

**Waterfront Advisory Committee Meeting
February 10, 2016**

Present: Charlie Kane, Chairman
Bruce Kauderer
Bob Anderson
Brian Pugh

Absent: Stuart Greenbaum

Also Present: Daniel O'Connor, Village Engineer

1. Call to order at 7:00 p.m.

2. REFERRAL

- a) *ShopRite Supermarkets, Inc.--460 South Riverside Avenue --Renewal of special permit for retail use for existing store and modification of the permit for the proposed expansion--preliminary review.*

Present: Rob Lauro, The Lauro Group; Dan Peveraro, P.E., The Lauro Group; Dan Hollis, Esq.

Mr. Lauro gave a summary of the proposed application and a description of the exterior and interior modifications that are being proposed. One of the modifications is the addition of a vestibule (1100 sq. ft) which Mr. Lauro noted will increase the energy efficiency of the store as well as provide two points of entrance which will better utilize the parking lot.

Mr. Kauderer, a Planning Board member, stated that the Planning Board had recommended the renewal of the Special Permit. He explained that after lengthy discussions, there appeared to be no way to save the trees along the southern driveway entrance, and there will be some mitigation by planting trees along South Riverside Avenue. More details on landscaping and tree planting will be worked out during the Planning Board's site plan review.

Mr. Lauro described some of the storm drainage plans and stated that the Stormwater Pollution Prevention Plan (SWPPP) will be submitted upon approval of the Special Permit. He also indicated that the applicant may install a Vortechs Stormwater Treatment separator system which will separate the sediment and debris from the stormwater runoff.

Mr. Lauro explained the difficulty and challenges with providing sidewalk and ramp access closer to the building. Shoprite will encourage its employees to utilize the ADA compliant sidewalk and use the southern entrance. Mr. Lauro also noted that although the plan is not perfect, the sidewalk being proposed in front of the property was ADA compliant, and noted there was no sidewalk available on South Riverside Avenue towards Croton Point Avenue.

Mr. Lauro stated that the current flood zone comes up to the wall in the back of the building. When and if the new flood zone areas are established by FEMA, there will be a slight elevation change but ShopRite will not be affected since the finished floor elevation is higher than the proposed elevation level.

In a review of the Coastal Assessment Form, the WAC noted the following:

- On p. 1, B (d), “Agency undertaking action” should include the following: “Village Board, Planning Board, and Waterfront Activity Committee.”
- On p.1, B (2), “Describe nature and extent of action”, the following should be added: “Site Plan Approval and WAC recommendation of consistency.”
- On p. 5, (p) “Will best management practices be utilized to control stormwater runoff into coastal waters?” the answer should be “YES” since Best Management Practices will be used.
- In Section D, p. 5, the remarks should include 4(p) “Will best management practices be utilized to control stormwater runoff into coastal waters?” as noted above.

In a review of the SEAF, the WAC noted the following:

- There is a typographical misspelling of “Croton” which should be corrected. In the *Brief Description of Proposed Action*: the square footage should be 17,129 NOT 217, 129 SF.
- On p. 1, #2 in the list of agencies and permits, “Building Permit” should be removed, and “Site Plan Approval” and “WAC recommendations” should be added.
- On p. 2, #7, the answer should be “Croton Point Park/Croton River” (CEA)
- On p. 2, #17(b), the answer “YES” to the question “Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?” requires a brief description which should be included.

The WAC members reviewed the 44 policies and found the following policies to be applicable and consistent:

Policy 5: Encourage the location of development in areas where public services and facilities essential to such development are adequate, except when such development has special functional requirements or other characteristics which necessitate its location in other coastal areas.

Policy 5A: When feasible, development within the Village should be directed within the current service area of existing water and sewer facilities or in close proximity to areas where distribution lines currently exist.

Because the ShopRite Supermarket is within an area of the Village where these public services exist and the supermarket has been operating as a retail use for many years, policies 5 and 5A are applicable and the proposed expansion is consistent with these policies.

Policy 6: Expedite permit procedures in order to facilitate the siting of development activities at suitable locations.

The Village Engineer recommended that the applicant, while seeking to obtain a Special Permit from the Village Board, could attend a Planning Board meeting for an informal discussion of some of the site plan details rather than wait to begin discussion after the Special Permit process is completed. The Village Engineer suggested that by having some informal discussions prior to the issuance of a Special Permit, when ShopRite is ready to submit an application to the Planning Board for an Amended Site Plan approval, the applicant will have had the opportunity to incorporate some of the suggestions on the site plan that the Planning Board provided. These preliminary discussions may reduce some of the Planning Board site plan review meetings and would therefore be consistent with the above policy.

Policy 7: Significant coastal fish and wildlife habitats will be protected, preserved, and where practical, restored so as to maintain their viability as habitats.

Policy 7A: The quality of the Croton River and Bay significant fish and wildlife habitat and Haverstraw Bay significant fish and wildlife habitat shall be protected and improved for conservation, economic, aesthetic, recreational, and other public uses and values. Its resources shall be protected from the threat of pollution, misuse, and mismanagement.

Policy 7B: Materials that can degrade water quality and degrade or destroy the ecological system of the Croton River and Bay significant fish and wildlife habitat and the Haverstraw Bay significant fish and wildlife habitat shall not be disposed of or allowed to drain in, or on land within, the area of influence in the significant fish and wildlife habitats.

Policy 7E: Runoff from public and private parking lots and from storm sewer overflows shall be effectively channeled so as to prevent oil, grease, and other contaminants from polluting surface and groundwater and impact the significant fish and wildlife habitats.

Policy 7G: Such activities must not cause degradation water quality or impact identified significant fish and wildlife habitats.

These policies are applicable to the proposed application because with adequate devices installed on site, pollutants from stormwater runoff will be minimized. The proposed application is consistent with these policies because the applicant has stated that the stormwater drainage plans and the Stormwater Pollution Prevention Plan (SWPPP) will be submitted upon approval of the Special Permit. Mr. Lauro explained that the applicant may install a Vortechs Stormwater Treatment separator system or equal which will separate the sediment and debris from the stormwater runoff before it enters the NYSDOT stormwater system which discharges directly into the Croton Bay.

Policy 11A: Erosion and sediment control measures shall be undertaken in order safeguard persons, protect property, prevent damage to the environment, and promote the public welfare by guiding regulating, and controlling the design, construction, use and maintenance of any development or other activity which disturbs or breaks the topsoil or results in earth movement.

This policy is applicable to the proposed application because a portion of the existing landscaping is being removed and replaced with proposed asphalt areas. The additional water quantity (flow rate) will be mitigated by the stormwater management system which will be described in detail on the site plans and in the SWPPP. According to the Coastal Assessment Form, description Section D, all disturbed areas will be covered with pavement, curbing, landscaping, or other ground cover. A sediment and erosion control plan will be required when the site plan is evaluated.

Policy 33: Best Management Practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into coastal waters.

Policy 33A: Encourage new developments to retain stormwater runoff on site so as to not increase flows within the existing system or to improve existing stormwater runoff systems so that runoff from such developments does not adversely impact coastal waters.

A Stormwater Pollution Prevention Plan (SWPPP) will be required and will include storm water management practices that reduce the amount of runoff from the proposed development. Mr. Lauro had discussed the possible installation of a Vortechs Stormwater Treatment separator system or equal and other stormwater management systems which will separate the sediment and debris from the stormwater runoff.

Policy 37: Best Management Practices will be utilized to minimize the non-point discharge of excess nutrients, organics and eroded soils into coastal waters.

Policy 37A: Standards and specifications for the control of non-point source discharge as set forth in Westchester County Management Practice Manual or other recognized reference shall be utilized during development of any site.

These policies apply to the application because runoff from the parking areas and building will be directed to stormwater management systems that will reduce the flow rate and volume and improve the water quality. This will minimize the discharge of pollutants into coastal waters. The proposed project will be consistent with the policy because Best Management Practices will be utilized to minimize the amount of nutrients, organics and eroded soils that could enter the stormwater system.

Chairman Kane called for a motion to make a preliminary recommendation of consistency. Mr. Pugh made a motion in favor of recommending preliminary consistency for the proposed application, seconded by Mr. Kauderer, and carried in favor, by a vote of 4-0. The Village Engineer explained that although the new amended law requiring only one consistency review

has been passed, the ShopRite application falls under the old law and will require a final recommendation of consistency review.

3. APPROVAL OF MINUTES

Mr. Kauderer made a motion to approve the minutes of January 27, 2016, seconded by Mr. Pugh, and carried in favor by a vote of 4-0 (Mr. Greenbaum absent).

4. ADJOURNMENT

Mr. Pugh made a motion to adjourn the meeting, seconded by Mr. Kauderer, and carried in favor by a vote of 4-0.

Respectfully submitted,

Ronnie L. Rose
Secretary to the Waterfront Advisory committee