

Town of New Paltz
Zoning Board of Appeals
FINAL Meeting Minutes

May 12, 2015
7:00pm

The meeting was called to order at 7:06 pm by Ed Burke.

Roll call: Linda Donovan – present; Patricia Schwartz – present; Phil Subey– present; Ed Burke – present; Joe Douso – present; Joe Moriello – present.

PUBLIC COMMENT ON ISSUES OTHER THAN PUBLIC HEARING:

None

MINUTES:

The April 14, 2014 minutes are presented for approval. Motion to approve these minutes made by Pat Schwartz.

2nd by Joe Douso.

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 June 9, 2015 meeting. Ed Burke questions how long a public hearing can be kept open. Joe Moriello states that it can be kept open, however, it should be re-noticed if they do plan on attending.

Motion to keep the public hearing open until June 9, 2015 is made by Linda Donovan.

2nd Phil Subey.

All others present in favor. Motion passed.

ZBA 2014-10, Schaller/ABVI, 7 Terwilliger Lane, Area variance

This public hearing was opened on November 12, 2014. Mr. Schaller had previously asked to keep this public hearing open until the May 11, 2015 meeting, as he wanted to be sure that when the trees bloomed, that his new sign was still visible. He did reduce the height of the sign to meet the Town Code.

He also discusses the area variance for the square footage of the sign. He would like to seek 4' of relief from the 12' required height. The original height of the sign was 21', this will still be 5' lower than the original sign. He discusses the obstruction of the evergreen trees on their property. These trees afford privacy for the guests, as well as a buffer for the building from the road. They are continuously having to top off the trees, and eventually they will have to remove them. The Thruway over pass fencing is also a visual barrier for their signage. There are also trees along the thruway that are currently blocking the hotel from the thruway. They serve clientele who traverse the thruway, and really need to see the hotel signage in order to stop in off of the thruway.

Linda Donovan also mentions that they do have a wall sign that is visual from the thruway. Mr. Schaller agrees, but now with the foliage in bloom, even the wall sign is less visible.

Pat Schwartz states that she thinks the sign looks good, and doesn't think it is blocked. Ed Burke does feel that the pole sign is obstructed, especially coming from the west. He feels that if the applicant didn't change branding, we would still be looking at a 21' pole sign. They are only requesting a 16' sign. Mr. Schaller states that as it is, people often drive by it on S. Putt Corners Rd.

Phil Subey agrees that you can see the sign, but it is not that visible, and he sees how it will be a concern moving forward as landscape continues to grow.

Phil Douso agrees that there is important to having a very visible sign from the highway.

Linda Donovan feels that this corridor has become very hospitality oriented with Novellas and the Hampton Inn. Novella's catering will most likely add to business growth. She does think the color is an improvement.

Motion to close the public hearing is made by Pat Schwartz.

2nd by Ed Burke.

All others present in favor. Motion passed.

Linda Donovan goes over the five criteria for the granting of an area variance. She asks the applicant to address these:

1. No undesirable change or detriment, may actually be more desirable as it will be 5' shorter.
2. Due to the obstructions, this is not possible.
3. It is substantially less than what is there now; yet it is still a 33% increase over what the code allows.
4. No, this will not have a physical impact; it has been there for 30 years.
5. The hardships of the obstructions were not self created, but the changing of branding was self created.

Pat Schwartz reminds the Board that this sign will probably be there for an additional 30 years.

Motion to grant the 4' variance of relief is made by Ed Burke.

2nd by Phil Subey.

All others present in favor. Motion passed.

APPLICATION REVIEWS:

ZBA 2015-02, Jewett Family Farm, LLC., Huguenot St., Area Variance

Patti Brooks comes before the Board to represent the applicant. She presents the subdivision maps, and states that this application will need Town Planning Board approval, as well as Village Planning Board approval, and a variance from the Town ZBA. She discusses how this was previously approved, but the deal fell through, and the maps were never filed. Therefore, the variance expired.

Ms. Brooks discusses the lot frontage they have and how they need a variance, and they need a lot width variance as well because of the location of the parcel. It is partially in the Village, but has no road frontage in the Town.

The Board members and Ms. Brooks look over the actual maps. Linda Donovan asks what they plan on doing with the parcels. Patti Brooks states that the original parcel with the house is still for sale with the farm house. The second parcel is going to be farmed by the Millers of Row by Row Farm. There will be a farming easement, as well as a map note that there can be no residential building on the parcel.

Ed Burke states that it is currently a farm, and it will remain a farm.

Phil Subey asks Mr. Moriello if the Board has ever come across anything like this before. He states that they really have not, it is an odd shaped parcel with a jog in it, which leaves a small piece in the Town.

Since there can be no residential use due to a conservation easement, they will not have to worry about a future road.

Ed Burke asks if Ms. Brooks was the one who worked on this original application. She states that she did. He is curious if there are any new neighbors. It appears that there are some new neighbors.

Patti Brooks states that the Town Planning Board has declared Lead Agency. There is going to be a joint Town and Village review of this application in May. They are hoping to set a public hearing for June. She is hoping that the ZBA can set a public hearing for June as well.

Linda Donovan asks if this was the exact same plan. It was the same plan, but there was originally a land swap that they were going to do. That may come before the Planning Board at a later date. Ed Burke asks if the 10 acre lot with the house on it can be further subdivided. Patti Brooks states that it can't due to the existing conservation easement.

Ed Burke discusses the motion from 2008. It is different because they were at that time seeking a lot line revision, which they no longer are.

There is a discussion on how to locate the farm, if the ZBA members want to walk the property. There is a conversation of the width of that 100' of frontage being exceptionally large.

Motion to set the public hearing for June 9, 2015 is made by Pat Schwartz.

2nd by Ed Burke.

All others present in favor. Motion passed.

OLD BUSINESS:

None

ADMINISTRATIVE ISSUES:

None

Ed Burke would like to thank Linda Donovan for all of her time and dedication to the Board. This is Linda Donovan's last meeting, and she has recommended to the Supervisor that Ed Burke take over as Chairman.

Motion to adjourn made by Ed Burke.

2nd by Joe Douso.

All in favor,

Adjourned 8:00pm

These minutes are respectfully submitted by Kelly O'Donnell, Secretary