

ZBA REFERRALS

M.C & B.PARTNERSHIP (05-19)

Mr. Gregory Shaw of Shaw Engineering appeared before the board for this proposal.

MR. PETRO: Referrals M.C. & B. Partnership demolition of three buildings and construction of 12,900 square feet commercial building. Greg, is that you?

MR. SHAW: It's the site which has Blockbusters in it, Jiffy Lube, here's the Five Corners in this particular location and it's situated, has frontage both on New York State 32 and Temple Hill Road. Again Blockbusters, the car wash, Jiffy Lube all existing, you have three outparcels, used to be Cavallo's, Primavera's and another structure,

MR. PETRO: Cavallo's building is coming down?

MR. SHAW: Yes, so are the two other structures.

MR. PETRO: Primavera's?

MR. SHAW: Correct and what we're proposing is to install a new 12,900 square foot building. What's unique about the plan, why do we need a referral to the planning board, zoning board is immediately to the north you have DOT parking which was built when they did the improvements to 32 for those structures and businesses which are being demolished. So our proposal is to the DOT we have had preliminary talks to utilize that for a parking for the new retail building, we have sufficient parking on our site to meet zoning, it would just from a practical point of view be more feasible to use that as a drive-thru to enter the property and also the, to park there if you so choose to go into the new retail building.

MR. PETRO: You're not using the state parking obviously to calculate your parking for your own site so that would just be overflow and for the convenience of the customers have the flow-thru, correct?

MR. SHAW: Correct, so we're proposing to take the new building, its canopy and nestle it up to that property line with a zero side yard setback and for that reason we need a referral, actually a rejection to allow us to go to the zoning board and resolve that.

MR. PETRO: Just for the north side that's it?

MR. SHAW: That's it. Excuse me, and also total both side yards, we're required to provide 70 and going to be providing only 54.

MR. PETRO: Why is there a loading dock in the back of the property?

MR. SHAW: Because if there's going to be retail store very well may be that you're going to be bringing tractor trailers and we wanted to demonstrate to the board that it could fit on the site and not affect the flow of traffic.

MR. SCHLESINGER: The area where you say there's going to be a zero setback canopy there's no access or anything there, just that you, you're just going to have a zero setback?

MR. SHAW: Zero setback, this would be the front door on this beveled 45 degree angle.

MR. MINUTA: Mr. Chairman, two questions, if the lot owned by the state is going to be utilized, who will be maintaining that. And number 2, since the building is visible from all four sides, what will we look at as far as the facade on that building having loading docks to the rear of that it would be visible from Route 300.

MR. PETRO: Okay, I want to come back, when they come back to the planning board we'll address that. Right now, he's looking for a ZBA referral. Does anybody have a problem with the concept of the plan as far as having a retail building in that area? It's a permitted use in the zone, correct?

MR. SHAW: Correct, it's NC zone.

MR. EDSALL: Two things just to verify Greg you said that the 30 spaces in the DOT parking lot are definitely not counted?

MR. SHAW: Correct.

MR. EDSALL: You're going to need a height variance because the permissible height for that building you're proposing is based on setback and that portion of the bulk table is left blank.

MR. SHAW: Thank you, you're correct.

MR. EDSALL: So that's one more that and that's purely a function again that line.

MR. PETRO: Again, when you're going to the zoning board get all the variances need so you'll catch up on your oversight, right?

MR. SHAW: Yes, okay.

MR. PETRO: Motion for final approval.

MR. ARGENIO: I'll make that motion we determine this application incomplete.

MR. PETRO: Is that what you want to do?

MR. EDSALL: That's the preferable way since you cannot

act on this application without the necessary variances so it's incomplete.

MR. PETRO: Okay, motion then this is incomplete.

MR. SCHLESINGER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board deem that this application is incomplete because you need variances from the New Windsor Zoning Board. If you're successful and receive those variances, implement them on your plan, you can once again appear before this board so we can look at your site plan. Good luck to you.

MR. SHAW: Was there a vote, Mr. Chairman?

MR. PETRO: Roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. MASON	AYE
MR. KARNAVEZOS	AYE
MR. ARGENIO	AYE
MR. PETRO	AYE