

**PLANNING BOARD  
MINUTES  
November 20, 2014**

Chairman Maron called the Meeting to Order at 7:00 P. M. with the following members present: Mrs. Evelyn Brant, Ms. Cynthia Fairbanks, Mr. Dwight Anson, Ms. MaryLou Fitzgerald and Mr. Ken White. Also in attendance, Mr. George Hainer, Building/Codes Zoning Officer. Guests in attendance, Mrs. Nona E. Hoskins, Mr. Bruce Hoskins, Lauren Murphy, and Mr. Kevin Hall, Land Surveyor.

**MINUTES:** The first thing to do is review the Minutes from August 27, 2014.

Ms. Fitzgerald – I'll so move.

Ms. Fairbanks – I'll second.

Chairman Maron – Ok, any discussion on the Minutes? All in favor, carried. The Minutes are approved and the last two meetings, September and October we didn't have. I think we'll skip Lauren for the moment and go to the Hoskins.

**Hoskins, Bruce – Tax Map No. 66.74-1-3.000 & Schira, Cynthia J. – Tax Map No. 66.66-5-7.000 –**

We'll have Kevin talk about this Boundary-Line Adjustment. Part of this is for us to decide if this is a Minor Division or Major and looks like it's a Minor one, so we'll proceed.

Mr. Hall – If you look at the map, Hoskins has proposed to move the boundary 15 feet approximately to the north. The neighbor, Cynthia, is going to convey that triangle-shaped piece, the corner in the back is the deeded corner, and true corner, we're changing the angle how it goes to the road. The existing property lines that go to the road, don't hit the road perpendicular, they hit it at an angle and this proposed adjustment will move it over 15 feet making it closer to perpendicular. The difference is .03 acres, that's what the Hoskins piece will increase, Cynthia's piece will be decreased by the .03, she'll end up with 0.52 acres. The Hoskins will end up with 0.27 acres. That's the existing corner in the back, just going to the road, the deeded line comes in at an angle, they were set parallel to a old packing lines, and so they're not perpendicular, this is more of in line with what people normally occupy to is perpendicular to the road. Increases the building set back from 8.1 to 20.3 and still maintaining a 38.2 building setback on Cynthia's property. Any other questions?

Chairman Maron – Any questions for Kevin or the Hoskins?

Ms. Fairbanks – I'm just curious as someone fairly new, why do you all the sudden decide to do something like this. Is it something that –

Mrs. Hoskins – In case we should decide to sell our property, we've been there for 52 years, otherwise that line comes within two (2) feet of our front porch.

Ms. Fairbanks – Yes.

Mrs. Hoskins – And, on the street side, we literally have 25 or 30 feet of property, it would give us another 10 feet of land, on the street side to our property, that's all.

Mr. Hall – This has been something they've talked about for years, and just finally formalized it.

Mrs. Hoskins – Right.

Chairman Maron – Plus it might take away the confusion. You think the property rights are perpendicular to the road --

Mrs. Hoskins – It's a vacant piece of property, nobody can build on it, so Cynthia was very kind to say if we wanted the extra four (4) feet, she gave it to us.

Chairman Maron – Ok.

Ms. Fairbanks – Thank you.

Chairman Maron – Is there anything to make this a Major Subdivision?

Mr. Anson – I wouldn't think so.

Chairman Maron – Ok, good, I just thought I would put that out there. I think we need to have a Motion to classify this as a "Minor Subdivision" –

Mr. Hainer – "Minor Division".

Chairman Maron – "Minor Division", not Subdivision, "Minor Division".

Ms. Fitzgerald – I move we classify it as a "Minor Division".

Chairman Maron – Ok, and now what –

Mr. White – I'll second.

Chairman Maron – a second by Ken. What this means is by "where the Planning Board determines – (Attached, page 14 \*, of Town of Westport Subdivision Regulations). By saying it's a "Minor Division" we're saying, "great, you don't need to jump through any more hoops". The one thing that we need, is once it's all done, we need a copy of the deed. We have a Motion on the floor and a second, is there any discussion? All in favor, carried.

at the same time it meets with the subdivider, and in no case shall the board fail to make such recommendations within thirty (30) days of submission of the Sketch Plan. In addition, the Planning Board shall review the location of the proposed subdivision for the presence of any adverse physical, biological, aesthetic or public considerations limiting development of the site as shown on the natural and man-related resource maps on file in the town offices. If the site falls within a questionable area denoted on such maps, the Planning Board may request the subdivider to consult with appropriate technical review or assistance agencies (such as but not limited to the Soil Conservation Service and the State or County Department of Health) to determine appropriate measures to mitigate or eliminate potential problems. Provided that, the findings or recommendations of such agencies shall not be binding on the Planning Board or the subdivider.

Classification of the subdivision shown by the Sketch Plan as a Minor Division or as a Minor or Major Subdivision shall be made at this time by the Planning Board. \* Where the Planning Board determines that a particular division constitutes a Minor Division, it shall so notify the applicant who may then proceed without necessity of Planning Board approval of the division or public hearing. If the Sketch Plan is classified as a Minor Subdivision, the subdivider shall then comply with the procedure outlined in Step 2A. If it is classified as a Major Subdivision, the subdivider shall then comply with the procedures outlined in Step 2B. The Board shall also determine at this time whether the subdivision shown by the Sketch Plan is a "Regional Subdivision" and thereby subject to the additional requirements of Step 3 of this Part.

Step 2A. Procedural requirements for subdivisions classified as Minor.

A. Application and Fee.

Unless otherwise agreed by the Planning Board and the subdivider, the subdivider shall submit an application for Minor Subdivision Plat approval within six months after classification of the subdivision shown by the Sketch Plan as a Minor Subdivision by the Planning Board, and the Board's

Mrs. Hoskins – Thank you.

Mr. Maron – Thank you, Kevin, for making the trip over here.

Mr. Hall – Thank you, Happy Thanksgiving, folks.

Chairman Maron – The next order of business is Lauren Murphy – **Tax Map No.**

**57.55-1-21.000** – She’s applying to create an office space on the brick side of a two-family dwelling, you’ve received a short SEQR. I will turn it over to Lauren to explain what’s going on, and see what our considerations are.

Ms. Murphy -- Everyone is familiar with my building in Wadhams? By the bridge. I bought both these buildings in 2005 at Tax Sales, when Sylvia lost the building, unfortunately. It was in very, very bad shape, I fixed up the frame building, the power plant and I have one person living there. It’s very nice and very comfortable, just one very quiet tenant. The brick building was built in 1828, I believe it had a tavern in the basement, facing the river side. On the side of Church Lane it had a storefront, very long narrow room that’s in this part of the building and in the upstairs, I believe it was just bedrooms and even attic, you go up the stairs. The walls are plastered until, I think a long time ago it was like a stagecoach stop, people actually slept up there. It’s interesting, has lots of history. I’ve made the decision, a couple of years ago instead of having it a residence, which has only been a residence really, maybe for the last fifty years, I believe the Vaughan’s lived there. Before them, it might have been Bigelow’s, I’m not sure, but before then it was a semi-commercial building. I had to make the decision and I didn’t want to have it just as a \_\_\_ house, because it’s a very interesting building and I’d like to share it with the public, cause it’s a historic building for Wadhams. My options were to have it like a B&B type of thing or to do something I think a little less low key. I decided what I’d like to do is have a very small office space in the upstairs, because there are four room and have my office, I have real estate a small real estate business on the first floor and then possibly if the Board would consider to have somebody in that storefront again on the side. It’s a really nice space, separate and I think it would be nice like an antique shop or some very small low scale kind of use, as long as it doesn’t generate a lot of traffic. I guess that’s what my proposal is that I’ve laid out for you, again the second floor, there’s four rooms as you go up the stairs. I was just hoping that I could have three offices for single people, who didn’t want to work at home and wanted a quiet place to work and then have a room in the back just as a break room, and there’s a bathroom upstairs. On the first floor, to have my office on this side and maybe allow a little space for a conference table if people want to come downstairs and use that and then this is the storefront space that faces Church Lane, to have somebody in there. Also, there’s a bathroom on that floor, as well. That was kind of my idea and there’s an old tavern in the basement, I’m not proposing to do anything with that yet, hopefully some day, people are bugging me to put that back as well, but I want to try this first and see how it does. use I don’t want to disturb people who live around there. I also don’t want to create a lot of traffic, it’s a busy place coming over the bridge. I want to see how that works out, having office space and having my office there. I don’t think

people will be there all the same time, I think it would be sort of coming and going and the little store would be on Church Lane and be very low key as well.

Ms. Fitzgerald – What’s your idea of the downstairs bathroom, handicapped?

Ms. Murphy – The doors in that building are wide enough, they’re very old and like 40 inches wide. The only problem with handicapped access, when I do the porch, how to make a ramp, I have very little yard space in front –

Ms. Fitzgerald – I’m not so much thinking about entrance I’m thinking about while your remodeling it at least have a handicapped bathroom.

Ms. Murphy – Right, I probably should do that on the first floor, I haven’t put the fixtures in, I’ve put the plumbing in --

Ms. Fitzgerald – Add more to it.

Ms. Murphy – That’s a good idea, it’s probably a requirement, I’ll have to talk to George about that, yes. I was thinking, if it couldn’t be accommodated on the first floor, then eventually, if I ever did something in the tavern space, I would put one in there, make sure they had one in the building.

Ms. Fitzgerald – Would you expect there would be any kind of parking there?

Ms. Murphy – Yes, there’s, I measured it and I believe there’s three parallel parking places, along the front. Because, George, you have to have 20 feet by –

Mr. Hainer – Eight by 20.

Ms. Murphy – Eight by 20, I think there’s 58 feet across the front, I think I can get three across the front and these are two on the side or have them go on the other side. Like I said, I don’t want to create a parking problem, I will be pretty mindful of that. Somebody could say, “you have the white line and you have your building, you can put “x” amount of diagonal parking”, but that would scare me because of the grade, I really am very mindful of that, I don’t want to have any problems at all, I want people to be safe. That’s why I said, “I want to try this kind of a use, first”, see how it works out.

Mr. Anson – The only thing that might be, is that in the winter time, that’s usually pushed full of snow.

Ms. Murphy -- Absolutely, yes, you’re right. They make you park your cars off the street in the evening, right?

Mr. Anson – That’s right.

Ms. Murphy – So, Steve is my tenant, he actually has one space and he can take his car off the street at night. I don't expect anybody to be in the building at night, which is different if it was residential or the inn type of thing. So, at night, I think I'll be ok, but you're correct as far as anticipating that, like trying to figure out, keep it plowed out during the day and have to be right on top of that or hire somebody to make sure they're right there to clear that off. Steve has been really good, the highway people have talked to him and they've figured it out. I think that's really important.

Mr. Hainer – The office space would be generally for the people that would have clients come to the office.

Ms. Murphy – Probably not, unless somebody wanted to take the whole upstairs, I wasn't anticipating that, I was thinking of people like Chrissy Kimble, who has a time that she wants a quiet place to write, she has two children, she has the farm, that type of thing.

Ms. Fairbanks – A free-lance designer.

Ms. Murphy – Yes, who would work from home, would go stir crazy if they didn't have another place to go. I figure with the bakery, the library, the wi-fi there, close to Westport, I'm sure I could get a few people, just need a little quiet space. Like Courtney, the new Health Center in Essex, she's going to be writing a book or a paper, she's really going to need a quiet place to go, maybe something like that. The rent will be really, really, low, I'm just trying to support the building and the restoration. The building is great, I want people to see it.

Mr. Hainer – During the day time, there's a lot of parking open.

Ms. Murphy – Yes.

Mr. Hainer – But, if it ever morphed into something, all the sudden somebody was going to have more intense parking –

Ms. Murphy – sure, right.

Mr. Hainer – I don't know what problems that could create.

Ms. Fitzgerald – They could park at the bakery and walk over.

Ms. Murphy – I guess when I rented this place, I think that would be one of the questions I would ask. I don't want to see that George, I don't want to have to manage something.

Mr. Hainer – That may have to be a condition on the permit

Ms. Murphy – Absolutely.

Mr. Hainer – We've visited that, come back if somebody wants to do something, these things have a way, you never anticipate –

Ms. Murphy – Yes.

Mr. Hainer – Happens all the time. "I'm only doing this", and then the next thing, something completely opposite that,

Ms. Murphy – don't worry.

Mr. Hainer – But, yet, it's just the way it is, the way life is.

Ms. Murphy – I'm the Code Officer and Zoning Officer in Essex, so I know what you're talking about. You never know what comes up.

Mr. Anson – On the power plant side, that white part, how much room do you have down there.

Ms. Murphy – Beyond that?

Mr. Anson – Yes.

Ms. Murphy – I think I have maybe 40 feet at least, good question. There used to be, you probably remember, there used to be another addition on the back, as well as a porch, I think. I know it at least goes another 20 or 30 feet, but it's before Matt did \_\_\_\_\_ on that.

Mr. Anson – Ok.

Ms. Murphy – That was the only dimension --

Mr. Anson – You could make a parking space right there.

Ms. Murphy – Yes, I have one for Steve for the apartment, I have one there, it's a good suggestion, I don't know how many I could get in there. I'll measure it and if I could get another one in, that would be a good thing, you're right.

Mr. Anson – If you have 40 feet, there's three cars anyway, right there.

Ms. Murphy – I have the porch on the white part and there's a little retaining wall that drops down, so that's some of it and then there's two poles, there's Matt's and then there's another one. It's a little, and then the guy wire, from, it's a little tricky in there, but I know I can, Steve has one, maybe I could sneak another one in there, maybe I could get two, I'll measure it, ask Matt, he knows exactly the measurements, he'll tell me.

Mr. Hainer – Our Law also allows you to, if you made a deal with the Masonic Hall to use their parking or they have that driveway in there –

Ms. Murphy – sure.

Mr. Hainer – I mean during the day, if you came to an agreement with them, access during the day when you need it.

Ms. Murphy – Yes. If you just wanted numbers I'd have one, two, three, plus mine, four, somebody if they took this space, so five at the most. Three across the front, and two on the side and maybe one in the back.

Mr. Anson – Most of them would be during the daytime, right?

Ms. Murphy – Yes, I don't think we'd all be there at once, I love working near home and I say I'm going to have my office there, I probably will but I probably won't be there very much, whenever I can I like to work at home. But, I really am going to make an effort George to find out who it is that's renting and really impress upon them that I want it to be very low key and not a lot of meetings and people there, that's part of their condition of renting it, I don't want any problems. I want to have it manageable. If it's made a condition I can just tell them, that would help a lot.

Chairman Maron – I'm looking at the pictometry picture, it's not like there's congested housing there. Look on the other side of the street.

Mr. Hainer – One side you can't park on the one side.

Chairman Maron -- The north or south side?

Ms. Murphy -- On the south side?

Mr. Hainer – Across the street. That whole side there. You're really restricted, there's a lot of parking there, during the day, there's a lot of space there, there's never anybody there. You don't know what's going to change. If somebody has a shop in there, that is all the sudden popular –

Ms. Murphy – True

Ms. Fairbanks – Sometimes at the Library lectures, people park along there.

Ms. Murphy – They park in front of my building, they park everywhere. It makes me nervous too, that area at night, it's hard, people walk along there for things at the Library, people coming around the corner.

Ms. Fitzgerald – In the event they decide to sell, you have a going business, then the stipulations that we put in have to carry over or they would have to come back, right?

Ms. Murphy – If I sell the building, this will run with the building if we don't make any changes. The changes will come back to the Board.

Mr. Hainer – A Public Hearing is required and all these neighbors in that area will be notified. So, if they have any issues, they can have their chance to voice them.

Ms. Murphy – Everyone is asking, “when is the tavern opening”, like, it's not opening. It's an old very quaint spot. It's very interesting.

Mrs. Brant – It was called the Tap Room, --

Mr. Hainer – Do you remember that?

Mrs. Brant – No, I don't remember it.

Ms. Murphy – I don't think there's anybody around that would remember it, do you think.

Maybe Don Taylor, he's 103.

Call Gary Anson, he takes care of Don.

Discussion on the former Tavern.

Chairman Maron – How about lighting.

Ms. Murphy – Very little, as little as possible. We are actually putting on the porch, we have a permit for it, so I will have a light outside the front door and side door, that's it.

Chairman Maron – Turn on, turn off, something that would be on all night long?

Ms. Murphy – It wouldn't be on all night, do I have to put it on a motion sensor? You're not going to make me do that?

Mr. Hainer – No.

Ms. Murphy – Is there anything else you need.

Chairman Maron – We just have to deem the application complete.

Ms. Murphy – I don't know what the distance is from the back of the building to that line where Matt is. I will get that to you. I need to know, I'll ask him that and see if I can fit in another parking place.

Chairman Maron – Is there a Motion to Deem the Application Complete?

Mr. White – So moved.

Ms. Fitzgerald – Second.

Chairman Maron – Ok. Any discussion, does anybody have any concerns about its completeness?

Mr. Hainer – The Application needs to be forwarded to the County Planning Board. Have to set a Public Hearing, and SEQR.

Chairman Maron – So there's a Motion on the floor by deeming a Complete Application. No more discussion. All in favor, carried.  
It's a Complete Application. We'll send what we need to over to the County and I'm happy to schedule a Public Hearing the next meeting, December 17<sup>th</sup>. Does that sound ok.

Mr. White – Yes.

Chairman Maron – A Motion please, to schedule the Public Hearing.

Ms. Fitzgerald – I will make that Motion.

Ms. Fitzgerald – Second.

Mr. Anson – There is one little thing I just noticed, number 29.041. Location and Screening. My opinion is I don't believe there is any room there for hardly any screening, and I don't know why it's even mentioned.

Mr. Hainer – These provisional parking standards generally apply to the Hamlet section, here in Westport. These are general guidelines used around the Town. Basically apply to the Hamlet here.

Ms. Fitzgerald – In other words he's saying, they're not specific to Wadhams.

Mr. Hainer – See the Sections they refer to up here, 21.010, 20, 30 40 50 & 60, those are references to the Hamlet here in Westport, but these are provisional standards we use as a guide throughout the Town. It gives you more latitude throughout the Town, but in the Village here, the Hamlet here these are the ones that are followed.

Mr. Anson – Is one of the poles you mentioned, is that right on the river bank there?

Chairman Maron – that's his overflow pipe.

Mr. Anson – Oh, yeah, that's his overflow pipe.

Ms. Murphy – There's one there, but that might even be another one, I'm not sure.

Ms. Anson – This one right here? That’s across the road.

Ms. Murphy – I can’t tell. The line is pretty close up on the river side, between Matt’s basically.

Mr. Anson – Oh, yeah.

Ms. Murphy – Matt has a ROW to work in there, so I can’t do anything there.

Mr. Anson – Alright. That building, this corner of this building looks like it’s long enough to –

Ms. Murphy – I’ll go in tomorrow and just measure and see if I have any room there, I’ll ask Matt exactly, I think his is right there, maybe I’ll be able to squeeze in one, but I’ll check that out

Chairman Maron – See if you could talk to Matt and maybe put in a couple of places.

Ms. Murphy – I’ll ask Matt.

Chairman Maron – Ok. Are you satisfied, Dwight?

Mr. Anson – Yes.

Chairman Maron – Do we have a Motion for the Public Hearing? We do, it’s seconded, any more discussion on having the Public Hearing at the next meeting, ok, all in favor, carried.

Ms. Murphy – I can bring photos, and anyone can stop by and see it.

Ms. Fitzgerald – You should bring the photos to the Public Hearing.

Ms. Murphy – Ok.

Chairman Maron – So, you would like to make a site visit to the property.

Yes.

Chairman Maron – You can see it from the road.

Ms. Murphy – You can stop by anytime, if you see any activity, just stop in.

Ms. Fairbanks – So when you were deciding what you wanted to do with the property you already had a sense of people who wanted to be there?

Ms. Murphy – Yes, I just listened to a lot of people because I'm the Zoning Code Officer, just came to mind that there, it's only three spaces, it's not like, I think people – I think it's good for Wadhams.

Ms. Fairbanks – Yes.

Ms. Murphy – The bakery, library is there, people come in and there's activity. The rooms upstairs have a very nice view of the river and the bridge, I think people will enjoy that.

Chairman Maron – The Public Hearing will be at the next Meeting.

The next item on the Agenda –

Mr. Hainer – We'll do the SEQR at the next meeting.

Chairman Maron – Yes.

**Robert McGee – Tax Map No. 66.2-2-24.200** – His extension expires soon, so I thought we should probably entertain extending it again. We'll probably see him the next month or two.

Mr. Anson – What happened to the JIF that was sent to the APA?

Chairman Maron – It was deemed non-jurisdictional, right?

Mr. Hainer – right.

Chairman Maron – I think that was probably sent to you. It's up to us. Is there a Motion to Extend his Class B Permit another 90 days.

Ms. Fitzgerald – So moved.

Mr. White – Second .

Chairman Maron – Ok, any discussion?

Mr. White – I like what he's been doing, so far.

Mr. Anson – It looks very good up there.

Mr. Hainer – The last I knew, the last time he came in, he was contemplating building a garage structure and going into the tire business. Mounting tires, there's a place in Vermont that wants to sell tires, so he was going to put in a small, tires and batteries. I think he was getting together – I told him he would have to get an engineer and architect involved and the Code requirements because he's looking at a service station type use. I

think he's investigating that end of it. Hazardous materials, etc, I haven't heard from him for three weeks, since he came up with that concept.

Chairman Maron – There's been a motion to extend it 90 days and it's been seconded, all in favor, carried.

Next item is discussion of **Section 29 of the Land Use Law, Off-Street Parking** – We'll let George –

Mr. Hainer – It's Basically, Section 29 which deals with our parking in the Hamlet here, the Business District here –

Mr. Anson – Westport.

Mr. Hainer – Westport, right, say Bradamant, the Inn on the Library Lawn, Village Center all the way over to Ernie's , the whole area in there. The issue is that , we have very limited parking and what's going to happen and because we're going through this Blue Ribbon Committee and the Revitalization and all these committees that are forming, and they're going out looking up either coming up with an artist community, bring other people into Town, open business, etc. What's going to happen if in the center of Town we get a very labor intensive or some use that needs a lot of parking, how do we do it so that the current businesses that are there. If all the sudden you had somebody that had say, ten cubicles and they were a tele-marketer or something and they had people that went in there and they sat behind a cubicle and they had ten cars they had to park, what would we do. It wouldn't be fair to businesses that where you have the average residence time going in and out of the place, every two or three minutes or ten minutes. A person goes in they come out they leave, the next car comes and all the sudden you have ten more cars parked permanently on the street and now the regular customers for the retail can't go in and out. Some thought, what do we do, try to come up with some ideas.

Chairman Maron – If someone comes in with a business like that would they have to get a permit from us?

Mr. Hainer – Hereafter under Section 29 they would. In other words they would have to comply, the issues is that when you go to 29 it's very restrictive. They come in and say they have ten cubicles, I'm going to have ten people, so you look at the square footage, for every thousand square feet you need so many parking spaces and you don't have them, you don't have any now, so where are you going to create, you go through the list and ultimately, all the way down at the bottom it says, Section 29.033 Fee in Lieu of Parking (attached, page 12A) – so in other words, you can buy your way out, that's not going to help the problem. If it's determined that they have to pay \$200 a space, so the Town collects the money, they put it in escrow, and if the Town can create some spaces somewhere they can spend the money and create those spaces. If they can't the money sits in escrow for a certain amount of time, then you have to give them back to the applicant. In the mean time, cars are on the street, doing what they're doing. You

- b. Industrial/warehouse uses: One space per 1,000 square feet of enclosed floor space.
- c. Office uses: Three spaces per 1,000 square feet of floor space.
- d. Transient Accommodation: One space for each bedroom plus one space for each non-resident employee and one space for every 200 square feet of floor space for meetings and functions.
- e. Restaurants, theaters, and other places of public assembly: One space for every three seats.
- f. Uses not listed above: As appropriate to the circumstances.

#### 29.032 Criteria for Applying Provisional Standards

In applying or modifying the provisional parking standards for any proposed use, the Planning Board shall consider:

- a. The nature of the previous use of the same property. If the proposed use has no greater parking demand than the previous use, it shall be deemed to require no additional parking spaces. If the new use requires more parking than the previous use, it shall be obligated to provide only the number of spaces by which its parking demand exceeds the demand of the previous use. For example, if a restaurant requiring 10 spaces replaces a retail store that required only 5 spaces, the restaurant would be responsible for either supplying 5 additional spaces or showing that such spaces are not needed or already exist within the Village parking supply.
- b. The maximum number of vehicles that actually be parked at the use at times of peak usage. Parking shall be sufficient to satisfy 85 % of the anticipated peak demand. The likelihood of people walking, bicycling, or carpooling to the proposed use shall be taken into consideration. The likelihood that people would park in one place in the Village and visit the proposed use as one of several destinations shall also be taken into account.
- c. The size of the structure(s) and the property.
- d. The environmental, scenic, or historic sensitivity of the site. In cases where sufficient area for parking cannot be created on the site without disturbance to these resource values, the Planning Board may require a reduction in the size of the structure so that the available parking will be sufficient.
- e. The availability of safely usable on-street parking in front of the use.
- f. The availability of off-site off-street public parking lots within 1,000 feet, where such parking lots generally have spaces available.
- g. The availability of off-site off-street parking within 1,000 feet that is owned, leased, or controlled by the applicant or available on shared-use basis, provided that the applicant either dedicates such off-site land for public parking or demonstrates a legal right to its use.
- h. The requirements for parking for the disabled as prescribed by the Americans with Disabilities Act.

#### 29.033 Fee in Lieu of Parking Space

Where the required spaces cannot be provided on-site, on the street, or in existing public or private parking lots, the applicant shall pay a fee in lieu of providing one or more required spaces, in an amount established by the Town Board sufficient to cover the estimated cost of providing additional public parking spaces. Such fee shall be kept in a dedicated fund for municipal parking purpose and shall be used for such purpose within three years or returned to the applicant (or the applicant's successor).

#### 29.040 Design of Parking Areas

##### 29.041 Location and Screening

Air off-street parking shall be located behind or to the side of the principal building. Parking spaces located in a side yard shall, if possible, be screened from public view. Adjoining parking areas shall be connected directly to one another or to service road or alley wherever feasible to reduce turning movements onto roads.

##### 29.042 Landscaping

Parking lots shall be designed and landscaped to avoid long, uninterrupted rows of vehicles by breaking them onto separate parking areas divided by tree lines, alleys, pedestrian areas, or buildings. At least one 3-inch minimum caliper shade tree shall be provided per eight spaces.

##### 29.043 Lighting

Lighting within parking lots shall be on low poles of 12 feet to 15 feet maximum height, with color-corrected lamps and cut-off luminaries designed to minimize glare and light pollution. Design of poles and luminaries shall be compatible with the style of the architecture and adjoining streetscape treatment.

#### 29.050 Parking Lot as Accessory Use to Residential Dwelling

certainly don't want to deny a business from coming in, but, at the same time, it's one of those situations where –

Chairman Maron – I think they're parking behind the buildings.

Mr. Hainer – The other thing is, then things have to be written into permits and things have to be enforced. What happens when the All Tucked Inn and the Inn on the Library Lawn, when Bradamant had the warming hut on the other side, by the parking lot on the other end –

Mr. White – where the garden is?

Mr. Hainer – where the garden is now, all those spaces were designated for the Inn on the Library Lawn. When Cerf sold the Inn and separated the property, those spaces were never allocated for the Inn. Then Bernie had the lot behind the All Tucked Inn which was supposed to be allocated for the Inn parking and that got sold separately. All this parking that was designated was just never, it never went with the different businesses. There are problems with that, so if you create more businesses, you could but it's not fair to businesses that are here. Retail businesses, these aren't retail businesses and the cars are just going to sit there all day, then that can be a problem. There's very few places you can create, certainly if you said, you can park down at the sewer plant or you can park somewhere else, now you're – you have to enforce something.

Mr. White – About 15 years ago, there was a real strong move to have all the employees, leave Main Street completely empty –

Mr. Hainer – Right.

Mr. White – They had to park going up to the Post Office, for a short time it seemed to work, the only time you really have to worry is in the summer time.

Mr. Hainer – Right. Two months is the problem.

Mr. White – I think, too, the top of the hill going down to the playground, there's an area there you could probably put a number of cars diagonally.

Mr. Hainer – Right.

Mr. White – We have a problem, we should be able to come up with some spaces.

Mr. Hainer – Barbara picked up a whole parking folder we have from Peter Gibbs when he was doing a parking study, which there is a lot of information in here, different areas where you can create parking. It's something to consider as things, I've heard through the grapevine that maybe a deli is going to connect the two buildings up there, put seating in. It's congested enough up there, but yet you don't want to deter something.

Ms. Fitzgerald – The old days they referred to that as “over there”, not it’s “up there”. Used to be “over the bridge”.

Mr. Hainer – When you look back to the 80’s and 70’s how busy this place was, there were cars everywhere.

Mr. Anson – Fifties was pretty busy, too.

Ms. Fairbanks – So, what do they do now?

Ms. Fitzgerald – They came and went, they didn’t stick around too long.

Mr. Hainer – The other thing is diagonal parking, across from the Bank, that’s dangerous. Especially, when you get one big truck or SUV parked in the first space, you have to be half way out to see. I can’t believe that the State allows it.

Ms. Fitzgerald – You should put “no trucks” in the first spot.

Mr. Hainer – The only problem is the summer time, the rest of the year is ok.

Ms. Fitzgerald -- And sometimes, there are cars parked on the other side facing the wrong way.

Mr. White – There was a time State Troopers would give a ticket for that.

Yes.

Mr. White – Lake Placid has the same problem, they do have designated parking for employees, by a permit board, removed from Main Street. They are also talking about putting in a parking garage. They have two lots on Main Street.

Ms. Fairbanks – What about the lawn at the Library, could they give up.

No. It’s a park.

Mr. Hainer – It’s just something to consider, if anything happens we have to go down Section 29, because of the Hamlet.

Mr. Anson – Remember when Tony Ware, I remember him something about parking over here was brought up, I’ll give you five feet on that side of the road, so the cars have more –

Mr. Hainer – Legally there’s no parking on that side.

Mr. Anson – Right. To be sensible about it the distances, the store and the land place and this place

Planning Board Minutes  
November 19, 2014

Tape change. The second side did not record

The meeting was adjourned at 7:45 P. M. on a Motion by Ms. Fitzgerald, second, Mr. White.

Respectfully submitted,

Barbara Breyette, Secretary