Chair Loza, for the benefit of the public there and watching, explained that the double striping, which most people are used to seeing a single line, **now** two lines, on the left and **now** two lines, on the right, giving more space to get in and out of car doors, but it decreases the entire area of the parking lot with the required 38 parking spaces gets reduced to 35 spaces as a result.

Comments from public decided to wait to speak.

Alan Roscoe, from Corp State Groups, who is representing the McDonald's Corporation on the renovation project on Main Street for McDonald's that the remodel is of the interior and exterior of the restaurant, the striping in the parking lot and also improved drive thru services. Mr. Roscoe added that this first variance is for them seeking relief in terms of parking with a bus parking spot, also for compliance for safety but losing spaces.

Chair Loza noted that this application has to go to Ulster County Planning Board (for referral).

Motion 1 by Caroline Paulson to extend the public hearing until the next meeting.

Motion 2 Kelly O'Donnell. All present in favor. Motion carried.

Attorney Moriello noted that the next Ulster County Planning Board meeting is on February 6, and asked if it will give them (the ZBA) time for getting results back from them for the referrals in time for the next ZBA meeting, which Pat noted is February 12th. Pat commented that the referral process is now online to the UCPB and hopefully will have all results in time for the February 12 ZBA meeting.

ZBA 18-285

Chair Loza asked for a motion to open the public hearing for the outdoor digital menu board at the rear of the building.

Motion 1 by Caroline Paulson.

Motion 2 Kelly O'Donnell. All present in favor. Motion carried.

Chair Loza stated that the variance is to address sign type and method of illumination. Chair Loza added he doesn't want to see the board in the front. Mr. Roscoe stated that illumination standards will comply with local codes (Chair Loza asked Mr. Roscoe to address the camera).

Chair Loza asked if the outdoor display menu board was staying in the same location. Mr. Roscoe stated that the board would stay within a few feet where it is now located.

Kathryn Stewart of 3 Old Mill Road spoke during this public hearing, noting she is a strong believer in the (Town) code, is happy to see that McDonald's wants to comply with the code, and noted there is already a free standing McDonald's sign and one wall, and asked to not give a variance for additional signs. Ms. Stewart also noted that in reference to the Playplace sign (which is another variance request), the code is to limit the number of signs. Ms. Stewart also asked if being ADA compliant, if the sidewalk in front will be part of the renovation, as it would be much appreciated if it was. Ms. Stewart also commented on the drive thru as being dangerous for pedestrians, and emphasized the need for stop bar for cars to know to stop (for pedestrians). She urged the ZBA to vote no variances on signs, and requested the sidewalk along 299 become ADA compliant.

Leah Weaver of 6 Pinecrest Road stated she echoes what Kathryn Stewarts had said, and asked the ZBA to please address the signage and fixing of the sidewalk, as she likes to walk her dog. Ms. Weaver also noted that she counted 5 elements of signs at the entrance and exit of McDonald's, even recognizable by a friend's 2 year old that a McDonald's is there now.

Mr. Roscoe commented that the sidewalk is not an oversight, and it is ADA required, and will be compliant. Mr. Roscoe asked that rather than the number of signs that focus be on where they would be appropriate. Directional signs are not included, are compliant, and are a generic welcome keeping in the modernization of the brand.

After confirming with Attorney Moriello to address each application separately, Chair Loza asked for a motion to continue ZBA 18-285 public hearing by extending to the February meeting, and also send to Ulster County.

Motion 1 Kelly O'Donnell.

Motion 2 Caroline Paulson. All present in favor. Motion carried.

Chair Loza asked for a motion for opening the public hearing for ZBA 18-286.

Motion 1 by Caroline Paulson.

Motion 2 Kelly O'Donnell. All present in favor. Motion carried.

ZBA 18-286

Chair Loza asked Mr. Roscoe to explain again this application for the benefit of anyone new watching. Mr. Roscoe stated it was for the golden arch logo on the non-drive thru side of the building, looking for approval of the golden arch on the entrance side, or referred to as the brand wall. Chair Loza stated both Ms are 3.5 x4 feet in size, illuminated at 3 foot candles. Mr. Roscoe added that only one sign is proposed on the drive thru side. Attorney Moriello asked if it's similar to the other types of restaurants in the area, which Mr. Roscoe stated for McDonald's restaurants for the logos, not Burger King. Mr. Roscoe added that this McDonald's specific, that he didn't know what Burger King does.

Chair Loza asked for a motion to extend the Public Hearing to the next meeting, noting that the application has to go to County.

Motion 1 by Caroline Paulson.

Motion 2 Kelly O'Donnell. All present in favor. Motion carried.

Chair Loza asked for a motion open the public hearing for ZBA 18-288.

Motion 1 Kelly O'Donnell.

Motion 2 Caroline Paulson. All present in favor. Motion carried

ZBA 18-288

Mr. Roscoe noted that this the gateway clearance signage that is in the drive-thru lane. Chair Loza held up a photo for the camera to zoom into of the clearance bar. Mr. Roscoe stated this replaces the current bar and this is a safety feature for the drive-thru. Chair Loza asked for the coloring confirmation of the bar, which Mr. Roscoe stated would be yellow with gray post and lettering. Chair Loza asked if the clearance bar would be visible from the street. Mr. Roscoe stated you'd have to stop to see it and it's the entrance to the drive-thru lane. Chair Loza noted it is for height clearance for the canopy (over the order window). Caroline Paulson commented it is a safety feature. Attorney Moriello asked if this is a sign because of the drive thru on the top or because it's a bar. Mr. Roscoe stated that there is nothing in code to cover this so it has to be asked for (through a variance). Chair Loza asked if the words **Drive Thru** on the bar, and the **Clearance 9 feet** will be painted on the bar or above the bar. Mr. Roscoe will be painted on the informational bar that is directional and not considered a sign. Chair Loza asked for a motion to extend the public hearing until Ulster County results are in.

Motion 1 by Caroline Paulson.

Motion 2 by Kelly O'Donnell. All present in favor. Approved.

Chair Loza asked for a motion open the public hearing for ZBA 18-289.

Motion 1 Kelly O'Donnell.

Motion 2 Caroline Paulson. All present in favor. Motion carried

ZBA 18-289

Mr. Roscoe explained this is the pre-sell board, similar to the existing sign which is 8 sq. feet, with a slight increase in size of 9.8 sq. feet but an overall reduction in the proposed.

Chair Loza asked for a motion to extend the public hearing until results are in from the County.

Motion 1 by Caroline Paulson.

Motion 2 by Kelly O'Donnell. All present in favor. Approved.

Chair Loza asked for a motion open the public hearing for ZBA 18-290.

Motion 1 Kelly O'Donnell to open the hearing.

Motion 2 Caroline Paulson. All present in favor. Motion carried

ZBA 18-290

Mr. Roscoe stated that it a PLAYPLACE sign on the building (exterior), on the non-drive thru side, facing West and will be illuminated with LED lighting. Caroline Paulson noted she didn't see a need for the sign, adding that it's extremely limited in value for information since it's only facing westward. Attorney Moriello commented that there was discussion previously on being able to see into the windows of the play space area. Mr. Roscoe noted that the Planning Board commented they'd like to screen view from outside with tinted windows. Attorney Moriello commented that one wouldn't know that it's there (the play space) without the sign. Caroline Paulson commented it's only visible to people approaching from the West.

Chair Loza asked for a motion to extend the public hearing until results are in from Ulster County.

Motion 1 by Caroline Paulson.

Motion 2 by Kelly O'Donnell. All present in favor. Approved.

Chair Loza asked for a motion open the public hearing for ZBA 18-291.

Motion 1 Kelly O'Donnell.

Motion 2 Caroline Paulson. All present in favor. Motion carried

ZBA 18-291

Mr. Roscoe stated this is for the golden Arch sign on the front façade of the building, on the upper right hand side, proposing a brand wall. Mr. Roscoe added it is minimal in size, 4.1 sq. feet and is important as its McDonald's logo. Discussion followed about if the wording McDonald's and M arch sign were all together it would be conforming. Mr. Roscoe stated that as a brand element, by the code, the areas are less than what is allowed if they were together.

Chair Loza asked for a motion to extend the public hearing.

Motion 1 by Caroline Paulson.

Motion 2 by Kelly O'Donnell. All present in favor. Approved.

Chair Loza asked for a motion open the public hearing for ZBA 18-292.

Motion 1 Kelly O'Donnell.

Motion 2 Caroline Paulson. All present in favor. Motion carried

ZBA 18-292

Mr. Roscoe stated this is **McDonalds** wording wall sign on the west side of the building (drive thru side). Chair Loza asked what side it would be seen on. Mr. Roscoe stated it would be seen traveling East on 299. Attorney Moriello asked if that is the only **McDonalds** signage, and Mr. Roscoe stated that there is one on the front and one on the West side. Discussion followed on the last time the signs were renovated, which Mr. Roscoe stated that the menu boards were updated in the 80s/90s.

Motion 1 by Caroline Paulson for extend the public hearing.

Motion 2 by Kelly O'Donnell. All present in favor. Approved.

Chair Loza thanked Mr. Roscoe for attending.

Administrative Issues

Quorum Check for February 12 - attendees present stated they should be in attendance.

Chair Loza invited the public to attend the SEQRA update class on January 28th at 6:00pm at the Community Center with the Planning Board and Zoning Board of Appeals. It will also fulfill one hour of the education requirement.

Attorney Moriello discussed with the members the communication between members should be limited to meetings, especially with emails between members.

Motion 1 by Caroline Paulson to adjourn the meeting. Motion 2 by Steve Esposito. Meeting adjourned at 8:09 pm.

These minutes respectfully submitted by Pat Atkins, Secretary