

**Village of Croton-on-Hudson
Minutes of the Planning Board
Tuesday, March 25, 2014**

Present: Robert Luntz, Chairman
Bruce Kauderer
Steve Krisky
Rick Olver
Rocco Mastronardi

Also Present: Daniel O'Connor, Village Engineer

1. Chairman Luntz called the meeting to order at 8:07 p.m.
2. Public Hearing
 - a) *Hopscotch (Food Services Establishment)—122 Grand/8 Old Post Road South (Sec. 78.08 Blk. 7 Lot 4)—Application for an Amended Site Plan for new rear windows, a side door to a new outdoor patio with pergola, new front façade, new business sign, and amendment to existing waiver of off-street parking spaces.*

Mr. Kauderer made a motion to open the public hearing, seconded by Mr. Mastronardi, the vote carried, all in favor, 5-0.

Mr. Demasi, architect for the applicant, showed a photograph of the proposed exterior of the building, including a railing on top of the roof. The Board members agreed that the railing on top of the roof should turn the corner, and that this will be an added condition of the resolution. Mr. Demasi stated that there would be a natural finish for the exterior pergola and the railing will match the natural wood. There was also discussion about the handicap accessible ramp that could be placed inside the patio space instead of outside of the patio as originally designed. The ramp would therefore not obstruct the view in the front window. The reconfigured ramp option will be included as one of the conditions of the resolution.

The memorandum received from the VEB (dated 3/25/14 and available in the Engineer's office) was reviewed:

1. *Regarding the outdoor seating area replacing existing community public space*

Chairman Luntz, Mr. Kauderer, and Mr. Krisky all noted that this space, although at present available for anyone to sit there, is in fact private property of the owner of the building. Although initially Mr. Olver expressed concern about restricting public use of this space given that people over the years have become used to being able to sit there, he agreed that access is available since there is a ramp to the patio and there is no gate. Mr. Rudovic stated that in the morning when the restaurant is not open, if an individual were sitting on the patio, they would not be asked to leave.

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Ideally, Mr. Rudovic stated that it would be nice for the public to come into the restaurant and buy something and then sit outside, but Hopscotch will allow people to sit on the patio if they would like even if they have not entered the restaurant.

2. Outdoor seating area shows eight seats (four tables) which is the same number before the patio area was enlarged.

Mr. Demasi did not draw the full number of possible tables on the patio at this time but more tables are planned.

3. Size of flower boxes:

The Planning Board agreed that an 18" flower box was preferable and the architect and owners agreed that they would change the size of the flower boxes to 18" from 12". This change in size will be included as a condition in the resolution.

4. Hood and exhaust fans:

Chairman Luntz noted that this is a building issue and would be dealt with as part of the building permit; this is not an issue for the Planning Board.

5. Signage:

The Planning board will refer the sign to the VEB for their recommendations.

6. How will parking be handled?

Chairman Luntz and the other PB members noted that other nearby business owners have received waivers for parking and that the Planning Board wants both to encourage more pedestrian activity and to promote positive business usage. Therefore, the Planning Board did not have an issue with issuing a parking waiver. Mr. Krisky noted that he has not heard any complaints about parking issues in the upper village. Mr. Olver commented that in the morning on the weekends there are ballgames in Vassallo Park and the food pantry is open, however since Hopscotch won't be open yet, there should not be an issue.

7. One Shutter:

There was a discussion about the one shutter on either side of the new windows. Mr. Rudovic stated that it was to make the restaurant have an "old world feel" to it.

Chairman Luntz opened the discussion for public comment. Mr. Peter Lavery, of Finney Farm Road, spoke on behalf of a group of Finney Farm residents who have expressed enthusiasm and excitement about the proposed restaurant. Mr. Lavery stated that there is a lot of positive talk in the community about Hopscotch's arrival.

Mr. Olver commented that he also is very enthusiastic about the project and that it is great to see the upper village coming alive in this way.

The public hearing was closed on a motion by Mr. Krisky and seconded by Mr. Mastronardi, and carried by a vote of 5-0.

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Mr. Olver made a motion to approve the resolution for amended site plan for new rear windows, a side door to a new outdoor patio with pergola, new front façade, new business sign, and amendment to existing waiver of off-street parking spaces with conditions, seconded by Mr. Mastronardi, and the vote carried 5-0.

Resolution attached.

3. Miscellaneous Discussion

The Planning Board asked the Village Engineer about the review by the Zoning Board of Appeals of 3 Arrowcrest Drive (Fallacaro) at the March ZBA meeting. The Village Engineer stated that the ZBA had continued the public hearing until the April 9th meeting at which time the Zoning Board hoped to make a decision about whether or not to deny the variances.

The Planning Board members all agreed they would like to convey the Planning Board's opinion to the Zoning Board that Mr. Fallacaro's variances application should be denied based on their previously discussed concerns regarding this property.

Therefore, pursuant to Section 230-164D of the Village Zoning Code, Mr. Kauderer volunteered to write a letter to the ZBA that expresses the Planning Board's opinion on this issue and to recommend that the ZBA deny the variances application. Mr. Kauderer will draft a letter, and after the members provide feedback, the Village Engineer will send the letter to the Village Attorney for his legal advice. The letter will then be forwarded to the ZBA for the meeting on April 9th.

4. Approval of Minutes

Mr. Krisky made a motion to approve the minutes, of March 11, 2014, as amended, seconded by Mr. Mastronardi, carried by a vote of 5-0.

The meeting adjourned at 9:20 p.m.

Respectfully submitted,

Ronnie L. Rose
Planning Board Secretary

RESOLUTION

WHEREAS, on March 25, 2014, the Planning Board held a public hearing on an Amended Site Plan application for a food services establishment “Hopscotch” for Casper & Hopscotch Inc, hereafter known as “the Applicant.” The subject property, owned by Angela Labate, is located at 8 Old Post Road South (Tax Parcel Address: 122 Grand Street) in the C-1 General Commercial Zoning District and designated on the Tax Map of the Village of Croton-on-Hudson as Section 78.08 Blk. 7 Lot 4; and

WHEREAS, the proposal is for new rear windows, a side door to a new outdoor patio with pergola, new front façade, new business sign, and amendment to existing waiver of off-street parking spaces; and

WHEREAS, the Visual Environment Board (VEB) reviewed the site plan dated March 21, 2014, and provided comments to the Planning Board; and

WHEREAS, the Planning Board reviewed and discussed said comments from the Advisory Board of the Visual Environment (VEB) on March 25, 2014; and

WHEREAS, the Planning Board in an earlier resolution dated February 23, 1988 waived the off-street parking requirements for the base square footage of the tenant space and the additional parking requirements for 34 seats; and

WHEREAS, this proposal is considered a Type II Action under the State Environmental Quality Review Act (SEQRA); therefore, no Negative Declaration is required; and

NOW, THEREFORE BE IT RESOLVED, that the amended site plan application as shown on the drawings Sheet 1 and 2 entitled “Renovation for Casper & Hopscotch Inc”, last revised March 21, 2014, drawn by Goewey & Demasi, Architects, be approved with the following conditions:

- 1) That the existing fence and gates in front of the dumpsters be repaired;
- 2) 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 prior to its installation;
- 3) That the Planning Board waives the required number of off-street parking spaces for 57 seats which results in six (6) additional parking spaces over those waived by the Planning Board in 1988. This parking space waiver is issued on the basis that there is available on-street parking and nearby municipal parking lots;
- 4) That the owner obtain permission from the Village Engineer under Chapter 197 of the Village Code or the Village Board to use a small section of the Village Right of Way for the outdoor patio.
- 5) That the railing on the upper façade on the front of the building be continued along the upper façade on the left side of the building.
- 6) That the width and length of the flower boxes be increased to 18” as recommended by the VEB.
- 7) That the optional ramp configuration in which the ramp is not constructed in front of the window is also approved and is recommended over the option of the ramp in front of the window.

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In the event that this amended site plan 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, Chairperson
Bruce Kauderer
Steve Krisky
Rocco Mastronardi
Richard Olver

Motion to approve by Mr. Olver, seconded by Mr. Mastronardi and carried by a vote of 5 to 0.

Resolution accepted at the meeting held on March 25, 2014.