

VILLAGE OF CROTON-ON-HUDSON
Minutes of the Planning Board Meeting
Tuesday, June 9, 2015

PRESENT: Rob Luntz
Rocco Mastronardi
Steve Krisky
Bruce Kauderer
Janet Mainiero

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

1. Call to order

Chairman Luntz called the meeting to order at 8:03 p.m.

2. NEW BUSINESS

a) Matra Group LLC – 1380 Albany Post Road –Application for modification of the requirements for sign area and illumination.

PRESENT: Nick Rudyk, Hudson Sign Co., representing the Matra Group

DISCUSSION:

Mr. Rudyk stated that he was seeking relief from section 230-44,P(2) of the Village Code which states that in the O-1 district one non-illuminated sign facing a street and not exceeding an area of 5 square feet shall be permitted. He wanted to create a sign that would be permitted in the C-2 signage regulations (up to 40 square feet). Chairman Luntz asked why this was not a zoning action; the Village Engineer explained that the Planning Board has the authority to waive the requirements regarding signage. Because most signs comply with the regulations, the Planning Board does not often review sign applications.

In response to questions about the illumination, Mr. Rudyk stated that the proposed sign would be internally illuminated (with a light box) since floodlights can give off glare; the proposed lights would be softer and more muted.

Mr. Krisky stated that he thought these types of signs are less attractive than those lit by floodlights underneath. Chairman Luntz questioned the need for illumination at all, given the types of businesses that were there. Ms. Mainiero asked if these businesses were open at night.

Mr. Rudyck responded that the cabinetry business did have customers at night and there was a small light on the building itself with a light over the doorway. Mr. Krisky asked about the illumination of the Coldwell Banker sign down the road and Mr. Rudyck stated that it was not illuminated at night. Mr. Kauderer and Mr. Mastronardi commented that the lights would make the road easier to see since this stretch of the road is fairly dark at night and unlit.

The Village Engineer stated that this property is in the O-1 district and that the applicant was requesting a larger area for the sign as is allowable in the C-1 district. An illuminated

sign is also allowable in the C-1 district. Mr. Mastronardi asked if there was a limit on illumination strength, to which the Village Engineer answered that there was not, but there was a prohibition against twinkling, flashing and changing color lights.

Chairman Luntz stated that he thought an exterior illumination would be a nicer application than interior illumination. Mr. Krisky also stated he would like to see a different kind of illumination than what Mr. Rudyk had proposed.

Mr. Rudyk explained that the reason he had proposed internal illumination is that it was easier to change the business signs if there is frequent turnover in the businesses. There is less wear on the sign box with this kind of illumination.

Chairman Luntz stated that he did not think it really added to the street; that it would be calmer and more attractive if there were, for example, floodlights that were upright and flush to the ground which would not put glare in the road. Mr. Krisky concurred.

With respect to the size of the sign, Mr. Rudyk stated it was 6 ft wide by 5 ft. 4 in for a total of 32 square feet. Mr. Kauderer stated that to him the size seemed appropriate given the relative isolation of the area, and he wouldn't want it smaller. Chairman Luntz noted that traffic is going by fairly quickly so a larger sign seems appropriate. Mr. Krisky also agreed that given that the Coldwell Banker sign is larger, the proposed larger sign would be more consistent with the area.

The Planning Board agreed that the VEB could discuss the aesthetics of the sign (color, contrast, illumination, fabrication, style of sign to be consistent with village signage).

The Planning Board agreed to waive the sign requirement that stipulates that the sign not exceed an area of five square feet and agreed to grant approval for a sign of 32 square feet. The Planning Board also agreed to authorize the exterior illumination of both sides of the sign as permitted by Section 230-44 ((E) with the following conditions:

1. That, the sign application be referred to the Advisory Board of the Visual Environment for their review and recommendations prior to approval of the application by the Village Engineer.
2. That, the exterior illumination should be designed to minimize glare for oncoming traffic, for example, flush to the ground.

MOTION: Mr. Mastronardi made a motion to approve the draft resolution, as amended with the conditions as specified above, seconded by Mr. Krisky, and carried all in favor by a vote of 5-0.

3. REFERRAL

- a) *Referral from Village Board for the review of Local Law Introductory No. 5 -2015 (the "Draft Law") to amend Chapter 230-41 of the zoning code of the Village Zoning Code to remove age restriction and other provisions to streamline procedures in obtaining a legal accessory apartment.*

DISCUSSION:

Chairman Luntz commented that the removal of the age restriction seemed like a good idea in today's world in which young people are looking for reasonable housing options,

allowing for more density and more affordability. Mr. Krisky agreed that removing the age restriction allowed for a variety of tenant situations. Mr. Kauderer concurred and stated that it was good for the village and encourages more affordable housing to a wider range of tenants.

Mr. Kauderer noted however that he believed that the draft law needed some technical changes in section 230-41, C. He wanted the language of the law to include in the definition of "property owner" the following: "Tenancy in Common," "Joint Tenancy," or "tenancy by the entirety." This language would protect a property owner's spouse if the spouse's name was not listed as the primary property owner upon the property owner's death. The Board also agreed that C1 should be changed so that "the approval for an accessory apartment shall become null and void within 180 days or the settlement of the estate, whichever comes first, however no less than 90 days of any of the following events." Mr. Kauderer also recommended that item "(c)" in section 230-41 C (1) have the word "primary" added in front of residence, such as, "(c) change in primary residence of the owner."

Chairman Luntz agreed with the technical points that Mr. Kauderer presented, and recommended that the Village Attorney review these recommendations.

MOTION:

Mr. Krisky made a motion to recommend the draft law on accessory apartments with the additional comments as specified above, seconded by Mr. Kauderer, and carried all in favor by a vote of 5-0.

4. OTHER ADDITIONAL COMMENTS:

The Planning Board asked about the paving at 205 South Riverside Avenue gas station, and the Village Engineer informed them that the owner has applied to the Department of Transportation for sidewalk work. When the owner obtains approval, the owner wants to complete the sidewalks and paving together at the same time.

The Planning Board asked about the status of the underwater mooring rights at 50 HMB. The Village Engineer noted that a letter had been sent out to Mr. Plotkin reminding him about the underwater rights.

5. APPROVAL OF MINUTES

Ms. Mainiero made a motion to approve the minutes of May 26, 2015, seconded by Mr. Krisky, and carried in favor by a vote of 5-0.

6. ADJOURNMENT

There being no further business to come before the board, the meeting was duly adjourned at 9:15 p.m.

Respectfully submitted,

Ronnie L. Rose

Ronnie L. Rose
Secretary to the Planning Board