

**Minutes of the Planning Board Meeting
December 9, 2014**

Present: Chairman Rob Luntz
Bruce Kauderer
Steve Krisky
Rocco Mastronardi
Janet Mainiero

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

1. Call to order

Chairman Luntz called the meeting to order at 8:04 p.m.

2. Executive Session

a) Advice of Counsel regarding an application before the Planning Board.

The Planning Board adjourned for advice of counsel on an application to the Planning Board and resumed the regular meeting at 8:25 p.m.

3. NEW BUSINESS

a) Jessica & Eric Roppa—31 Lower North Highland Place (Sec. 67.20 Blk. 2 Lot 5)—Application for Minor Site Plan Approval, Steep Slopes, Tree Removal, and Excavation and Fill permits for construction of new single-family dwelling.

Ron Wegner, P.E., presented the proposed minor site plan for a single-family dwelling to be built on lot 3 of the Croton Community Nursery School Subdivision. The contract vendees, Jessica and Eric Roppa were also present at the meeting.

Chairman Luntz stated that the Planning Board's charge is to determine if the proposed plan substantially complies with the previously anticipated and approved site plan and house. He noted that a more substantial house was being proposed and the area of the disturbance is being expanded.

Mr. Wegner stated that the rear portion of the lot was expanded to allow for the creation of a backyard. The applicant has tried to avoid disturbing the steeper sections of the property. A steep slope analysis has been submitted. The house will be connected with village sewer and village water and therefore no need for a septic pump or sewer tank. A drainage plan has been submitted to the Village Engineer.

Because of where the house is located on the property, rock removal will be required in the southern portion of the residence in order to create a partial basement (for mechanicals). The Planning Board questioned Mr. Wegner on the

Planning Board Meeting
December 9, 2014

extent of the blasting that would be needed. Mr. Wegner stated that although it would take more than one day, blasting would be limited as much as possible given that they were not making a full basement. He stated that he would follow the protocol on blasting, would follow village code and blast only between 8 a.m. and 5 p.m. He had included notes on blasting on the plans, and the required permit for blasting would be reviewed by the Village Engineer.

Mr. Krisky asked if there were any residences nearby to be concerned about and Mr. Wegner responded that the blasting was approximately 150 ft. away from any residence.

The Village Engineer noted that quite a few trees were to be removed and asked what was going to be planted. Mr. Kauderer asked if some effort could be made to save some of the bigger trees close to the edge of the property. Chairman Luntz stated that the Planning board requests as a board that the applicant again review what trees needed to come down and what could be saved.

Both Mr. Kauderer and Ms. Mainiero asked if some of the stone in the stonewalls could be rescued and reused. Mr. Wegner stated that they would keep whatever nice stone could be found.

Ms. Mainiero commented that the existing old stone retaining walls might have some historical value. Chairman Luntz also noted that the stone retaining wall was a unique feature of this property, and it seemed that some of the elements on the landscape plan were not as naturally integrated as it could have been. Chairman Luntz suggested shaping the wall to the entrance in a way that made the driveway more gracious and more fitting of the rural characteristic of the house's setting. .

Mr. Mastronardi stated that the stonewall has to stay clear of the swale, and Mr. Wegner responded that he would see what he could do on either side of the swale.

Chairman Luntz commented favorably on the architectural features of the proposed house and added that the house will be a lovely addition to the village. Mr. Krisky asked if the board could see a revised landscape plan. Chairman Luntz noted that the Planning Board was favorable to the application, however as was discussed, the board would like a more in-depth evaluation of the old trees, particularly the larger trees. The board would be open to a professional arborist's opinion. The board would also like to see if there could be some change on the entryway stone retaining wall and the stone wall at the site to preserve the more rural feel of the site and to integrate it more aesthetically to the landscape.

The Village Engineer stated that the Planning Board could have an optional public hearing on the steep slope permit. Chairman Luntz and Mr. Kauderer concurred that a public hearing was not necessary since there had been a great deal of public discussion at the subdivision hearings and the board knew there was going to be a

disturbance. Mr. Kauderer motioned that a public hearing was not necessary for the steep slopes, seconded by Mr. Mastronardi, and voted carried, all in favor, 5-0.

4. OLD BUSINESS

a) Mussa, Rey—Quick Stop Convenience Store—205 South Riverside Avenue (Sec. 78.12 Blk. 3 Lot 6)—Final approval for sign application.

Mr. Gemmola, architect for the applicant, informed the Planning Board that the freestanding sign will not be a highway sign but instead will be new signage in the existing free standing sign. The metal supports will be painted white. Mr. Gemmola stated that he understands, per a discussion with the Village Engineer, that if there is no prior variance for the sign height and sign area, the applicant will need to go to the Zoning Board of Appeals for a variance. The Planning board reviewed the photograph of the new signage and agreed that it is acceptable since it is basically a replacement-in-kind of the previous existing signage in the existing freestanding sign and it was not a highway sign.

Chairman Luntz noted however that the signs on the building are at issue and were unacceptable as proposed. The Planning Board agreed with the Village Engineer's recommendation that the applicant address the comments of the VEB regarding the signs on the building and that the applicant return to the VEB again for more feedback and then return to the Planning Board. Mr. Kauderer agreed that aesthetically what the VEB proposed was better, but from his point of view, if the owner really wanted the signage as proposed, he would let him have it.

Chairman Luntz reiterated that he believed the representative or owner needs to know that the signs are important and needs to go back to the VEB.

Mr. Mastronardi made a motion that the Planning Board approves the freestanding signage, as depicted in Exhibit A, subject to getting a variance if required. Regarding the building mounted signage, the Planning Board does not grant final approval and directs the applicant or representative to return to the VEB in order to provide information as required to further discuss the sign application, and then return to the Planning Board for final approval. Mr. Kauderer seconded the motion, and the motion carried, all in favor, by a vote of 5-0.

5. REFERRALS

a) Village Board referral regarding a Special Permit for ShopRite Supermarket—460 South Riverside Avenue (79.17-2-2)—Lead agency declaration and request for comments.

Joe Madden attorney, and Rob Lauro, engineer on the project, were present to discuss the Village Board referral of the special permit application. Mr. Lauro gave a brief summary of the history of the special permit for ShopRite, and stated that the site has been used as a supermarket for 35 years. ShopRite is proposing an

expansion in the rear and side of the building, with a vestibule and mezzanine in the front of the building.

The expansion will include an upgrade of the parking lot and a complete interior makeover. The phasing of the project will be such that the exterior will be worked on during the day, and the interior work will be conducted after midnight when the store is closed.

The Board members asked about the parking requirement since there will be additional square footage. The Village Engineer stated that he would be reviewing the parking requirements according to the Zoning Code, historically and per the current code. Mr. Mastronardi raised concerns about the safety of pedestrians in the area of the ramp and near Pronto Pizza and recommended that there be improvements in the flow of traffic to facilitate safer pedestrian traffic.

Mr. Lauro described how the vestibule would help lead pedestrians to two different entrances making pedestrian flow more manageable. There will be clearer crosswalks with signage pronouncing the crossings. He pointed out that the south and north entrances help split the flow of the cars.

There was a lengthy discussion about the lack of pedestrian access closer to the ShopRite entrance. Board members asked about a possible walkway or stairs and noted that there was little in the way of a safe passageway to Shoprite given the lack of sidewalks and the traffic logjam, with no stop sign, at the bottom of the ramp near Pronto Pizza.

Mr. Lauro responded that the 11% grade was too steep a grade to create a sidewalk and there was no room for sidewalks since there was a shoulder stripe and a big electrical cabinet from Con Ed that encroaches on a possible sidewalk. When Mr. Krisky asked about steps, Mr. Lauro responded that steps were possible but not ADA compliant and did not allow safe passageway. Mr. Kauderer agreed and stated that there could only be ADA compliant passage all the way around the property. Chairman Luntz stated that there could be both the sidewalk all around and steps on the side.

The Planning Board considered the factors necessary for a special permit as per Code 230-58:

- A. There exist two entrances and exits, so the property is accessible to police and fire protection. A fire sprinkler system will be expanded in the new structure.
- B. The proposed expansion is compatible with the existing C-2 special permit use and compatible with the orderly development of the zoning district in which it is located and that of adjacent properties. Shoprite has reached out to Historic Hudson Valley, adjacent neighbors, for their comments. The proposed project meets the current zoning requirements.

- C. The main issue for the Planning Board is the lack of pedestrian and bicycle access to the store. Concern was also expressed about the flow of vehicular traffic in the parking area that impacts the safety of pedestrians. The Planning Board agreed that as a condition of the special permit, the applicant should review sidewalk accessibility to the store from the South Riverside Avenue entrance. The Planning Board also recommended that the parking lot be reviewed for pedestrian safety.
- D. The Planning Board stated that the review of the nature and extent of landscaping on the site would occur at the time of site plan review.
- E. With respect to the preservation of ecological or environmental assets of the site or adjacent lands, the Planning Board stated that a detailed storm water management plan would need to be submitted.

Mr. Mastronardi made a motion that the Planning Board consents to the Village Board being lead agency and recommends that a special permit be granted to Shoprite for its use as a supermarket. The Planning Board also recommends that the applicant explore the pedestrian and bicycle access and improvements to the site in order to facilitate such access. The Planning Board recommends that the applicant meet with the Bicycle/Pedestrian committee. The Planning Board also recommends that the Village Engineer review the number of parking spaces required, considering the previous approvals that were issued. Mr. Krisky seconded the motion, and the motion carried, all in favor, by a vote of 5-0.

b) Village Board referral regarding a zoning amendment, Local Law Introductory 4 of 2014-Customary home occupations, existing small lots.

The Planning Board will review the Village Board referral regarding a zoning amendment on customary home occupations and existing small lots at the next meeting. Prior to the next meeting the Planning Board Secretary will distribute the memo of the Waterfront Advisory Committee on its review of home customary occupations.

6. DISCUSSION ITEMS

Mr. Krisky made a motion to approve obtaining proposals from engineering consultants for the geotechnical review of the proposed construction of two single-family dwellings on Piney Point Avenue, seconded by Ms. Mainiero, and carried, all in favor, by a vote of 5-0.

7. APPROVAL OF MINUTES

Mr. Mastronardi made a motion to approve the minutes, as amended, of October 28, 2014, seconded by Ms. Mainiero, and carried, all in favor, by a vote of 5-0.

Planning Board Meeting
December 9, 2014

8. ADJOURNMENT

There being no more business brought before the board, the meeting was duly adjourned at 11:05 p.m.

Respectfully submitted,

Ronnie L. Rose
Secretary to the Planning Board