

Town of New Paltz  
Zoning Board of Appeals  
Final Meeting Minutes  
March 12, 2019

Chair Loza welcomed everyone to the March 12, 2019 Zoning Board of Appeals meeting for the Town of New Paltz held at the Town of New Paltz Community Center at 7:00pm.

Roll Call: Joe Douso – present, Kelly O’Donnell – present, Leonard Loza – present, Steve Esposito – present.

Also present: Attorney Joe Moriello, Building Inspector Stacy Delarede, Code Enforcement Officer Krissy Granieri

Absent: Caroline Paulson

**Review and Approval of Minutes**

The minutes from the January 8, 2019 are presented by Chair Loza, who noted he had two minor changes on page 1. Chair Loza then asked for a motion to approve the minutes.

**Motion 1 by Kelly O’Donnell to approve the minutes as amended.**

**Motion 2 by Joe Douso. All present in favor. Minutes approved.**

**Public Comments**

No public comments.

Chair Loza asked for a motion to close the public comments.

**Motion 1 by Steve Esposito.**

**Motion 2 by Joe Douso. All present in favor. Motion approved.**

**Public Hearing:**

**McDonald’s Renovation – Main Street – Area Variances**

Chair Loza read before opening the public hearings, a memo from the Chairperson of the Planning Board (Adele Ruger) dated January 30, 2019. (Memo attached at end of these minutes – Attachment A)

Chair Loza, after reading the memo, went through the ZBA variance requests that the Planning Board had noted as being acceptable:

ZBA 18-285 outdoor digital board at the rear of the building

ZBA 18-288 clearance gateway sign at east side of the building

ZBA 18-289 presale sign at the rear of the building

Chair Loza continued and went through the ZBA variance requests that the Planning Board had noted as being distracting with prevailing safety standards, not in character with surrounding establishments, landscaping and structures, areas and neighborhoods, and not aesthetically pleasing:

ZBA 18-286 arch logo on east side of the building

ZBA 18-290 Playplace wall sign on west side of the building

ZBA 18-291 arch logo on the front of the building

ZBA 18-292 McDonalds wall sign on west side of the building

After no further comments or questions, Chair Loza asked for a motion to reopen the Public Hearing for ZBA 18-260.

**Motion 1 by Kelly O’Donnell to open the public hearing**

**Motion 2 Joe Douso. All present in favor. Motion carried.**

**ZBA 18-260**

Joe Douso noted this is for the double striping that the Planning Board is in favor of. Attorney Moriello commented to invite the applicant up before the Board as the public hearing is open.

Alan Roscoe, from Corp State Groups, who is representing the McDonald’s Corporation on the renovation project on Main Street for McDonald’s stated that the double striping conforms to code and were seeking relief since they originally asked for 38 parking spaces, but now would be losing 2 spaces with the double striping. Mr. Roscoe

added that there is a potential for a driveway to connect to the back of the site into the plaza and could cause them to lose 1-2 more spaces if the potential driveway is pursued, and would like to asked if they could go down to 32.

Chair Loza asked if the actual footprint of the building was changing. Mr. Roscoe stated that they were adding a freezer and cooler (in the back of the building).

Chair Loza read the 2019 Fee Schedule which is part of the ZBA application process, noting that there is a 300.00 charge per additional meeting in addition to the 3 meetings allowed for area variance, non-residential applications. After discussion, the Board determined since they had extended the public hearings to tonight, no additional charge would be considered.

Joe Douso, after getting back to the double striping, asked about the potential driveway for a way in and way out rather than going left out of the site, as to how many parking spaces would be lost.

Mr. Roscoe stated that 38 parking spaces are required, at 35 with double striping. If they consider the potential of another driveway they could lose up to 3 more. Mr. Roscoe asked if they could ask and get relief up to 32 since they want to provide an out.

Chair Loza asked if the neighboring properties responded to the potential new driveway. Mr. Roscoe stated the Chamber of Commerce was unfavorable, as well the Kempner Corporation, and was still waiting for final word from Franchise Corporation, adding that one way off into the plaza was costly. Mr. Roscoe added that the Planning Board asked for one way off into the plaza.

Joe Douso asked if the Planning Board suggested for one way out of the site as now you can go out east or west. Mr. Roscoe stated that the UC PB responded to the Planning Board's referral to investigate cross easements from the property to adjoining properties, adding that there is no suggestion yet for no left turn sign. Joe Douso commented that if they only had right out of the property they wouldn't have to worry about an easement, or losing parking spaces. Mr. Roscoe showed the drawing of the plaza with proposed parking spaces with double striping, with bus parking but with a potential driveway they are asking for 32 parking spaces. Joe Douso said he's trying to save from figuring it out and just say no left turn, as he knows it's a pain in the neck to go left. Attorney Moriello summarized the discussion of the parking spaces to go from 38 spaces to 35 spaces, but if an additional way in and out is determined by the Planning Board, the Board could with the variance give him relief for going down to 32 spaces as a condition if an additional driveway is approved by the Planning Board. Stacy Delarede commented that the County wants to see an inter-connect of all commercial driveways. If it's possible then they make a recommendation and it comes back to the Planning Board who would need a super majority to override that. After discussion, it was advised by Attorney Moriello to continue with the application by addressing the 5 questions of the Area Variance.

Chair Loza read the 5 questions on page 3 of the Variance application, asking Mr. Roscoe to respond with his answer:

- a) No
- b) No
- c) No
- d) No
- e) No

Chair Loza asked if there were any comments from the public.

**Motion 1 by Kelly O'Donnell to close the public hearing for ZBA 18-260.**

**Motion 2 Steve Esposito. All present in favor. Motion carried.**

Chair Loza asked for a motion to approve from 38 single striped parking spaces reduced to 35 double striped parking spaces with the possibly going to 32 double striped parking spaces if an additional entrance or exit is approved by the Planning Board.

**Motion 1 by Kelly O'Donnell.**

**Motion 2 Steve Esposito. All present in favor. Motion carried.**

**ZBA 18-285**

Chair Loza asked for a motion to reopen the public hearing for ZBA 18-285.

**Motion 1 by Kelly O'Donnell.**

**Motion 2 Steve Esposito. All present in favor. Motion carried.**

Stacy Delarede verified this is for the outdoor digital menu board. Mr. Roscoe stated, after passing out picture packet of various McDonald's in the area from remodeling of wall signs and outdoor digital boards, that this is the outdoor digital menu board replacing the existing board that is there now and is rear facing, optimizing drive thru, digital image is static, and smaller in size. Stacy Delarede, after viewing the picture packet, asked if the level of illumination of the board face was within code illumination requirements. Mr. Roscoe stated that they intend to comply with the code and illumination requirements, as this is a need for the driveway operation, to speed up ordering and delivery Chair Loza also noted that this was an acceptable request for a waiver from the Planning Board. Kelly O'Donnell noted it is less square footage than what's there now.

Chair Loza read the 5 questions on page 3 of the Variance application, for Mr. Roscoe to respond with his answer:

- a) No
- b) No
- c) No
- d) No
- e) No

Chair Loza asked if there were any comments from the public.

**Motion 1 by Kelly O'Donnell to close the public hearing for ZBA 18-285.**

**Motion 2 Steve Esposito. All present in favor. Motion carried.**

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

**Motion 1 by Kelly O'Donnell.**

**Motion 2 Steve Esposito. All present in favor. Motion carried.**

**ZBA 18-286**

Mr. Roscoe stated it was for the golden arch logo on the entrance side, non drive-thru side, the brand logo of 4.1 square feet, also noting it is less size than what's there now with all 3 signs together. Chair Loza stated it was not recommended or a positive feedback from the Planning Board. Kelly O'Donnell stated that's the only brand on that side of the building. Mr. Roscoe stated that was correct, and helped draw eyes to the front entrance, adding that when asked by Joe Douso, the existing pylon sign is going to be converted to a proposed monument sign. Attorney Moriello noted that the Planning Board had determined it as being distracting. Kelly O'Donnell stated it's more helpful, that it's the entrance side. Attorney Moriello stated that the Planning Board had said it was distracting with prevailing safety standards, asking Mr. Roscoe how he would respond. Mr. Roscoe stated he wasn't at the meeting when this was decided, but it won't be glaring as it will comply with the code. Kelly O'Donnell feels it's not so much distracting, it will help people coming in and out, and that's the entrance. Chair Loza noted that it is the only M on the building, and it's the entrance and not overly illuminated. Attorney Moriello asked how he would address another comment from the Planning Board as it is not in character with surrounding establishments, landscaping and structures, areas and neighborhoods. Mr. Roscoe stated again, he wasn't at the meeting and didn't know how they came to that conclusion.

Chair Loza read the 5 questions on page 3 of the Variance application, asking Mr. Roscoe to respond with his answer:

- a) No
- b) No
- c) No
- d) No
- e) No

Chair Loza asked if there was any further discussion; there was no public comments.

**Motion 1 by Steve Esposito to close the public hearing.**

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

Chair Loza stated the next is ZBA 18-288 for the clearance gateway signage. Attorney Moriello noted that for the record there is no ZBA 18-287.

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

**Motion 1 Kelly O'Donnell.**

**Motion 2 Joe Douso. All present in favor. Motion carried**

#### **ZBA 18-288**

Chair Loza commented that this the clearance signage to get through the drive-thru, replacing the existing arm, same location. Chair Loza noted that there was a positive recommendation from the Planning Board.

Chair Loza read the 5 questions on page 3 of the Variance application, asking Mr. Roscoe to respond with his answer:

- a) No
- b) No
- c) No
- d) No
- e) No

Chair Loza asked if there were any further comments.

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

**Motion 1 by Joe Douso.**

**Motion 2 by Steve Esposito. All present in favor. Approved.**

Chair Loza asked for a motion re-open the public hearing for ZBA 18-289, for the presale menu board.

**Motion 1 Kelly O'Donnell.**

**Motion 2 Steve Esposito. All present in favor. Motion carried**

#### **ZBA 18-289**

Chair Loza stated that this is a positive recommendation from the Planning Board for the display sign for items on sale. Kelly O'Donnell asked if this was a little bit larger (than the existing sign).

Mr. Roscoe commented this is replacing the existing board and it is a slightly larger. Chair Loza if there is voice communications. Stacy Delarede stated the Code doesn't address secondary signage for voice communication.

Chair Loza asked if it can be noted to update the Code. Stacy Delarede stated that

Chair Loza stated there no residential structures nearby, and audio sign. Stacy Delarede commented there is a noise ordinance.

After no further discussion, Mr. Roscoe noted it is a visual board, static, no changes, just a display board.

Chair Loza read the 5 questions on page 3 of the Variance application, asking Mr. Roscoe to respond with his answer:

- a) No
- b) No
- c) No
- d) No
- e) No

Chair Loza asked for a motion re-open the public hearing for ZBA 18-290, signage facing the mountain.

**Motion 1 Kelly O'Donnell to open the hearing.**

**Motion 2 Steve Esposito. All present in favor. Motion carried**

#### **ZBA 18-290**

Mr. Roscoe stated that it a PLAYPLACE area sign on the west side of the building. Chair Loza noted that they did not receive a favorable recommendation from the Planning Board (on this one).

Joe Douso stated he agreed that it's not on the front of the building, sees no reason for the sign to be there. After discussion on whether this particular size sign can be granted on the west side if specified on where it is presented on the plan, Stacy Delarede explained that a secondary sign on that building on that lot, the variance runs with the land. Attorney Moriello added that the variance is for the sign no matter who is the owner of the property. Stacy Delarede commented if a different franchise were to come in, the variance would remain in effect for them as well. Joe Douso added he wants to be

Chair Loza stated on these 5 questions, any board member disagrees with his answer, what do we do? Attorney Moriello stated that it may show in the final vote, and recommended if so, go back to the Planning Board language, as the PLAYPLACE sign would be distracting to safety. Mr. Roscoe stated that

Chair Loza stated there is a difference in the signs, as one is square blocked, and this one is letters. Mr. Roscoe stated this is our logo; we're asking permission to allow it.

Joe Douso commented he thinks they should stay consistent with the rest of the town. Attorney Moriello stated that this is what the Board will do for the final determination as to ensuring the criteria has been met. Attorney Moriello read the Planning Board's memo on why they did not recommend this variance.

Chair Loza read the 5 questions on page 3 of the Variance application, asking Mr. Roscoe to respond with his answer:

- a) No
- b) No
- c) No
- d) No

e) No, then maybe because it's a critical and longstanding sign.

Joe Douso stated it doesn't conform with the rest of the town and area.

Kelly O'Donnell commented it's pretty familiar.

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

**Motion 1 by Steve Esposito.**

**Motion 2 by Joe Douso. All present in favor. Approved.**

Chair Loza asked for a motion reopen the public hearing for ZBA 18-291 for the arch logo on the front of the building.

**Motion 1 Kelly O'Donnell.**

**Motion 2 Steve Esposito. All present in favor. Motion carried**

#### **ZBA 18-291**

Mr. Roscoe stated this is for the Arch on the front of the building, facing 299 on the brand wall. Mr. Roscoe added it is 4.1 sq. feet on with McDonald's name, and is less than what is there now.

Joe Douso commented

Stacy Delarede stated that Code allows for 2 signs but not 2 wall signs on different walls. Mr. Roscoe stated that if the McDonald's and M arch sign were all together it would comply. Joe Douso stated

Attorney Moriello stated that the spelled out McDonalds is allowed, and the variance is for the logo M.

Chair Loza read the 5 questions after no further comments or questions.

- a) No

- b) No
- c) No
- d) No
- e) No

Joe Douso stated it's self-created. Chair Loza stated they are asking for additional signs.

Attorney Moriello re-read b) Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance. Attorney Moriello asked is it feasible the M in McDonalds can become the M in the logo, can the M in the log be the M in McDonalds? Mr. Roscoe stated no that the reason for asking for relief is the golden arch is our logo.

Chair Loza asked for a motion to close the public hearing after no further comments.

**Motion 1 by Joe Douso.**

**Motion 2 by Steve Esposito. All present in favor. Approved.**

Chair Loza asked for a motion to reopen the public hearing for ZBA 18-292 for the McDonalds on the wall on the west drive thru side. Chair Loza added that there was a no recommendation for approval from the Planning Board.

**Motion 1 Kelly O'Donnell.**

**Motion 2 Steve Esposito. 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 on the drive thru side, adding that it would be seen coming up Main Street heading towards the Thruway. Mr. Roscoe stated that this is logo sign, primary sign, with white lettering. Chair Loza asked why the arches aren't placed there. Mr. Roscoe stated the arches are destined for the brand walls. Kelly O'Donnell stated to remove the McDonalds on the front of the building, and keep the McDonalds on the side by the entrance side; adding if they could count this as an allowable second sign. Stacy Delarede stated that it could. Joe Douso stated as he leafed through photos of various McDonald's sites, that Mr. Roscoe is asking them to give a lot more than what you've gave us photos of some with both M and McDonalds, some without both, and doesn't see the need for all the signs. Kelly O'Donnell asked what the pylon sign on the front will look like. Mr. Roscoe stated that it's a monument sign that will be within Code with large M, adding he didn't have a photo with him. Stacy Delarede stated that the Planning Board will have to approve the location of the sign. Kelly O'Donnell commented the M on the pylon sign then they wouldn't need the M on the drive-thru side.

Chair Loza asked if anyone had any comments. Town Board Liaison David Brownstein commented about the signs as agreeing with what Kelly stated. Attorney Moriello stated the Board can make it a recommendation to the Planning Board, but the PB will do what they have adding that this Board is tasked with granting or denying the variance request, unless applicant makes an amendment and variance is denied.

Kelly O'Donnell asked why the Board can't recommend to the PB to put on the plan for the pylon sign have the M added.

Stacy Delarede read the Code for wall signage. Mr. Roscoe stated that we will make it 25. Attorney Moriello stated that it can go on any wall as long as it doesn't exceed the required size.

Stacy Delarede added that depending on what happens here, it will determine if he (Mr. Roscoe) would have to amend his application to the Planning board.

Chair Loza asked if there were any further questions or comments. Chair Loza read the 5 questions, asking Mr. Roscoe to answer.

- a) No
- b) No
- c) Substantial in terms of code.
- d) No
- e) No

Chair Loza asked any further comments. None.

Motion 1 by Kelly O'Donnell to close the public hearing.  
Motion 2 by Joe Douso. All present in favor. Approved.

**Application Reviews**

**ZBA 18-260 AREA VARIANCE – double striping**

Chair Loza stated this one is already done.

(Motion 1 by Kelly O'Donnell for ZBA 18-260 approval from 38 single striped parking spaces reduced to 35 double striped parking spaces with the possibility of going to 32 double striped parking spaces if an additional entrance or exit is approved by the Planning Board.

Motion 2 by Steve Esposito. All present in favor. Variance approved.)

**ZBA 18-285 AREA VARIANCE – outdoor digital menu board at rear of the building**

Motion 1 by Kelly O'Donnell for ZBA 18-285 approval for outdoor digital menu board, located at the rear of the building, as per the plans submitted with the application, and illuminated according to Town Code.

Motion 2 by Joe Douso. All present in favor. Variance approved.

**ZBA 18-286 AREA VARIANCE- arch logo on the side of the building**

Motion 1 by Kelly O'Donnell for ZBA 18-286 approval for arch logo on the non drive thru side of the building on the brand wall, as per the plans submitted with the application, channel letter LED illuminated according to Town Code, and 48 inches wide by 42 inches tall.

Motion 2 by Leonard Loza. All present in favor. Variance approved.

**ZBA 18-288 AREA VARIANCE - clearance gateway bar**

Motion 1 by Kelly O'Donnell for ZBA 18-288 approval for 9 feet high clearance gateway bar, as per the plans submitted with the application, non-illuminated, at the drive thru lane located in the rear of the building.

Motion 2 by Leonard Loza

All present in favor. Variance approved.

**ZBA 18-289 AREA VARIANCE – presale board**

Motion 1 by Kelly O'Donnell for ZBA 18-289 approval for the pre-sell board as per the plans as submitted with the application, located at the rear of the building, and conform per Town Code for illumination.

Motion 2 by Joe Douso

All present in favor. Variance approved.

**ZBA 18-290 AREA VARIANCE- Playplace sign**

Motion 1 by Leonard Loza for ZBA 18-290 for denial of the application for the secondary sign (Playplace) on the drive thru side of the building, due to non conforming with the neighborhood, substantial when compared to other variances and doesn't conform with surrounding properties signage.

Motion 2 by Joe Douso

Joe Douso stated this one was self-creating by them. Attorney Moriello stated they should go through the 5 questions. Chair Loza stated it doesn't conform with surrounding signage. Chair Loza asked if one is questionable is it substantial enough. Attorney Moriello stated to discuss each one (question).

- a. Joe Douso – yes, it doesn't go with the neighborhood, doesn't conform. Kelly O'Donnell stated all the other variances are substantial, location.
- b. Attorney Moriello read the necessity for the sign play area going home but won't see it going towards the mountain, and it's on the side exiting the property as leaving. Joe Douso stated it doesn't make sense there. Kelly O'Donnell commented that putting a note on the pylon sign that there's a playspace may be an idea.

All present in favor. Variance denied.

**ZBA 18-291 AREA VARIANCE-Arch logo on the front**

After discussion, Stacy Delarede suggested they take away PLAYPLACE sign since its denied, see what's left with the remainder of the signage. Kelly O'Donnell commented that in the neighborhood, Burger King has multiple signs, it wouldn't stand out, keeps within character of the neighborhood.

Joe Douso suggested they do the next one first ZBA 18-292, and then come back to this one.

**ZBA 18-292 AREA VARIANCE- sign McDonalds on drive thru side**

Joe Douso stated, as per the pictures, there's no McDonalds on that side.

**Motion 1 by Joe Douso for ZBA 18-292 for denial of the secondary sign (McDonalds) as per the plans as submitted with the application, located at the drive thru side of the building, due to non conforming with the neighborhood, substantial when compared to other variances and doesn't conform with surrounding properties signage; excessive signage.**

**Motion 2 by Kelly O'Donnell.**

Discussion: Chair Loza read the 5 questions,

- a) No
- b) No
- c) Substantial by Code. Kelly O'Donnell stated she wasn't sure of the benefit, having gone through the drive thru, traveling East on 299 won't see it.

Further discussion on the size of the sign, as compared to Pasquales, Dunkin Donuts, with Chair Loza noting that you can't miss them. Attorney Moriello then stated then you agree b) is Yes.

Continuing with c) Yes because signs in front show the availability of the product.

- d) Yes, visual
- e) Yes

**All present in favor. Variance denied.**

Chair Loza ZBA 18-291 Arch Logo in Front of the building.

**Motion 1 by Joe Douso for ZBA 18-291 approval for the Arch Logo as per the plans as submitted with the application, located at the front of the building, and conform to Town Code for illumination.**

**Motion 2 by Steve Esposito**

**All present in favor. Variance approved.**

**ZBA 19-19 Routolo 137 State Route 208 – Use Variance**

**ZBA 19-20 Routolo 139 State Route 208 – Use Variance**

Mr. Angelo Routolo was coming before the ZBA asking for use variances to go from one family to a two-family boarding house or multi family. Mr. Routolo noted that he has neighbors that have multi-family houses. And he has a preference to have his homes as multi-family. Mr. Routolo stated he had received violations as applied to family as per the law says.

Attorney Moriello stated the handout given today is entitled ***Registration and Maintenance of Vacant and Rental One and Two Family Residential Properties***, adding that to the best of his knowledge is not an adopted local law by the Town at the moment. Mr. Routolo apologized that he didn't know.

Stacy Delarede stated that it was proposed several years ago and the Board did not act on it.

Attorney Moriello stated if you want a variance this document is not a law. Mr. Routolo stated he was told by Mark Jaffee he is in violation and in 2016 UC Board of Health was contacted for 6 bedrooms and the Board of Health gave approval then they would be okay with it. He brought approval and got permits for approval as per Mark Jaffee. Joe Douso asked if the house were rezoned for boarding house or two family. Mr. Routolo stated it was not rezoned and has gone back and forth with Mark Jaffee. Joe Douso stated so you're in violation because you have 6 bedrooms.

Mr. Routolo stated Mark Jaffee stated there were BOH 2016 violations were given again for student housing.

Joe Douso asked if the house is rezoned for 2 family, 6 bedrooms, asking where it's written you can rent to 6 people. Mr. Routolo stated it was in his permit applications.

Mr. Routolo stated he was recently given violations again for student housing, not doing anything under handed, it's 6 bedrooms.

Steve Esposito recused himself from these two applications as he has a conflict of interest having done work for this applicant.

Joe Douso read the Building Department memo dated November 19, 2015, then asked what the definition of family is. Attorney Moriello read the Town Code definition for family as ***“One person or two or more persons related by blood, marriage or adoption or not more than five persons not necessarily related by blood, who live together in a single dwelling unit and maintain a common household.”***

Mr. Routolo stated so with 6 people I am in violation. Attorney Moriello stated yes you are.

Mr. Routolo cited the Human Rights Law from NYS, Human Rights Law (Article 15), and subdivision 296, and began reading it. Attorney Moriello stated that has nothing to do with the number of people you can rent to under the



Zoning Law. Your violations may go away if you are granted a variance; this is not the forum for discussing anything other than the variances if the building inspector was correct or not.

Joe Douso asked if they can continue to look at the use variance law.

Attorney Moriello stated that for a use variance application. that I ask everyone coming before the Board for a use variance, on page 4 on the application that a) *applicant must prove to the Board applicant is deprived of all economic use or benefit from the property.* Attorney Moriello stated that you must prove to the Board that you are deprived of all economic use or benefit from the property, as described in dollars and cents proof, and the issue is not whether or not others do it, not whether the highest best investment is if 6 bedrooms rented instead of 5, but the applicant has to be deprived of all economic use or benefit, you must have competent financial evidence, adding what you need to do is prove to the Board you are deprived of all economic use or benefit from the property.

Mr. Routolo stated it is not consistent with this law. Attorney Moriello stated he thought he was helping him out, but if he feels other than we should move on. Kelly O'Donnell asked where it is written you requested to get health permits for 6 bedrooms. Mr. Routolo stated in the application for the permits. Kelly O'Donnell stated she didn't see where it states 6 bedrooms. There's a lot of data missing. Stacy Delarede stated that she has only what you as the applicant submitted to the ZBA.

Chair Loza stated then to set the public hearings for April 9<sup>th</sup> meeting. Applicant can explain to the public and Board what his intentions are.

Motion 1 by Joe Douso to set the public hearings.

Motion 2 by Kelly O'Donnell. 3 votes in favor. Approved. Chair Loza stated the next meeting April 9<sup>th</sup> at 7:00pm. Kelly O'Donnell asked that Mr. Routolo get the missing data they had discussed.

Mr. Routolo was advised to see Pat for the public hearings packets.

#### **Administrative Issues**

Quorum Check for April 9<sup>th</sup> ZBA meeting - attendees present stated they should be in attendance. Pat to check with Caroline and Steve they will be attending.

**Motion 1 by Kelly O'Donnell to adjourn the meeting. Motion 2 by Joe Douso. Meeting adjourned at 10:11 pm.**

These minutes respectfully submitted by Pat Atkins, Secretary

Attachment A – Memo from Planning Board Chair below:



# TOWN OF NEW PALTZ

## PLANNING BOARD

### **Memo**

TO: Chair Leonard Loza, and Zoning Board of Appeals Members  
FROM: Adele Ruger, Chairperson  
DATE: January 30, 2019  
RE: Planning Board Response to ZBA Request for McDonald's Renovation Area Variances

The Town of New Paltz Planning Board is writing to respond to your request in asking the Planning Board for their comments on the variances being sought by the applicant, Alan Roscoe from Core States Group, who is representing McDonald's Corporation in this renovation project. At the January 28, 2019 Planning Board meeting, the members present voted on the following applications:

ZBA 18-285, ZBA 18-288, and ZBA 18-289 were determined as acceptable requests for waivers.

ZBA 18-286, ZBA 18-290, ZBA 18-291, and ZBA 18-292 were determined as being distracting with prevailing safety standards, not in character with surrounding establishments, landscaping and structures, areas and neighborhoods, and not aesthetically pleasing.

Sincerely,

Adele Ruger  
Planning Board Chair