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MEMORANDUM

To: Chairperson Stanley Morse and Planning Board Members
From: David B. Clouser, PE, LS
Date: January 19, 2015
Re: **NY Wellness Medispa Site Plan / Special Use Permit Review** (3286 Franklin Avenue)
(SBL: 6765-18-442090)

Our office has reviewed an updated submittal for the proposed Site Plan / Special Use Permit which involves the change of use and interior renovations to accommodate a retail and medical treatment facility for the New York Wellness Medispa. This planning review application proposes to renovate a portion of an existing commercial building located at 3286 Franklin Avenue in the GB zoning district. The existing parcel of land that the building occupies is considered an existing nonconforming lot with regards to the zoning district's bulk requirements (i.e., setbacks, area, height, etc.) of the GB zone as listed in the Schedule of Lot and Bulk Requirements.

'Medical office' is considered a special use within the GB zone as listed in the Schedule of Permitted Uses and Special Permit Uses, and therefore a Special Use permit and Site Plan review is required for this change of use from its former use which was retail / office space.

The most recent submittal contained the following information for the Board's review:

- Cover letter (2 pages) dated December 28, 2014 from Christopher Colby, AIA, LEED AP, of Spire Architecture & Design, PLLC,
- Site Plan / Special Use application - revised, (1 page) dated November 25, 2014, signed by Christopher Colby, AIA, LEED AP, of Spire Architecture & Design, PLLC,
- Revised Short EAF (3 pages) dated December 28, 2014, signed by Christopher Colby, AIA, LEED AP, of Spire Architecture & Design, PLLC,
- Photograph of Existing Exterior doorway entrance lighting, and
- Site Plans (3 pages) dated last revised December 28, 2014, prepared by Christopher Colby, AIA, LEED AP, of Spire Architecture & Design, PLLC.

The site plan / special use permit application will be considered an Unlisted action for its uncoordinated SEQRA environmental review. The revised EAF appears to be ready to proceed with the project's environmental review. The plans and application were referred to the Dutchess County Planning Department for its GML 239-m referral and the response to that referral was that this site plan and special permit appears to be a local concern with no regional impacts anticipated.

The Site Plan has been revised to address our office's review comments dated December 12, 2014. The Board determined at its December regular meeting that parking required for the business' retail and medical treatment space will be equal to or less than the former retail / office space tenant's requirements and therefore no additional parking will be required.

A list of waivers of site plan requirements are listed in the Project Architect's cover letter. Based on the application not proposing exterior site improvements and that utility use is anticipated to be no greater than the prior retail and office use, we believe that these waivers are reasonable for the Board to consider in this instance. These waivers should be granted prior to consideration of site plan and special permit approval.

The window signage has been changed from the one sign on the entrance door to a similar sized sign that will be placed on both storefront windows. The 22" x 22" sign area will be less than the 20% window area coverage maximum and therefore these proposed signs would comply with the Village sign criteria.

After addressing any public comments made at the scheduled public hearing and after consideration of the compatibility of this proposed use with the existing businesses in the surrounding neighborhood, the Board could consider issuing a site plan and special permit approval for this project application. A condition of approval might include that the approval was granted on the basis of the specific use, the arrangement / allocation of space dedicated to the retail and medical treatment use, and the number of employees that will operate the facility will not increase above 3 (which could trigger additional parking and services). If these approved conditions were modified, the applicant would need to apply to the Planning Board for review and approval of an amended special permit and site plan application.

Please feel free to call our office at your convenience with any questions or comments regarding this matter.

cc: Christopher Colby, AIA, LEED AP