

VILLAGE OF CROTON-ON-HUDSON
Minutes of the Planning Board Meeting
Tuesday, November 27, 2012

Present: Rob Luntz, Chairman
Mark Aarons
Fran Allen
Bruce Kauderer
Steven Krisky

Also Present: Dan O'Connor, P.E.

1. Call to order 8 p.m.

2. New Business

*Black Cow Coffee Company--4 Old Post Road South (Sec. 78.08 Blk 7 Lot 4) --
Application for Amended Site Plan for installation of awnings on storefronts.*

Michael Grant, owner of Black Cow, presented his application for an amended site plan to install awnings onto the Black Cow store fronts.

The Planning Board reviewed the submitted photographs and proposed awning descriptions and dimensions for signage. The Planning Board reviewed Section 230-44 J of the village Zoning Code which refers to the required clearance for all projecting signs. Since one of the awnings does not meet the village code clearance requirements, the Village Engineer explained that the Planning Board can waive the 8 ft clearance village requirement for a projecting sign. A projecting sign is required to meet the New York State building code of a minimum 7 ft clearance. Chairman Luntz asked whether one of the awnings could be moved up higher on the brick front and Mr. Grant responded he would check the measurements. The Village Engineer requested that the applicant's sign maker provide the exact measurements of the awnings.

Mr. Grant stated that he will be revising the Black Cow logo to indicate a black cow, not a white cow, as shown on the photo.

Chairman Luntz asked if all the measurements on the sign were checked for conformity with the code, and the Village Engineer stated that the sign measurements had been reviewed and approved by the Assistant Building Inspector. Mr. Aarons made a motion for the application to be referred to the VEB, seconded by Mr. Krisky, carried all in favor 5 to 0; Mr. Aarons made a motion for a public hearing to be set for the next meeting on December 11th, Mr. Krisky seconded the motion, carried all in favor 5 to 0.

3. Old Business

a) JF WF Cortlandt LLC – 57 Old Post Road North (Sec. 67.20 Blk. 2 Lot 27) – Application for Minor Site Plan Approval, Steep Slope Permit, Excavation and Fill Permit, and Tree Removal Permit for the construction of a single-family residence.

Mr. Bob Davis, attorney, and Mr. Ron Wegner, P.E., were present on behalf of the applicant. Mr. Davis stated that since the October 9th meeting the applicant had made changes in the plans based on the Board's comments both at the meeting and at the site visit on November 3, 2012.

Mr. Davis summarized the changes that have been made: a) the disturbance on the site was reduced by 859 square feet which means over 51% will remain undisturbed; b) the slope disturbance now falls under the weighted cumulative threshold; slopes calculations have been confirmed by the Village Engineer and because a steep slopes permit is not required there is no public hearing required; c) this is a Type II action under SEQRA and therefore will have no significant effects on the environment.

As per the consulting engineer Ron Wegner's October 31st dated letter, the site plans have been revised to include the following: 1) yard drains have been added, 2) the retaining wall has been reduced, 3) there are further details on the drainage system, 4) erosion control has been expanded and 5) additional information on sight distances and slope calculations has been included.

As stated in the letter of November 21, 2012, a revised Stormwater pollution Prevention Plan, a revised landscaping plan, and a revised architectural plan have been submitted.

Mr. Davis pointed out that the applicant has tried to address the concerns of the both the village and the neighbors. He further stated that this application is for a minor site plan for a very small house. He respectfully requests that the Planning Board approve this application at this meeting.

Chairman Luntz stated that the intention this evening is to get through the engineering questions that Mr. Lipton's engineer from Chazen had raised. There have been some legal questions that have come to the attention of the Planning Board and these have been submitted to the Village Attorney. The Planning Board hopes to have a response before the next meeting. This evening's focus is on the site plan and engineering issues.

Mr. Davis acknowledged that the legal questions should be left to legal counsel. Because he is not available for the next meeting on December 11, in order to afford the Planning Board more time, he will add three weeks after his next available meeting (January 8th) which allows the Planning Board to extend the 90 day limit for a Minor Site Plan approval. Chairman Luntz extended the Board's appreciation.

Mr. Wegner spoke to each point that was raised in the Chazen letter dated November 19, 2012 (Exhibit P in the document submitted to the Board from neighbor, Ira Lipton, 55 Old Post Road

North. This document is available on the village website and in the Engineering office). Mr. Wegner responded to concerns about the retaining wall, tree protection/removal/ replacement, the retaining wall site's soil bearing capacity, construction sequencing within the limits of the disturbance, water channel flows, storm sewer pipes, and storm water management practices.

The following revisions to the plan were recommended:

- that the plan show that the ryegrass is limited to the apron of the house
- that the construction sequence stays within disturbance area
- that the soil be stabilized for the retaining wall
- that Mr. Wegner re-check calculations of the storm sewer pipe capacity
- that an additional perc test and analysis should be completed
- that hay bales be included to bolster silt fencing
- that there is a possible replacement of arborvitae with another type of tree for screening,
- that the ivy be reduced on the foundation wall, and instead, plantings be added.

4. Minutes

A motion to approve the minutes of October 9, 2012 was made by Mr. Aarons, seconded by Mr. Krisky, and carried in favor by a vote of 4-0-1 (Mr. Kauderer abstained because he was not present at October 9 meeting).

5. Adjournment

There being no further business to come before the board, the meeting was duly adjourned at 9:45 p.m.

Respectfully submitted,

Ronnie Rose
Planning Board Secretary