



Town of New Lebanon

Planning Board regular meeting minutes – unapproved (amended)
July 16, 2014

Present: Ray Herrmann, Planning Board Chairman
Jerry Grant, Planning Board Member
Greg Hanna, Planning Board Member
Trina Porte, Planning Board Member
Josh Schuster, Planning Board Member
Mark Sheline, Planning Board Member
Bob Smith, Planning Board Member

Others Present: J.J. Johnson-Smith, Kent Pratt, Matt Smith, Michael Munsinger

Chairman Herrmann called the regular meeting of the Town of New Lebanon Planning Board to order at 7:40.

Chairman Herrmann: We are taping tonight's meeting; just so everyone knows; and make it much easier for Cissy to transcribe all of the minutes.

Minutes Review:

Chairman Herrmann: First on the agenda is to approve the June minutes; anyone have any exceptions....I know you had one....

Trina Porte: I had one correction. I did not ask about the driveway; Sharon Moon did; so I would like to change that please.

Chairman Herrmann: Ok. Does anyone else have any other comments on the minutes?

Chairman Herrmann: Would anyone like to make a motion to accept the minutes?

Bob Smith: I make a motion.

Jerry Grant: I second it.

Chairman Herrmann: All in favor?

Unanimous: Aye

Chairman Herrmann: Ok. We're going to accept the minutes as amended.

Case Review:

Case No. PB-2014-055 – M&M Taproom & Tavern – Midtown Mall [19.2-1-51]

Agents: Matthew Smith and Michael Munsinger

Request for Site Plan Review – Change of use at former MRI location

Chairman Herrmann: The first and only thing on the agenda is the M&M Taproom & Tavern. You all have maps that you can see. Kent; did want to say anything? I assume that you have looked at these?

Kent Pratt: I have a set of plans. I think that you have seen them. If you have any questions certainly the applicants, you know, can answer them but I think it's pretty cut and dry. The new set of plans with the new additional access entrance; their design professional has done a good job putting everything together for your review. I'm still waiting on some additional depictions of the codes based on..(inaudible).. before I issue a building permit. That's all that I have.

Chairman Herrmann: Ok; but you don't see any irregularities?

Kent Pratt: I do not.

Bob Smith: I think it's pretty awesome that you guys are getting another entrance there.

Matt Smith: Yeah. Oh Yeah. We knew that there had to be a better way so we brainstormed... [inaudible]

Chairman Herrmann: Anyone have any other questions or something to say?

Trina Porte: I would be delighted to see a parking map to scale at some point just for fun.
[laughter]

Jerry Grant: You can pay for it then; [laughter] just for fun.

Trina Porte: If there's one that's done because I'm skeptical that there's 82 spots in there; since the Farmer's Market was very crowded and had few cars than that.

Chairman Herrmann: How many parking spots do you estimate is required for this? We're coming up with a number like 15 to 20

Kent Pratt: It's going to be.... the basic code to go by is going to be one per four seats.

Mark Sheline: I think originally I figured about 22?

Chairman Herrmann: Right. So he's well within the realm.

Trina Porte: Yup. That is true.
[inaudible comments]

Kent Pratt: And I've discussed with the applicants, the handicapped parking signage will be in place. There will be striping in place. All of the issues with the parking will meet the code.

Chairman Herrmann: Ok. Do we feel comfortable enough to move forward with this?

Trina Porte: Does anyone have any more questions?

Ray Herrmann: No. No one's is piping up.

Mark Sheline: I don't.

Ray Herrmann: Ok

Trina Porte: That's good.

Chairman Herrmann: We shall proceed to go towards a public hearing at the next meeting? Would anyone like to put forth a motion that we accept this as

Bob Smith: Moved.

Mark Sheline: I'll second it.

Chairman Herrmann: I didn't even finish.

[Laughter]

Clerk: Can we have a motion to refer it to County?

Ray Herrmann: To refer it to County?

Mark Sheline: Question. You also waiting for a couple of clarifications back .. or final drawings submitted to the Board of Health?

Kent Pratt: **[inaudible]**

Chairman Herrmann: Do we feel confident enough to go through a public hearing next month? Mark?

Mark Sheline: Yes.

Chairman Herrmann: Ok. So you what you have to do with all of your abutters and all of that?

Mark Smith: Quick question though; We can't do it any sooner than...what was the date in August? The next meeting in August?

Chairman Herrmann: It's the third Wednesday; whatever that is. Assuming we hear back from County; assuming Kent gets all of his information... it could be possibly done at that date, if everything falls into place.

Matt Smith: Is this considered a preliminary approval then?

Chairman Herrmann: Wasn't last...oh last was a sketch plan. Well we have to make a motion for that. So we accept it as a preliminary sketch plan. All in favor?

Unanimous: Aye

Greg Hanna: As a preliminary Sketch Plan?

Chairman Herrmann: Preliminary ...

Trina Porte: Site Plan

Chairman Herrmann: Preliminary Approval. Sketch Plan was last month.

Chairman Herrmann: Ok. Anything else?

Trina Porte: So if Kent's questions and the County are all answered before the hearing we're good to go?

Chairman Herrmann: We're good to go.

Kent Pratt: All of my questions are answered. It's just relating to the code on the **[inaudible]**

Trina Porte: Ok. Nice.

Chairman Herrmann: We don't anticipate anything at the public hearing but you never know.

Kent Pratt: In audible.

Clerk: Kent, can you speak a little louder?

Chairman Herrmann: Yeah, you're not projecting.

Trina Porte: We can't hear you.

several discussion taking place [inaudible] SEQR was mentioned

Trina Porte: Although wait we did....

Chairman Herrmann: We do the SEQR review next month.

Trina Porte: Well we did one last month. **[inaudible]**... oh you're right.

Kent Pratt: **[Inaudible discussion]**... about a two hour separation... in the attic...yes all the way to the roof

Clerk: We didn't hear the question.

[multiple discussions taking place]

Kent Pratt: We were just confirming the signage for the handicapped parking; which is all in place because I'm just now looking at the parking plan; so that is part of the plan. As far as the rated wall... I see it but I don't see...

Matt Smith: That's on this section over here. This is the attic mechanical plan. This right here is the new two hour rated wall. Right here.

Kent Pratt: So what I need to know from you is how that wall is going to be constructed; how you're going to get that two hour wall; whether it's ...

Matt Smith: Two 5/8 rocks.

Kent Pratt: Well that's what I'll want depicted yet on the plans.

Matt Smith: Ok.

Kent Pratt: Does it say it?

Matt Smith: They said it on this other one here.

Kent Pratt: With a metal stud or a wood stud?

? Metal.

Matt Smith: On this one; a new two hour fire rated wall here. I believe this is what...we have two different options. We're probably going to actually rock two sides.

Kent Pratt: Right. Well that's what I was looking for. So which one is it?

Matt Smith: I think he kind of gave us an option. You know technically this is a one hour; each layer of rock; each 5/8 is one hour

Kent Pratt: Right.

Matt Smith: So we're actually going to do just two layers on one side.

Kent Pratt: On one side.

[multiple discussions taking place...inaudible]

Matt Smith: Yes. Which is on the attic plans.

Kent Pratt: That's what was unclear to me; which one you were going to do.

Matt Smith: Yeah; so that's the whole attic. We're just going tie in and put sheet rock on that and then tape it and we'll probably have to paint it.

[multiple discussions taking place]

Trina Porte: I would like to say one thing on the record just because I am hearing a little flack from the other side of the room about my parking map. It is in the site plan permit submittal checklist; that we're supposed to see the parking and the traffic flow. So it is not just my personal opinion. It's actually part of our process.

Greg Hanna: Is it existing....

Trina Porte: It's a change of use and it's a requirement of our process and it's fair. If we ask other people we should ask them as well and traffic flow is important because it's on Route 20. So I would like to see it.

Jerry Grant: Is it a requirement that we have a parking plan drawn to scale by a professional or is this map [parking] that they've already given us sufficient.

Trina Porte: It doesn't show traffic flow on the map that they've drawn has parking spaces next to each other with not enough space for a car to go by and I would just like to see that the traffic flow is adequate for safety reasons.

Matt Smith: There's those two areas that we were talking about. Even if we eliminated those five parking spots we are at 78 parking spots and it looks like we only need 15 - 20

Trina Porte: That's absolutely irrelevant. What is required is that we get to see what it's going to look like and the traffic flow and the traffic flow is not there.

Chariman Herrmann: Does it actually call for a drawing? A traffic drawing?

Trina Porte: Yes. It's in the instructions for the application.

Mark Sheline:[multiple discussions...in audible]... you'll also have to have a provision for the other businesses within that plaza. It's not fair to have six parking spots

for China City or NAPPA...[inaudible]... I guess that rests more on your landlord than it does you.

Michael Munsinger: Well it comes down to that China City has what four tables so I think it's....

Trina Porte: It's just that we can't just say go ahead and do whatever you want to you; if we ask other people to show us those requirements and it's on the application so it's part of the process.

Kent Pratt: I must say that your request is totally legitimate. It is a change of use to a place of public assembly. China City is not a place of public assembly and neither are any of the other retail considered business uses. You are assembly so showing your parking areas is totally legitimate.

Chairman Herrmann: Ok.

[multiple discussions ... inaudible]

Greg Hanna: The whole parking area or this anticipated use

Trina Porte: The Farmer's Market had to too

Kent Pratt: **[multiple discussions ... inaudible]**... you would assume that so many parking spaces are designated for your business. If they're used when the other businesses are closed... **[Inaudible]**

Greg Hanna: But he's anticipating using 22 parking spaces. Is he then responsible for the rest of the parking lot?

Kent Pratt: You would assume not. You would think it would be in the lease agreement between the property owner.

Bob Smith: It should be up to the land owner property owner not up to.....

Chairman Herrmann: Well if you can show us at least 22 spaces on the map for next meeting.
Thank you all. Any new business?

Chairman Herrmann: Are you taking a vacation from your vacation, Mark?

Mark Sheline: I am in this month but out next month; but not far away.

Adjournment:

Meeting adjourned at 8:05 pm

Respectfully submitted,

Cissy Hernandez
Planning/Zoning Clerk