

**Minutes of the
Village of Croton-on-Hudson
Planning Board Meeting of
Tuesday, August 13, 2013**

Present: Robert Luntz, Chairman
Bruce Kauderer
Richard Olver

Absent: Steve Krisky
Mark Aarons

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

1) Call to order at 8:17 p.m.

2) Referrals

a) *Happy Hearts Daycare (Desiree Drapala)—10 Old Post Road South (Sec. 78.08 Block 7 Lot 5)—Referral from Village Board for renewal and amendment to the Special Permit to operate a childcare center.*

Desiree Drapala, owner of Happy Hearts Daycare, presented her parking analysis that had been requested by the Planning Board. Ms. Drapala noted that she had counted 65 parking spaces in the back parking lot of the building, the side and the spaces for the Montessori (Holy Name). She had observed that at 9 a.m., traffic appeared to be the busiest but most of the daycare's drop-off had ended at this time.

Chairman Luntz noted that there seemed to be light usage in the morning although given it was August, it might be lighter than usual but Mr. Kauderer noted that even if there were double the demand, there still would be adequate parking. Ms. Drapala stated that fifty percent of the families have two or more children attending the daycare and therefore the numbers required for parking would not be doubled.

Kauderer reiterated the need for new directional signage in the lot and Chairman Luntz stated that this would be part of the recommendation from the Planning Board to the Village Board.

Chairman Luntz stated that the Planning Board's main concern had been parking, and based on the parking analysis, it seems that parking will be adequate for the weekday usage by Happy Hearts. The Planning Board will recommend, based on traffic patterns observed by Board members and the parking analysis, that there should be directional arrows (signage) in order to have a one-way loop around the parking lot. The Planning Board also strongly recommends that an internal staircase be built to eliminate the awkward pedestrian route outdoors.

Planning Board Meeting
August 13, 2013

Ms. Drapala stated that the landlord had a commitment to build the staircase and this should not be a problem

3. New Business

a) *Green Growler Grocery—WBSO Enterprises (Sec. Blk Lot) –Application for a Change in Use for an existing craft and artisan snacks grocery to include a new food café.*

Ms. Seana O’Callaghan, owner of the Green Growler Grocery, presented her application for Change in Use for an existing craft beer grocery to include a new food café. She explained that her store had a lot of space for storage but given how many people had made requests to taste beer as well as to sit down and have a drink and something to eat, it made more sense to create a small café in the store with added sidewalk dining. As drawn on the submitted floor plan, the front of the store would be the dining space.

She requested a parking waiver, although she has observed that even at peak times, when most of the other businesses were closed, there seemed to be enough parking. She also has observed that the parking lot at the end of Benedict was underutilized.

The Village Engineer stated that the change in use affected seating and the Planning Board could waive four parking spots.

Mr. Kauderer expressed concern about the musical entertainment that was mentioned in the plan. He was concerned about noise and that this might be disruptive to neighbors. He asked how often Ms. O’Callaghan would offer live music events. Ms. O’Callaghan responded that she would share that concern about being disruptive and was willing to work with neighbors to make sure that everyone has a good living situation. The music would not be amplified and only occur once or twice a week. Mr. Kauderer agreed as long as there were no complaints of noise.

The Village Engineer stated that if a business has an occasional musical event it is seen as incidental use and part of the business and therefore not a problem.

Chairman Luntz stated that he thought outside seating and a café would work nicely in the village. He commented that there are often open parking spaces in front of the store but asked if there is a way to have signage within the store to let customers know that there is a parking lot at the end of Benedict. Ms. O’Callaghan stated that she would put information about the parking lot on her webpage and place a sign inside or outside the store to guide customers. She also mentioned that there were some overgrown trees that obscure the signs for the parking lot and people sometimes think it is a private lot. Mr. Olver stated that this parking lot at the end of Benedict was specifically purchased to encourage people to park in that business district.

Planning Board Meeting
August 13, 2013

Ms. O'Callaghan stated that she also thought it would be valuable to have a bike rack near or in front of the store. She does have bike riders who come to the store and a bike rack might also alleviate some of the traffic. The Village Engineer suggested that she might want to contact the Bicycle/Pedestrian Committee for recommendations about bicycle racks.

Chairman Luntz stated that the Planning Board thought the addition of a café with sidewalk eating is a good idea and recommends directional signage in the store or on the website.

Mr. Olver made a motion to approve the resolution, as amended, for this application, seconded by Mr. Kauderer, and voted 3-0, all in favor.

b) Ron Posmentier--96 Mt. Airy Road (Sec Block Lot)—Application for a Minor Site Plan approval for a fire-damaged single family dwelling.

Mr. Posmentier, applicant, explained that there had been a fire in their home at 96 Mt. Airy Road and the entire structure had been deemed a total loss. He was replacing the structure with a similar one-story ranch (modular construction).

The Village Engineer explained that this application was a little different from the usual Minor Site Plan application since the lot had previously had a house on it, trees were on the property, and erosion and sediment control measures were in place.

Mr. Olver noted that according to the floor plan submitted there was a slightly different footprint of the house than the original structure. Mr. Posmentier stated that there was a little bumpout which would be placed on piers not on the foundation.

Chairman Luntz stated that although there were pieces of the plans submitted, it was, however, difficult for him to see the comprehensive plan for the house based on the submitted documents. He understood there were some timing and financial pressures but he would like to see a more formalized site plan that indicates what is being removed, a foundation plan, proposed drainage structures, the elevations relative to the topography, and a description of the materials being used in relationship to the elevations of the house. He expressed concern that the plans did not accurately depict what the applicant was planning to build.

Mr. Kauderer and Mr. Olver suggested that perhaps the Planning Board could give approval for a partial minor site plan given that there is agreement amongst Board members, in principle, for the replacement house. The Planning Board would give approval for the construction of the foundation on the condition that the applicant return with a more comprehensive site plan and detailed architectural plans. Chairman Luntz agreed to approve the foundation work as a partial minor site plan and advised the applicant to return when he felt he was ready with the other issues

Planning Board Meeting
August 13, 2013

for a Minor Site Plan approval. He stated that he was sympathetic to the applicant's situation but wanted to approve a Minor Site Plan that the Planning board could stand behind.

Mr. Kauderer advised Mr. Posmentier to have the architect call the Village Engineer directly.

Mr. Kauderer made a motion to issue an approval of a modified minor site plan application in order that the foundation could be constructed. The entire minor site plan application would be approved when the comprehensive documentation was submitted. Mr. Olver seconded the motion, and the vote carried all in favor 3-0.

4) Old Business

a) Rui Jorge—27 Harrison Street (Sec. Blk. Lot)—Application for preliminary subdivision of two lots (consolidation)

The Village Engineer explained that once the Planning Board grants preliminary subdivision approval, the applicant must return to the Planning Board with a final plat showing the two lots. The Planning Board can then review and approve the final subdivision plat along with the two minor site plans for Lot 1 and Lot 2.

Mr. Olver made a motion to approve the preliminary subdivision plat resolution, seconded by Mr. Kauderer, and carried by a vote in favor 3-0.

5) Minutes

The minutes of July 23, 2013 were approved on a motion made by Mr. Kauderer, seconded by Mr. Olver, and carried all in favor, 3-0.

6) Discussion

The Village Engineer informed the Planning Board that the Village Attorney, Jim Staudt, had reviewed the Village Engineer's draft of the notice of violation/order to remedy letter to Mr. Tom Fallacaro. He will sit down with Mr. Fallacaro to discuss the next steps.

7) Adjournment

There being no further business to come before the board, the meeting was duly adjourned at 9:15 p.m. on a motion by Mr. Kauderer, seconded by Mr. Olver, and carried all in favor 3-0.

Respectfully submitted,

Ronnie L. Rose
Planning Board Secretary