

Village of Croton-on-Hudson
Minutes of the Planning Board Meeting
Tuesday, April 22, 2014

Present: Rob Luntz, Chairman
Bruce Kauderer
Steve Krisky
Rocco Mastronardi
Richard Olver

Also present: Daniel O'Connor, Village Engineer
Ann Gallelli, Village Board Trustee

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

2. PUBLIC HEARING

a) Blue Pig Ice Cream—121 Maple Sreet (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, representing MG's Homemade LLC DBA The Blue Pig, was present. Mr. Kauderer made a motion to open the public hearing, seconded by Mr. Krisky, carried by a vote of 5-0. There were no comments from the public. Mr. Mastronardi made a motion to close the public hearing, seconded by Mr. Olver, carried all in favor 5-0.

The memorandum from the Advisory Board on the Visual Environment was reviewed and discussed.

The Planning Board agreed with the VEB recommendation that the guidelines and recommendations of the propane heater company should be adhered to. Mr. Grant stated that he hoped to put in propane heaters and understood that there would need to be clearance for heaters. He would follow code guidelines and manufacturer's instructions.

The Planning Board agreed with the VEB recommendation that the lowest point of attachment of the knee braces should provide enough clearance so there is no danger of extending below head height.

The Planning Board is including in the resolution granting amended site plan approval the recommendation by the VEB that the wood sign posts should be made of the same untreated lumber as will be used for the pergola. The Planning Board also believes it is a good idea to have the timber sealed so that it would retard decay.

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The Planning Board wanted to give some leeway to the applicant in terms of the height of the free standing sign as long as it meets the code requirement of no more than 10 feet height.

Mr. Olver made a motion to approve the resolution, as amended, (see attached resolution), seconded by Mr. Krisky, and carried all in favor by a vote of 5-0.

3. OLD BUSINESS

a) John Boulos—Piney Point Avenue (Sec. 79.13 blk. 4 Lot 44)—Application for Minor Site Plan approval for a new single-family dwelling

b) Mark Franzoso—Piney Point Avenue (Sec. 79.13 Blk 4 Lot 45)—application for Minor Site Plan approval for a new single-family dwelling

Ed Gemmola, Ed Gemmola Associates, architect reintroduced the project to the Planning Board. He stated that the applicants were going to apply to the Zoning Board for variances for the carport in the front yard and a variance from the requirements of the height of the walls that support the parking pad.

Chairman Luntz stated that the Planning Board, having seen the application three times previously, had a good understanding of the issues that are involved. The Planning Board members have reviewed the minutes from the previous meetings.

Chairman Luntz stated that first and foremost, the applicant must go to the Zoning Board since the accessory structures (the walls supporting the parking pads) will need variances. He stated that the issues of stability with soil, the geotechnical and the structural engineering reports, and the tree survey have been discussed at previous meetings, and will be reviewed, if and when the application returns to the Planning Board for minor site plan review.

There were several neighbors in attendance that asked if they could speak. Chairman Luntz explained that he would allow short comments but that the Planning Board does not have a public hearing on a Minor Site Plan. He stated that the place to air comments about the project was at the Zoning Board meeting, which is a public hearing. He stated that he thought it was a little premature to discuss the virtues of the house and the site until the Zoning Board made a decision.

Mr. Gemmola stated that he wanted to reintroduce the application because it had been dormant for a year and there were new members on the Board.

Mr. Franzoso, owner of one of the properties, stated that he understood that the neighbors who were present are not too happy but wanted to give them the courtesy of letting them know that the project would be starting again. He stated that he wanted to do the right thing and he stated that he believed the houses would be assets to the neighborhood and Croton.

Although not a public hearing, Chairman Luntz allowed the neighbors to speak briefly about their concerns. Some of the issues that were raised by the neighbors were the water runoff from the hill, tree removal, soil disturbance and debris.

Chairman Luntz stated that the issues raised were all issues of concern and the Planning Board heard them and would deal with them at minor site plan approval. The issues raised are virtually the same issues that had been spoken about previously and the Planning Board has not discounted them but the application has to go through to the ZBA. In order to develop these properties, the applicant must get variances to get the off-street parking requirements and height variances for the retaining walls. The Planning Board is not approving or voting on anything until the variances have been granted.

Mr. Gemmola stated that he had heard the comments previously stated, and will address them during the process. Tonight's meeting was only to re-introduce the project.

4. DISCUSSION

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

The Village Engineer explained that at the last meeting, Environmental and Turf Services had recommended that the HNGC modify the Environmental Management Plan to stop storm flow monitoring at respective sampling sites. The Planning Board had expressed concern that given the proposed project for a practice hole facility, there may be an impact on the sampling sites and this might not be the most appropriate time to discontinue storm flow monitoring.

The proposed practice hole plan was sent to LaJan Barnes (from E&TS), who was unfamiliar with the project. She plans to visit HNGC for an audit for the base flow on May 19th and May 20th and will look at the watershed and where the water is flowing.

Mr. Oliver, Superintendent of HNGC, stated that eliminating the storm flow monitoring at the sampling sites was not the golf club's idea, but he did suggest that there was no statistical data to support continuing the storm flow monitoring at the sampling sites. He agreed that there probably should be storm flow monitoring during the construction at certain sites near the access road (SW1) but that was two or three years away.

Chairman Luntz stated that the Planning Board believes that the HNGC has been a good steward of the golf course property, and tests have borne that out, but his concern was with the timing of the proposed discontinuation of storm flow

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sampling, given the proposed changes and addition of the practice hole. The Planning Board however wanted to hear the recommendation of E&TS.

Karen Jescavage-Bernard stated that she appreciated the invitation to speak at tonight's meeting and read a statement requesting that the Planning Board require stormflow testing to be continued at the sampling site SW-3A, of interest to the Arboretum, because "SW-3A is the only relevant point where fertilization is tracked."

Mr. Mastronardi suggested that if the decision is made to discontinue the storm flow sampling that they should continue to sample site SW-3A. Mr. Kauderer stated that he would go along with whatever E&TS recommends since he believes they are the experts.

Chairman Luntz stated that a site visit for the Planning Board would be a good idea and no action would be taken tonight. Ms. Jescavage-Bernard will also be invited on the site visit. The Planning Board Secretary will coordinate the site visit with HNGC.

5. APPROVAL OF MINUTES

Mr. Krisky made a motion to approve the minutes of Planning Board meeting of April 8, 2014, seconded by Mr. Olver, and carried all in favor by a vote of 4-0 with Mr. Mastronardi abstaining because he had been absent.

1. ADJOURNMENT

There being no more business to come before the board, the meeting was duly adjourned at 9:35 p.m.

Respectfully submitted,

Ronnie L. Rose
Secretary to the Planning Board

RESOLUTION

WHEREAS, on April 22, 2014, the Planning Board held a public hearing on an Amended Site Plan application for **MG's Homemade DBA "The Blue Pig"**, hereafter known as "the Applicant." The subject property, owned by Mark Franzoso, is located at 121 Maple Street (Tax Parcel Address: 18 Old Post Road South) 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 7; and

WHEREAS, the proposal is for the construction of a pergola over the patio area and the installation of a freestanding sign and the waiver of the requirements for the freestanding sign; and

WHEREAS, on April 16, 2014, the Visual Environment Board (VEB) reviewed the application, 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 April 22, 2014; and

WHEREAS, the Planning Board, per Section 230-44(q), determined that compliance with the requirement that the building be at least 25 feet from the curb line for a free standing sign to be allowed would cause a hardship, and therefore, the Planning Board waived the requirement; 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 submitted drawings dated April 4, 2014, and the plans for the "12 X 12 Timber Frame Pergola" designed by Timber Frame Headquarters (©2012), be approved with the following conditions:

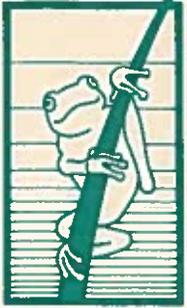
- 1) That the pergola be located so that it meets the required setback of a minimum of 10 feet from the rear property line.
- 2) That the freestanding sign not extend over the sidewalk.
- 3) That the freestanding sign not be more than 10 feet above the ground.
- 4) That the No Parking and other signs be relocated as determined by the Village Engineer and the Department of Public Works.
- 5) That, as recommended by the Advisory Board of the Visual Environment, the wood sign posts be the same untreated lumber as is used for the pergola, and that all timber framing be sealed to retard decay.

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. Krisky, and carried by a vote of 5 to 0.
Resolution accepted at the meeting held on April 22, 2014.



**JANE E. LYTLE
MEMORIAL
ARBORETUM**

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DATE: April 22, 2014

TO: Village of Croton Planning Board

FROM: Karen Jescavage-Bernard, President, Croton Arboretum & Sanctuary Inc.

RE: Environmental & Turf Services Inc. Request to Stop Storm Flow Monitoring

The purpose of ETS's monitoring program has been to track water quality of both base flows and stormwater flows and to recommend changes in Hudson's turf management practices when and where exceedances are detected.

The ETS monitoring stations of interest to the Arboretum are SW-3A and SW-6. We understand that results from SW-6 are not meaningful because water from several residential properties in addition to the golf course flows to the sampling station. As a result, it is impossible to separately identify or analyze inputs from these combined sources. For this reason, we see no point in continued sampling at SW-6.

This leaves SW-3A as the single representative sampling station monitored by ETS. Because the Arboretum shares a long border with the golf course where several streams and old "farmer drains" discharge water into the preserve, the Arboretum sampled flows at several points along the property line between 2000 and 2003. Although the sampling points did not include SW-3A (the station sampled by ETS), during this period we recorded significant seasonal variations: Specifically, nitrogen and phosphorus levels were highest in early spring, coinciding with spring thaw of frozen ground and water plus heavy winter and spring rains. We also noted lower pH values at one sampling station each spring.

Since the Arboretum is no longer conducting a monitoring program, SW-3A is the only relevant point where fertilization is tracked. For this reason, we request that the Planning Board require stormflow testing be continued.

Regarding the proposed driving range, this area does not drain into the Arboretum. We do not expect runoff from project construction or maintenance activities to impact water quality in the preserve.

Sincerely yours,

Karen Jescavage-Bernard
President