

Town of New Paltz Planning Board
Final Special Meeting Minutes

April 15, 2019

Attendees: Adele Ruger, Jane Schanberg, Lyle Nolan, Matt DiDonna, Amanda Gotto, Amy Cohen, Stana Weisburd arrived late.

No consultants were present at this meeting, held in the Town Of New Paltz Courtroom.

Chair Ruger called the Planning Board April 15 Special meeting to order at 7:08pm to talk about the new zoning legislation in the 299 Gateway. Chair Ruger turned the meeting over to Amanda Gotto.

Amanda Gotto stated this was the official version of what the Town Board wanted, as opposed to what the committee had proposed but did not pick, and proposed Code changes, adding there was new terminology and definitions, and that there were 3 new zones: Main Street Mixed District, Gateway Business, Gateway Hamlet and the 4th district proposed as Planned Resort Overlay District. The Planned Resort Overlay District did not have a lot of discussion with the committee, but now is proposed as a new district, which the town has code for hotels before so this is new that is more descriptive for resort.

Section 1. Legislative Intent

Lyle Nolan noted that vernacular design is supposed to be a natural design, without architects, but we don't have that, adding that this reads that the zoning supports the local economy but, he added, the local economy serves New Paltz, doesn't support New Paltz. Amanda Gotto disagreed she says it is meant to reflect the local economy; what is local economy in New Paltz.

Section 2. Legislative Findings

Lyle Nolan felt that "ripe" didn't have a place in this section.

Amy Cohen commented that small character and quality of life, developing large housing along thruways creating health issues of families living near Thruways, problems with kids living on busy roads based on studies she's read, adding that affordable housing on thruways is not a way to help and protect our residents, there is no adequate water or sewer in those sections, CVS did ask the Village if they were open to putting water across the street, and they said no, this hypothesis has nothing to do with reality. The economy we need a more in depth analysis, including a financial analysis of what developers will have to pay, such as tree inventory, and how it will affect their projects, or make it unattainable to build in B2. No company would give her an estimate yet so she can pinpoint a price on a tree inventory.

Section 3. Section 140-4 of the Zoning Law is amended to include the following new definitions:

Amanda Gotto noted what impervious coverage meant. Amy Cohen commented that maybe the Town Engineer could help them review the definitions and setbacks, maybe take a couple hours, since there is budget money. Matt DiDonna noted that he felt the Town Board had already done this. Amanda Gotto noted that Stacy would be reviewing this. Amy Cohen stated that fresh eyes on this to do the best job, the more eyes on this the better it will work and it will be.

Ask Town Engineer to review new definitions and setbacks with PB.

PB asks for clarification on the second sentence –

Substantial Alteration: An alteration to a building which involves an area equal to or greater than 30% of the building's footprint. ***If a structure is nonconforming, the percentage of alteration is cumulative of all alterations made since the structure became nonconforming.***

Matt DiDonna noted going back to that imperious surface definition, after reading it, stated this is a more substantial definition to be clearer.

Amanda Gotto read the definition for Dwelling, Mixed-Use: A dwelling unit on an upper floor of a mixed use building with a minimum area of 800 square feet. More than three such dwellings shall not be considered a multi-family dwelling in the MSMU, GB and GH Districts.

Amy Cohen asked if the commercial use is the bottom floor. Jane Schanberg stated why is this not multi family dwelling? Discussion on what mixed use difference was from multi-family dwelling. Matt DiDonna stated that they were focusing on what didn't matter. Amy Cohen says she would just like to know, because the assessor may have something else.

PB asks if commercial use is bottom floor.

Amy Cohen noted that she thinks NYS puts out definitions on multi-family, and maybe could use NYS definitions here, and not reinvent the wheel.

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Chair Ruger stated that they should focus on what's important.

Section 4. Height – Matt DiDonna read the old definition of height, noting that it did not mention use. Lyle Nolan stated it didn't specify building, but new definition is increasing the height of the building.

Section 5. Section 140-4 of the Zoning Law is amended to delete the existing definitions of "Yard, Front" "Yard, Rear" and "Yard, Side" and "District, More Restricted or Less Restricted" and replace them with the following new definitions:

Typo should be PRO –

District, More Restricted or Less Restricted:

In the following list, each district shall be deemed to be more restricted than the districts which precede it: I-1, A, R-1, R-V, B-2, MSMU, GB and GH, **PRO**, F.

Section 6. Districts. Okay no discussion

Section 7. Zoning Map. Discussion on where the B2 changes were stopping and determined after Shoprite.

Stana Weisburd arrives to the meeting.

Section 8. Okay no discussion

Section 9. Use definitions.

Section 10. The Density Control Schedule in Section 140-11 of the Zoning Law is amended by deleting footnotes 6 and 7 and replacing them with the following new footnotes 6, 7 and 8 to read as follows:

FN 6. In any B-2 Zone, the minimum setback requirements for front yards shall be 35 feet, except in those portions of the B-2 Zone lying west of the municipal boundary line of the Incorporated Village of New Paltz, wherein the minimum setback requirements for front yards shall be 65 feet. Matt DiDonna said it was to shrink this footnote down. Discussion is that this is a mistake; **should this read east not west?**

FN 7. Defining. Lyle Nolan asked what it was before. Matt DiDonna stated 10% for open space.

Section 11. A new Section 140-22.1 of the Zoning Law, Gateway Districts, is added to the Zoning Law to read as follows: Can this be put in a table format?

Section 12. A new Section 140-22.2 of the Zoning Law, Main Street Mixed-Use District, is added to the Zoning Law to read as follows:

Amy Cohen noted she had **Safety Concerns with new bike path, foot traffic, and was more Village minded.**

C. Area and Bulk Regulations—the area and bulk regulations for MSMU are set forth below:

Lyle Nolan asked **Can this be put in a table format?**

(7) Building Height – Amy Cohen noted that she was concerned that this will impact new businesses with expenses, overflow of empty office space now.

D. Design Standards. Amanda Gotto read her notes. All agreed that this should be separate. **Can this be separate?**

Amy Cohen noted that under **(j) Lighting - add special lighting (safety/security lights on at night, after business hours, turned down or off). Add more details on lighting throughout the new law.**

4. Architecture – please state what you can't use only, not what you can use here. All agreed after discussion to **Remove all reference to stucco in the new law.**

Jane Schanberg left the meeting.

Section 13. A new Section 140-22.3 of the Zoning Law, Gateway Business, is added to the Zoning Law to read as follows:

Amy Cohen stated she had a concern with drive thru window service not being allowed and still don't have an answer.

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Same as (j) above.

C. Area and Bulk Regulations – all agreed to ask if this **can be put in table format?**

Section 14. A new Section 140-22.4 of the Zoning Law, Gateway Hamlet District is added to the Zoning Law to read as follows:

Amy Cohen asked again for this one if the **Town Engineer could review with the Board.**

Section 15. A new Section 140-22.5 of the Zoning Law, Planned Resort Overlay District, is added to the Zoning Law to read as follows:

Amanda Gotto asked **Why is this overlay and not a district?** Lyle Nolan noted that if it were not Wildberry going in there, what about a bus garage, would that be allowed?

B. Permitted Uses in Planned Resort Overlay District: take out or clarify 4) Transportation.

Lyle Nolan noted to **Keep what's allowed in B2 and in overlay.**

Maximum height of principal buildings 60 feet (5 stories) – remove building height paragraph, no recreational can be higher than main building height.

Section 17. Article VI of the Zoning Law, entitled, Supplemental Use Regulations - why is water storage tank so high, change units to **150**, take out kitchen facilities, indoor and outdoor water parks, pools features and attractions.

(2) Permissive additional components include: - what does permissive mean?

All agreed after discussion to remove all reference to stucco.

Amy Cohen noted that lighting should include timers.

Amanda Gotto agreed to summarize everything and send out for distribution. Pat to send her comments to Amanda.

Motion 1 by Matt DiDonna to adjourn. Motion 2 by Stana Weisburd. All present in favor.

Meeting Adjourned at 9:50pm. Minutes submitted by Patricia Atkins