

**Village of Tivoli
Planning Board Meeting Minutes
March 18, 2013**

Call to Order / Determination of Quorum

The meeting, held at the American Legion, was opened at 7:11 P.M. and a quorum was determined to be present for the conduct of business.

Planning Board Attendees:

Chair Mike Billeci
Leigh Palmer
Donna Matthews

Also Present:

Applicant Navin Sharma
Applicant Pamela Morin
John Palmucci
Trustee Joel Griffith
Trustee Susan Ezrati
Attorney Chris Chale
Dave Cleaveland

Absent:

John Hallstein
Ginger Grab

Old Business

Tivoli Commons Apartments – Site Plan Review: Applicants Navin Sharma and Pamela Morin came before the Board. The applicants brought in a new plan and then went over the memo from Michele Greig dated 3/8/13 regarding their project.

Ms. Morin stated that the SEQR items have all been addressed by their engineer and they have submitted an updated full EAF. She said the current plan incorporates all of the additional requests that Ms. Greig had. Ms. Morin stated that their parking schedule has been revised and that the previous submission referred to in Ms. Greig's memo was just a proposal. The applicants stated that for the previous use they were approved for 50 parking spaces. Ms. Morin stated that they actually had 71 spaces. Mr. Sharma stated that they will be applying for a subdivision and a change of use. The previous approved use is for an office building and they would like to go back to an eating establishment for the church, the parsonage will stay the same and then there will be the addition of the apartments. This will require a change of use and a possible lot line adjustment which they are looking for an opinion on. A discussion followed on setbacks and the lot line adjustment. The applicants stated that lot 1 is in the Pine Street overlay and is .467 acres and lot 2 is in the general business district and is .537 acres. Mr. Sharma stated

what needs considering is the lot line adjustment and whether it meets the requirements for both setbacks as well as the laws that require no more than 35 feet out of the overlay. The applicants feel that they are satisfying at least the requirement for the drawing of the lot line.

As for parking, Mr. Sharma stated that the change of use will go back to an eating establishment which requires 45 spaces. The requirements for the existing parsonage would be four for the two apartments and six more for the bakery for a total of 10. The proposal is for nine two bedroom apartments. It would be a three-story structure for which they will need 14 spaces for a total of 69 spaces. Mr. Sharma stated that the plan lays out 38 spaces in the lot. He believes that they are also granted parking along the front of the building, 22 feet each, which would give them seven more parking spaces which would bring them up to 45 which would leave them 24 spaces short. Ms. Morin stated that according to the code, if you have parking within 600 feet of the front door you can request using that as potential parking in lieu of having that on the lot. The applicants feel that they will be able to find 24 more spots since there are three municipal parking lots within 600 feet of the apartments.

The applicants feel that the two most important issues are the subdivision and lot line and whether it passes review and parking. They also requested a copy of Ms. Greig's review prior to appearing at the next meeting. Leigh Palmer stated that the Board will present the new plan to Ms. Greig for review. A discussion followed regarding the process and which applications would be needed and when.

New Business

American Legion Lot Line Alteration: Attorney Chris Chale presented the documents pertaining to the American legion lot line alteration. A discussion followed and the Board reviewed the map of the site.

Last week the Planning Board discussed the Village Board acting as the lead agency on this and approved. Leigh Palmer made a motion to make the Village Board the lead agency on the matter of the American Legion lot line alteration. Donna Matthews seconded. All in favor. Motion carried.

Next was a review of the LWRP and Michele Greig's draft of the consistency determination. Leigh Palmer moved the American Legion lot line alteration is consistent with the policies of the LWRP as outlined in the LWRP determination of March 18, 2013 and that this is the Board's substantive review. Donna Matthews seconded. All in favor. Motion carried.

Donna Matthews made a motion to refer the application for a variance to the Zoning Board of Appeals. Leigh Palmer seconded. All in favor. Motion carried.

Donna Matthews moved to move the Planning Board meetings to the 4th Monday of each month. Leigh Palmer seconded. All in favor. Motion carried.

Donna Matthews moved to schedule a public hearing on the American Legion lot line alteration for April 22, 2013 at 7:00 pm at the American Legion. Leigh Palmer seconded. All in favor. Motion carried.

Special Permit and Site Plan for bus stop on Pine Street: Trustee Joel Griffith appeared before the Board representing the Village of Tivoli. He brought pictures of the bus stop and other documentation and stated that there was no new information from what was presented at the workshop last week. Trustee Griffith discussed the following with the Board:

- The rationale for the bus stop move to Pine Street was to take the congestion off of Broadway and remove late night noise. The Village thinks the Pine Street location is better and that it will keep the bus from stopping on Broadway. Also, with the large open space of the park it doesn't have the same proximity to residences as the current location has. The Village understands that there is no perfect place but they believe that the Pine Street location is the "least worst."
- The location is in the R15 and a bus stop is a permitted use in that district. The Board can waive the setback which is 30 feet but the bus stop needs to be close to the street. The Village is asking that the setback be waived.
- Pictures of the bus stop were shown to the Board. Bard College's cooperation is contingent upon the lighting being improved at the bus stop. The lamp post was given to the Village by Bard. The lamp post will be placed to the east of the shelter since there is already a light on the other end of the shelter. The foot of the shelter is 5 feet by 9 feet. The roof is 8.5 feet tall. The glass in the lamp post is frosted and the bulb will be 100 watts. A stripe can be painted across the globe to further mute the light if needed in the future.
- The Village DPW will be maintaining the entire bus stop.
- Trustee Griffith stated that he would like to work with Bard Art Department students to get them to make some benches for the bus stop.

This matter will be sent to Dutchess County Planning to get their approval since it is within 500 feet of Broadway. Trustee Griffith stated that Michele Greig said that this is a type II action so the short SEQR form was filled out.

Donna Matthews made a motion to schedule a public hearing on the bus stop project for April 22, 2013 at 7:00 pm at the American Legion. Leigh Palmer seconded. All in favor. Motion carried.

The Board reviewed the minutes from the February 19, 2013 Planning Board Meeting. 94 North Road changed to 98 North Road. Leigh Palmer moved to approve the minutes as amended. Donna Matthews seconded. All in favor. Motion carried.

Adjournment

Donna Matthews moved to close the meeting at 8:27 PM. Leigh Palmer seconded. All in favor. Motion carried.

Respectfully submitted,

Claire Roff, Planning Board Clerk