

**Village of Croton-on-Hudson
Minutes of the Planning Board
Tuesday, April 8, 2014**

Present: Rob Luntz
Bruce Kauderer
Steve Krisky
Richard Olver

Absent : Rocco Mastronardi

Also Present: Daniel O'Connor, Village Engineer

1. Chairman Luntz called the meeting to order at 8:05 p.m.

2. NEW BUSINESS

a) Blue Pig Ice Cream—121 Maple Street (Sec. 78.08 Blk. 7 Lot 7)—Application for Amended Site Plan to construct a pergola over the patio area and review of freestanding sign and waiver of requirements for freestanding sign.

John Grant, representative of the applicant Lisa Moir of MG's Homemade LLC dba "The Blue Pig" presented the plans for a pergola over the patio area. The proposed pergola will provide customers with shade and cover from the sun and the birds.

The Village Engineer noted that the Blue Pig is in the C-1 commercial district and the village code states that the setback from the rear property must be a minimum of 10 feet. Because the patio is only about six feet from the rear property, it was recommended that the pergola be moved towards Maple Street or towards the building to meet the required setback. Mr. Grant stated he would have no problem with shifting the pergola in order to meet the required setback.

Mr. Grant also discussed the application for a freestanding sign. The sign is the familiar Blue Pig logo and will be located on the property, in front of the bench, and will not extend over the sidewalk. He spoke with DPW and the No Parking sign will be removed and either relocated nearer to Children Space or a location to be determined by DPW.

The Village Engineer stated that according to code a freestanding sign can be no more than 10 feet above the ground and the building must be at least 25 feet from the nearest curb line for a freestanding sign to be allowed. The building is approximately 22 feet from the curb line and by code, the freestanding sign would not be allowed; however, per Section 230-44 (q), the Planning Board determined that such compliance with this requirement would cause a hardship, and therefore, the Board waived the requirement.

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Although Mr. Grant thought he needed to take the Blue Pig sign down from the building, the code allows one sign on the building and the Planning Board members liked the idea of the two signs.

Mr. Krisky made a motion that a public hearing be called for the next meeting on April 22, 2014, and that the application be referred to the VEB for their review and recommendation, seconded by Mr. Kauderer, and the vote carried 4-0.

b) Hudson National Golf Club—40 Arrowcrest Drive (Sec. 67.15 Blk. 1 Lot 4)—Amend the Environmental Management Plan to eliminate storm flow monitoring at respective sampling sites, base flow sampling will continue.

Chairman Luntz stated that he did not at this point want to change the EMP (Environmental Management Plan) given that there might be environmental effects from the construction of the practice hole. Mr. Ryan Oliver, Superintendent of the Golf Course, was present at the meeting and stated that he would have to look at the limits of disturbance. The golf club would be trying different monitoring sites; there were not going to be any changes to the actual course.

Chairman Luntz stated that he believed that the golf club was doing an excellent job of environmental stewardship but given the upcoming big construction, he did not think it was a good idea to stop the monitoring now. Mr. Oliver said that there would be an amendment to the EMP with the new practice hole. Mr. Oliver agreed with Chairman Luntz.

The Village Engineer noted that the EMP did not envision monitoring forever and noted that sampling from the wells had been discontinued because there had been no impact to surface ground water but the sampling at surface water sites and storm events had continued.

Mr. Krisky also was not in favor of stopping monitoring after storm events at this point. He also stated that he wanted to include Karen Jescavage-Bernard, President of the Arboretum, and that she should be invited for the next meeting. Planning Board Secretary will follow up.

Mr. Oliver stated that Environmental & Turf Services would need to see the plans and the Planning Board stated they would like to hear from the consultants before making any decision. The Village Engineer attempted to contact Lajan Barnes of Environmental and Turf Services, but she could not be reached.

Chairman Luntz stated that the Planning Board was amenable to conferencing by phone with Environmental and Turf Services, and then after that discussion, the Planning board could make a decision. Mr. Krisky expressed concern that with the construction the village will have a less protected watershed. Mr. Kauderer stated that the village relies on the consultants and if they say it is not necessary, it would be okay with him to stop the monitoring of storm flow events.

Village Engineer will contact Lajan Barnes of Environmental & Turf Services for further information.

3. REFERRALS

a) Rey Mussa--205 S. Riverside Avenue (Sec.78.12 Blk 3 Lot 5,6)—Referral from Village Board for a recommendation for Special Permit approval to operate a convenience store on the property.

Mr. Peter Schuyler, attorney, Mr. Ron Wegner, consulting engineer, and Mr. Ed Gemmola, architect, all were present on behalf of the applicant.

The Planning Board reviewed the objectives and goals in Section 230-58 of the Village Code in order to make their recommendation of the special permit application:

A. The accessibility of all proposed structures to fire and police protection:

The proposed structure (modification of existing structure) is accessible to fire and police protection.

B. The compatibility of the location, size and character of the proposed use with the orderly development of the zoning district in which it is located and with that of adjacent properties in conformity with the zoning district applicable to such properties.

The proposed use is compatible with the C-2 commercial zoning district and with that of adjacent commercial properties.

C. The safety, convenience and congruity with the normal traffic of the neighborhood and of the pedestrian and vehicular traffic generated by the proposed use, taking into particular account the location and size of such use, the nature and intensity of operations involved in or conducted in connection therewith, its site layout and its relation to access streets.

The Planning Board discussed, at length, traffic and pedestrian and vehicular traffic and in particular, emphasized the importance of sidewalks, pedestrian access and pedestrian crossing locations. The Planning board recommends that possibilities be explored for pedestrian circulation between the Croton Commons Shopping Center and Dom's (205 S. Riverside). The Planning Board also recommends the installation of cross walks on Maple Street at the northeast and southeast corners of the property, subject to Department of Transportation approval. Furthermore, the Planning Board recommends that the last section of curb on Maple Street be relocated to align with the uphill curb locations.

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In a discussion about parking, the Village Engineer stated that eight parking spaces were required, and it was noted that there were twelve (not including those marked at the pump) on the proposed plan; therefore, the parking is sufficient. The Planning Board recommends that special permits be issued to allow employee parking on South Riverside Avenue that will allow more available parking for customers on the property. Finally, the Planning Board recommends that the applicant explore the possibility of a (digital) community sign at the intersection, subject to Department of Transportation approval.

D. The compatibility of the location and height of buildings, the location, nature and height of walls and fences and the nature and extent of landscaping on the site with adjacent land and buildings and their appropriate development.

The Planning Board agrees with the applicant that there should be improvements to the overall appearance of the building. The Planning Board will review the specifics during site plan approval including lowering the height of the center feature element ("tower").

Mr. Schuyler stated that it was the owner's intent to enhance the visual impact of the building, to blend in with the existing neighborhood, and that he would like to see an immediate improvement from the onset.

E. The preservation of ecological or environmental assets of the site or adjacent lands.

When Mr. Krisky asked about remediation of gas and oil inside the building, Mr. Schuyler answered that they have not received a final report from the inspectors yet however, since the property will still be a gas station, the owner would like to keep the waste oil tank for customers to recycle oil even though there are no oil changes are allowed.

The Village Engineer noted that it was good to have outlets so that it was easier for people to get rid of waste oil. Underground storage tanks are registered with the County Health Department.

The Planning Board will make their recommendation to the Village Board for a special permit after which the Village Board will hold a public hearing. The applicant will then return to the Planning Board for amended site plan approval.

Mr. Kauderer moved that the Planning Board recommend that the Special Permit be granted having considered provisions of 230-58 of village code, and with the following recommendations for the consideration of the village board:

1. Require the installation of a sidewalk on SRA subject to DOT approval;
2. Provide landscaping and improve the general appearance of the intersection of Maple St and SRA subject to DOT approval;
3. Improvements should be made to the overall appearance of the building. The PB

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- will look at the specifics during site plan approval that will include a lowering of the height of the center feature element or "tower;"
4. Recommend that special permits be issued to allow employee parking on South Riverside Avenue;
 5. Explore possibilities for pedestrian circulation between the Croton Commons Shopping Center and Dom's;
 6. Install crosswalks on Maple Street at the northeast and southeast corners of the property subject to DOT approval;
 7. Relocate the last section of curb on Maple Street to align with the uphill curb locations; and
 8. Explore the possibility of a (digital) community sign at the intersection, subject to DOT approval.

Mr. Krisky seconded the motion, and the vote carried 4-0.

5. APPROVAL OF MINUTES

Mr. Krisky made a motion to approve the minutes of the Planning Board meeting of March 25, 2014, seconded by Mr. Kauderer, and carried by a vote of 4-0.

6. ADJOURNMENT

There being no more business to come before the board, the meeting was adjourned at 9:42 p.m.

Respectfully submitted,

Ronnie L. Rose
Planning Board Secretary