

**Village of Croton-on-Hudson
Meeting of the Planning Board
Tuesday, September 10, 2013**

Present: Steven Krisky
Richard Olver
Mark Aarons

Absent: Rob Luntz
Bruce Kauderer

Also present: Daniel O'Connor, Village Engineer
Ann Gallelli, Village Board Liaison

1. Call to order

Mr. Aarons, acting chairman, called the meeting to order at 8:05 p.m.

2. New Business

a) Straddle Gymnastics Inc. (Carmela Picciano)--425 South Riverside Avenue (Sec. 79.13 Block 2 Lot 91)--Application for Change of Use from retail services to gymnastics center.

Jim and Carmela Picciano (owner of Straddles Gymnastics Center) and Bruce Neilsen, (co-owner) were present as was Tom Fallacaro, landlord, of 425 S. Riverside Avenue.

Mr. Picciano stated that Straddles was losing their lease at 420 S. Riverside and his wife hoped to operate the same business at 425 S. Riverside.

Mr. Aarons stated that with a Change of Use, the Planning Board examines how the change of use actually affects the premises, how the new use affects the community and how it affects traffic.

Mr. Aarons asked how many students participate in the gymnastics center. Ms. Picciano stated that it varies each day, but approximately 200 students a week, approximately 60 students a day. Saturday mornings from 9-11:30 are the busiest. Straddles is not open before 8 in the morning or after 8 p.m. in the evening.

Mr. Picciano described the configuration of the existing space (2966 sq. ft) for the proposed business. Mr. Aarons, along with the other Planning Board members, expressed concern that the proposed space for the gymnastics center, in which children were the primary population, is next to an auto body/repair shop. The members expressed concern about gasoline and oil fumes, paint booth operations, and in general, auto garage operations.

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There were also concerns about egress and ingress and emergency exit locations. Mr. Aarons wanted the highest fire rating for emergency doors because of the children in the space. Mr. Olver agreed that the primary concern was that there were going to be flammable fluids in the garage space and the Board wanted to reduce potential for fumes and flames.

Mr. Fallacaro stated that all the walls in the building were masonry. He stated that he had no problem at all with the installation of whatever fire-rated doors were required even though it was possible that, in the near future, this space may have another use different from a repair garage. Mr. Krisky asked the Village Engineer about the building code as it concerns venting and fumes.

The Village Engineer stated that the NYS building code requires mechanical ventilation. Mr. Fallacaro stated that the body shop has a mechanical vent system and the tractor/ auto repair shop had its own system; the heating system and air conditioning is unique and totally separate for each space--the air is not mixed.

When Mr. Olver asked about the open ceiling, Mr. Fallacaro stated that each space has its own truss and roof; the building was built in sections and therefore, the Straddles space is a separate building with its own air. The Village Engineer stated that the firewall goes under the roof. Mr. Fallacaro also stated that cement block goes all the way up with the body shop. Mr. Fallacaro stated that there is no painting that goes on in his shop. When asked by Mr. Krisky about drums of oil, Mr. Fallacaro responded that there are two 275 above-ground tanks on metal stanchions where waste oil is placed and they are located on the far side of the building towards Historic Hudson Valley. He has them cleaned out regularly. He has a cabinet of approximately 10 gallons of gasoline at any given time that are located in a fire cabinet.

Mr. Aarons stated that he was very concerned that there not be a paint booth and this would have to be a condition in the resolution for him to accept the Change of Use. Mr. Olver and Mr. Krisky agreed. The Village Engineer noted that a special permit would be required from the village and the county in order to have a paint booth.

Mr. Fallacaro stated that this condition was fine with him since he is trying to steer the building towards a more scaled down and smaller use.

There was a discussion about the storage space that was going to be used for the Great Pumpkin Blaze (Historic Hudson Valley). Mr. Fallacaro said the space was going to be used for the plastic pumpkins, pumpkin displays and props. Mr. Krisky asked about the existence of a sprinkler system. Mr. Fallacaro stated that there are smoke detectors but there is not a sprinkler system. The Village Engineer added that the building code doesn't require a sprinkler system and that the cement block would provide a firewall. Mr. Aarons agreed that the block with the three-hour fire rated door would be a good preventive system along with the mandatory smoke detectors.

There was a discussion about adding an additional exit for egress from the Straddles space and Mr. Fallacaro agreed to do whatever the Board requested to make the space acceptable.

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The Village Engineer pointed out that a building permit will be required and if the other door is installed, the gate and chain would have to be removed.

Mr. Olver made a motion to approve the resolution, as amended, seconded by Mr. Krisky, and carried by a vote of 3-0. See attached resolution for specific conditions.

3. Approval of Minutes

Mr. Krisky made a motion to approve the minutes of August 27, 2013, seconded by Mr. Olver, and carried by a vote in favor 3-0.

4. Adjournment

There being no more business to come before the board, Mr. Olver moved to adjourn the meeting, at 9:13 p.m.

Respectfully submitted,

Ronnie L. Rose
Planning Board Secretary

RESOLUTION

WHEREAS, the Planning Board has received an application for a Change of Use permit on Tuesday, September 10, 2013 from Carmela Picciano (“Straddles Gymnastics”), hereafter known as “the Applicant,” said property owned by Jodine & Jennifer Realty, LLC (Tom Fallacaro) and located at 425 South Riverside Avenue. The property is in the C-2 Zoning District and is designated on the Tax Map of the Village of Croton-on-Hudson as Section 79.13 Block 2 Lot 91; and

WHEREAS, the proposed Change of Use is for the 3,000 (±) sq. ft. showroom from a retail use to gymnastics center; and

WHEREAS, under the requirements of the State Environmental Quality Review Act (SEQRA), the Planning Board has determined that this project is a Type II Action, which is not subject to review under SEQRA.

NOW, THEREFORE BE IT RESOLVED, that the Change of Use application, as shown on the site plan, Drawing SY-1 entitled “Amended Site Plan (Lot line adjustment)”, Sheet EC-101, entitled “Existing Condition Plans” and Sheet A-101, entitled “Existing /proposed floor plans”, dated 9/03/2013, drawn by Ed Gemmola & Associates; and Planning Board application documents describing “Straddles Gymnastics Inc.” submitted on 9/5/2013 by the applicant, be approved subject to the following conditions:

- 1) That, the sign application be submitted to the Advisory Board on the Visual Environment for their review and recommendation to the Planning Board, and that the applicant return to the Planning Board for final approval of the sign.
- 2) That, the two new handicapped signs be installed for the handicapped parking spaces.
- 3) That, the parking lot be cleaned up and restriped.
- 4) That, all signs on the building are shown on elevation views of the building, and any unnecessary signs are to be removed or relocated and indicated as such on the drawings. These drawings are to be submitted to the Planning Board when the applicant returns for sign approval.
- 5) That, any door to be installed in partition walls between the gymnastics center space and any other space shall be 3-hour fire rated steel doors other than doors leading directly to the exterior.
- 6) That, an additional egress/ingress door is to be located within 20 feet of the northerly partition of the Straddles space (in the area of the office).
- 7) That, no spray paint booth is permitted or allowed on any portion of the premises as depicted on the site plan.
- 8) That, smoke/carbon monoxide detectors are to be installed in the Straddles space.

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In the event that this Change of Use is not implemented within three (3) years of this date, this approval shall expire.

The Planning Board of the Village of Croton-on-Hudson, New York

Robert Luntz, Chairman (absent)
Mark Aarons
Bruce Kauderer (absent)
Steven Krisky
Richard Olver

Motion to approve by Mr. Olver, seconded by Mr. Krisky, and carried all in favor by a vote of 3 to 0.

Resolution accepted with the minutes of the meeting held on Tuesday, September 10, 2013.