

Town of New Paltz
Zoning Board of Appeals
Final Meeting Minutes
October 11, 2016
7:00 pm

The meeting was called to order at 7:03 pm by Ed Burke.

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

Others Present: George Rodenhausen, alternate counsel

Ed Burke asked for a motion to open the meeting.

Motion to open the meeting made by Caroline Paulson.

2nd by Leonard Loza.

All others present in favor. Motion passed.

MINUTES:

The August 9, 2016 minutes are presented for approval.

Motion to approve these minutes made by Leonard Loza.

2nd by Caroline Paulson.

All others present in favor. Motion passed.

PUBLIC HEARINGS:

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

As the Planning Board has still not completed SEQRA, **Motion to keep the public hearing open until the November 8, 2016 meeting is made by Caroline Paulson.**

2nd by Joe Douso.

All others present in favor. Motion passed.

Motion to open the public hearing for Bolder Architecture/Master's Touch Church is made by Caroline Paulson, 2nd by Leonard Loza.

All others present in favor. Motion passed.

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

Janice Dixon comes before the Board to discuss the application. She goes over the proposed site plans, indicating the changes made per the last Planning Board input on September 26, 2016. She also discusses the parking in both the front and rear yards, as well as setbacks and landscaping changes.

Ed Burke begins to review the variance requests. He 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 DOT and PB members in regard to line of site issues. The ZBA is only addressing the variance requests for relief from Town Code for parking set-backs and use.

Janice Dixon continues her discussion in regard to the requests from the last PB meeting her to meet with the Fire Chief and obtain DOT records of accidents on the roadway. She stated the Fire Chief had no concerns, and that the majority of the accidents were during the evening or early mornings (1 am) not during Sunday proposed worship times.

Ed Burke mentioned he was in contact with Chairman Calimano of the Planning Board, and the line of site issues were being addressed by the DOT and PB members. He asked if there were any questions with the variances being asked for.

Joe Douso asked if there was parking there now.

Janice Dixon explained to the board the parking space and signage, as well as the No Parking zone.

Leonard Loza asked if weddings would be held there eventually.

Janice Dixon stated it was a possibility but the weddings are usually small.

Further discussion followed on the DOT looking at the traffic concerns.

Ed Burke continued reviewing the variance requests. He asked Janice to answer 5 questions from the ZBA application for the 3 variances with Yes or No answers.

Variance 1 = Variance from Section 140-34D(1) to allow 7 parking spaces in side yard.

Q1 Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance?

A= No

Q2 Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance?

A= No

Q3 Whether the requested area variance is substantial?

A= No

Q4 Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?

A= No

Q5 Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Zoning Board of Appeals, but shall not necessarily preclude the granting of the area variance?

A= Yes

Variance 2 = Variance to allow Section 140-34D(3) to reduce front yard setback for parking from 50 feet to 21 feet.

Q1 Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance?

A= No

Q2 Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance?

A= No

Q3 Whether the requested area variance is substantial?

A= No

Q4 Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?

A= No

Q5 Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Zoning Board of Appeals, but shall not necessarily preclude the granting of the area variance?

A= Yes

Variance 3 = Approval of a change in a nonconforming use to a less nonconforming use to allow conversion to a church pursuant to Section 140-43C.

Q1 Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance?

A= No

Q2 Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance?

A= No

Q3 Whether the requested area variance is substantial?

A= Yes

Q4 Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?

A= No

Q5 Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Zoning Board of Appeals, but shall not necessarily preclude the granting of the area variance?

A= Yes

Ed Burke asked if there were any comments or concerns.

Motion made by Caroline Paulson to close the public hearing.

2nd by Joe Douso.

All others present in favor. Motion passed.

George Rodenhausen presented a draft Variance Resolution. Board discussed some changes to the draft.

Ed Burke read the Variance Resolution drafted by George Rodenhausen, dated 10/11/2016, and all members present approved. The resolution specifically stipulated that there would be no parking in the drop off area or on the shoulder of Route 208.

Motion made by Ed Burke to accept the resolution and grant the 3 variances.

2nd by Caroline Paulson.

All others present in favor. Motion passed.

Ed Burke thanked Janice Dixon for her patience, and Janice left the meeting.

George Rodenhausen left the meeting.

OLD BUSINESS:

None

NEW BUSINESS:

Ed Burke requested Pat Atkins search for online webinar courses for the ZBA members to take for required training.

ADMINISTRATIVE ISSUES:

There is a discussion on the next ZBA meeting for November 8, 2016. Ed indicated that is Election Day and asked Pat Atkins to confirm if Community Center is a polling location or not.

Motion to adjourn made by Ed Burke.

2nd by Joe Douso.

All in favor.

Adjourned at 7:37 pm.

These minutes respectfully submitted by Pat Atkins, Secretary