

Village of Croton on Hudson
Meeting of the Planning Board
Tuesday, March 12, 2013

Present: Rob Luntz, Chairman
Bruce Kauderer
Mark Aarons
Steve Krisky

Also present: Daniel O'Connor, Village Engineer

1. Meeting called to order at 8:05 p.m.

2. New Business

a) Chiropractic on Hudson--119 Grand Street (Sec. 67.20 Blk.3 Lot 24)--Application for Change of Use from Retail Use to Professional Services Use.

Dr. Greg Schmidt, applicant for Chiropractic-on-Hudson, presented his application for a Change of Use from Retail Use to Professional Services Use. He would like to move to the new location because it is too noisy in his current space (beneath a day care center).

When Mr. Aarons noted that he hadn't considered the sound issue in a building, Dr. Schmidt stated that the Village should take a look at the village code and the Planning board should consider the impact of sound/noise when someone is moving into a space.

Chairman Luntz noted that there will need to be a parking waiver for on-site parking. Dr. Schmidt stated he walks to work and encourages his patients to park behind the church in the Merwin Oaks parking lot. Mr. Krisky asked about the code requirement for parking to which the Village Engineer stated historically it had been waived (one parking spot to 300 square feet). Dr. Schmidt noted that it does get busy on Saturdays in the upper village and it may be harder for clients to find a spot but ultimately he did not see any problems. He did not have an idea for a sign as of yet.

Chairman Luntz stated that he did not see any issues regarding this Change of Use application.

Mr. Aarons made a motion for the resolution to be accepted, seconded by Mr. Kauderer, and the motion carried by a vote of 4 to 0.

b) Orangeberry Frozen Yogurt Store-- 122 Grand Street (Sec. 78.08 Blk 7 Lot 4)--Application for Change of Use from Retail Use to Food Services Use.

Planning Board Meeting
March 12, 2013

Mr. Robert Szpicznski presented the application for Orangeberry, a frozen yogurt store, to be located in the remaining space of the Old Wondrous Things store, between the Black Cow and Groovy on Grand design studio. The store will have six self-serve yogurt machines, no wait staff, two employees and the owner, Mrs. Szpicznski. The store will be open year-round.

Mr. Aarons commented that these yogurt stores are very popular now.

Chairman Luntz asked about the possibility of an awning on the store. Mr. Szpicznski stated that it is a narrow sidewalk, but he would consider it. They have not yet decided on signage.

Mr. Aarons asked about parking. The Village Engineer stated that the Planning Board can issue a parking waiver. Chairman Luntz stated that the Planning Board has to waive on-site parking if there is to be retail businesses in the upper village. Mr. Krisky agreed and said that he saw no choice but to waive the parking requirement.

There was a discussion about the existing bathroom which is already handicap accessible and therefore no changes are needed.

Chairman Luntz reviewed conditions one through four of the resolution (see attached). Mr. Krisky made a motion to accept the resolution, seconded by Mr. Aarons, and the motion carried by a vote of 4 to 0.

3. Other Items

Chairman Luntz stated, for the record, that he wanted to publicly acknowledge and thank Fran Allen for her many years of public service to the Village as a member of the Planning Board. She has stepped down from the Planning Board in order to accept the position as Environmental Steward of the village. She had been a member of the Planning Board since June 4, 1990, and in addition, had served as the founding chairman of the Waterfront Advisory Committee, and serves as a member of the Trails Committee and the arboretum. The Planning Board thanks Fran for all her service and wishes her all the best.

The Planning Board will not meet until April 9th, since there will not be a quorum for the March 26th, 2013 meeting.

There being no further business to come before the Board, the meeting was adjourned at 8:55 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, March 12, 2013 for Chiropractic on Hudson hereafter known as “the Applicant,” said property owned by Leonard Amicola and located at 119 Grand Street. The property is in the C-1 Zoning District and is designated on the Tax Map of the Village of Croton-on-Hudson as Section 67.20 Block 3 Lot 24; and

WHEREAS, the proposed Change of Use is from retail use to professional services use; 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 a site plan of the interior received by the Village Engineer’s Office on 3/6/13, be approved subject to the following conditions:

- 1) that the sign application be submitted to the Advisory Board on the Visual Environment (VEB) 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 Planning Board waives the required number of on-site parking spaces on the basis that there is available on-street parking and a municipal parking lot. The employees shall park in the municipal parking lot, farthest aisle.

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
Mark Aarons
Bruce Kauderer
Steven Krisky

Motion to approve by Mr. Aarons, seconded by Mr. Kauderer, and carried by a vote of 4 to 0.

Resolution accepted with the minutes of the meeting held on Tuesday, March 12, 2013.

RESOLUTION

WHEREAS, the Planning Board has received an application for a Change of Use permit on Tuesday, March 12, 2013 from Hadber Inc, hereafter known as “the Applicant,” said property owned by Angela Labate and located at 122 Grand Street. The property is in the C-1 Zoning District and is designated on the Tax Map of the Village of Croton-on-Hudson as Section 78.08 Block 7 Lot 4; and

WHEREAS, the proposed Change of Use is from a retail use to a food services use; 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 a site plan of the interior received by the Village Engineer’s Office on 3/6/13, 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,
- 2) that the Planning Board waives the required number of on-site parking spaces on the basis that there is available on-street parking and a municipal parking lot,
- 3) that the number of seats in the store not exceed 14,
- 4) that the employees park in the municipal parking lot, farthest aisle.

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
Mark Aarons
Bruce Kauderer
Steven Krisky

Motion to approve by Mr. Krisky, seconded by Mr. Aarons, and carried by a vote of 4 to 0.

Resolution accepted with the minutes of the meeting held on Tuesday, March 12, 2013.