

VILLAGE OF CROTON ON HUDSON, NEW YORK
PLANNING BOARD MEETING MINUTES – TUESDAY, JANUARY 11, 2011

A regular meeting of the Planning Board of the Village of Croton-on-Hudson, New York was held on Tuesday, January 11, 2011 in the Municipal Building.

MEMBERS PRESENT: Chris Kehoe, Chairman
Mark Aarons
Bruce Kauderer
Robert Luntz

ABSENT: Fran Allen

ALSO PRESENT: Daniel O'Connor, P.E., Village Engineer

1. Call to Order:

The meeting was called to order at 8:00 P.M. by Chairman Kehoe.

2. PUBLIC HEARINGS

- a) *Croton Community Nursery School – Lower North Highland Place (Sec. 67.20 Bk. 2 Lots 5, 6, 9, 25 [formerly Lots 5, 6, 7, 8, 9, 10, 11, 12, & 25] – Application for a Preliminary Subdivision Approval – Request for an Adjournment*

Chairman Kehoe stated that, as in the past, the public hearing on this application for a preliminary subdivision approval is being adjourned until the next Planning Board meeting.

- b) *Croton Auto Park -- 1 Municipal Place (Sec. 78.12 Blk. 3 Lot 2) – Application for an Amended Site Plan Approval for Modifications to Façade and Request for Exception to Village Code on Signage.*

Jason Anderson, R. A. of Pharr + Anderson Architecture, Planning, Interiors highlighted the changes in the drawings of Croton Auto Park that were discussed in the last Planning Board meeting. Mr. Lou Giordano, owner of the dealership was also present.

Mr. Anderson stated that they had revised the sets of drawings (including a set with color) to provide new elevations and renderings to accurately show a 24' high entry pylon (arch) option and the original 28' high entry pylon (arch). The revised drawings also showed the correction in the amount of vehicles permitted on the rocks from 8 vehicles to 7 vehicles.

Mr. Anderson pointed out that there were more drawings in this set of plans than at the last meeting. These additional drawings would give the Planning Board the

opportunity to see the signage from the side (Municipal Place) and the front (South Riverside Avenue) of the building.

Mr. Luntz asked if Mr. Anderson had a strong preference for any of the arch heights.

Mr. Anderson stated that he still feels that the larger arch of 28' works more proportionately. He didn't know if the owner had strong feelings one way or the other, but from his perspective the scale of the 28' version works better.

Chairman Kehoe stated that Mr. Kauderer and he had talked at the last meeting about lighting at the Croton Auto Park and they had come to the conclusion that there would be no impact on the neighbors with either the 24' or 28' arch.

Mr. Anderson agreed that having completed both drawings, there would be no visual impact from either arch.

Mr. Luntz stated that he was satisfied with the look even though previously he had spoken about the element unfavorably. However, after looking at both versions, he tended to agree with Mr. Alexander that the larger arch (28') looks better than the 24' arch. Mr. Luntz stated that he was satisfied with the element especially if Chrysler required this element as part of the "package."

Mr. John McBride, of 132 Old Post Road North, came forward to speak. He stated that he believed that the sign ordinance does not get enforced in the village and that this decision (regarding signage) was an opportunity for the Planning Board to enforce the sign ordinance. He encouraged the Planning Board to do so if they possibly could. He believed that Chrysler should not dictate what the sign ordinance should be in the village.

Chairman Kehoe asked Mr. Anderson if he would go over what is happening with the signage again.

Mr. Anderson stated that the dealership has had many signs for many years and what they are proposing now is to bring the quantity and the square footage of signs more in line with the Village zoning ordinance. Currently there are 9 signs on the South Riverside Avenue side of the building, and that has been reduced to 8 signs. On the Municipal Place side, there are currently 13 signs, and this proposal reduces signage to 8 signs. In total, the Croton Auto Park is losing six signs from what historically was there. In total, there will be sixteen signs. Mr. Anderson stated that the plans also show what is being upgraded or replaced. He appreciates all the comments but the intent is to clean up the signs as well as reduce the quantity of signage.

Chairman Kehoe said the biggest issue for him, on the Municipal Place side, is the temporary nature of the majority of the signs. In looking at that elevation, and seeing the signs: "Express Lane," "Service," and "We service all Makes and Models," plus a variety of smaller signs, Chairman Kehoe wanted to know which of these signs were going to be permanent.

Mr. Anderson that they were making permanent signs out of the temporary ones. There would be no banners. He referred to Drawing #C-202 "Proposed extension to Elevation 28' Option" in which the banners listed on the sign table are shown as being replaced with permanent signs.

Chairman Kehoe asked how these signs were going to be illuminated. Mr. Anderson responded that the signs were going to be internally illuminated with LED lights (not back lit). The brand names on the South Riverside Avenue front of the building (Jeep, Chrysler, Dodge, RAM) and Croton Auto Park would be internally lit.

Mr. Aarons asked if the pylon would be lit and Mr. Anderson stated that there were two fluorescent tubes (a mixture of fluorescent bulbs) in the pylon.

The Village Engineer explained that even though the number of signs exceed what is allowed in the signage ordinance, the Planning Board does have the authority to waive this requirement if it is in the interest of the public. He also pointed out that the aggregate area of the signage is much less than the area that is allowed under the sign code.

Chairman Kehoe referred to the "Total Sign Square Footage" chart on Drawing #C-202 that states that the square footage on Municipal Place is 36 square ft. and South Riverside Avenue is 183.4 sq. ft. He questioned the total square footage since the MOPAR express lane sign was 35 sq. ft itself.

Mr. Anderson stated that Chairman Kehoe was absolutely right; these numbers were wrong. When they did an accounting of all the signs and had updated the signage, they had not updated the square footage. Mr. Alexander said that the west elevation (South Riverside Avenue) of 183.4 sq. ft. was wrong, as that also had not been updated.

The Village Engineer said that there was approximately 400 sq. ft of allowable signage in front (South Riverside Avenue) and about 248-250 square footage of allowable signage on the Municipal Place side. Chairman Kehoe said it was important to note that although there may have been signs put up in the past that had not been approved by the site plan or may not have looked right, that most likely these signs never had too much square footage. The Village Engineer stated that what was being proposed now was below the signage allowed by code.

Mr. Luntz commented that the signage was more permanent in nature as opposed to the temporary nature of the signage before this proposal.

Mr. Anderson said the revised plans were much more in compliance with the zoning signage ordinance.

Mr. Luntz mentioned that Ms. Allen had previously brought up the concerns about balloons and banners. There had been a twice a year sales event in which there had been temporary signs displayed for longer than they should have been. Mr. Luntz referred to the 2002 Planning Board resolution (November 12, 2002), Condition number six, that stated "All banners will be removed from poles on the site and no new signs, as defined in 230-44M, shall be installed except as noted on SY-101 for a semi-annual temporary event."

Mr. Anderson added that the note on SY-101 stated that the signage could be temporary for 72 hours but not more than two times per year and "all banners will be removed from poles and no new signs installed."

Chairman Kehoe stated that balloons could be used in the three-day tent event and had been noted on the old plan. Chairman Kehoe explained that this note is important because it refers to what was going on in 2002 and Condition #6 in the 2002 resolution references this event. If Mr. Giordano still holds this kind of event would he still want this approval? Chairman Kehoe asked if a three-day tent sale was still held and Mr. Giordano answered that he does a tent event, at most, once a year, but there are other events that involve balloons such as the "Big Win" three-day event (no tent) they had recently in which balloons were put on antennas of cars. These balloons weren't associated with a tent event.

Chairman Kehoe responded that this gets to Fran Allen's point, which is the idea that there was a specific event with a tent, nine years ago, and this was understood and quantified.

Mr. Giordano stated that there are different events, with the possibility of a 72-hour event, but not necessarily a tent event. Chrysler sends different promotional materials that he is expected to use.

The Village Engineer stated that according the Village Code the only time balloons can be displayed is when there is a tent event or when there is an opening or reopening of a business. A sales event would not fall under this category. The Planning Board can address this if they want.

Chairman Kehoe stated that it seems to him that if the Village Code does not permit balloons unless they are associated with a tent event, or an opening or reopening a

business, then the Planning Board cannot permit it and it is up to the village to enforce it.

Mr. Kauderer stated that he felt it was not in the Planning Board's purview to change the conditions when a business could display balloons.

The Village Engineer added that the Planning Board is allowed to change the conditions if they want to modify the sign regulation.

Chairman Kehoe reiterated that banners and balloons only happen with a tent event, and therefore, since the Planning Board has the authority to allow balloons with this kind of event, Mr. Giordano could decide if he wanted the resolution to allow balloons during a 72-hour event. Mr. Giordano stated that he wanted the 72-hour event to remain in the resolution.

Chairman Kehoe stated that it was his personal preference not to get the Planning Board involved in deciding when and where to put up balloons and banners.

Mr. Kauderer agreed and said that it was up to the village to decide when balloons could be displayed.

Chairman Kehoe stated that, in his opinion, the façade and the changes that have been made were an improvement, that the reduction in the quantity of signs was an improvement, and that the signage was now permanent and not temporary was also an improvement.

A motion to close the public hearing portion of the meeting was made by Mr. Aarons and seconded by Mr. Kauderer and carried by a vote of 4-0.

The resolution on the Amended Site Plan for Croton Auto park was approved subject to the following conditions:

- 1) that the drawing package should be revised to show only the 28' arch,
- 2) that the square footage of the total signage be corrected with respect to Municipal Place and South Riverside Avenue,
- 3) that the plans show which signs are illuminated,
- 4) and that the record note that all the previous conditions contained in the 2002 resolution of November 12, 2002 be carried over in this resolution.

A motion to approve the resolution was made by Mr. Kauderer and seconded by Mr. Luntz and carried by a vote of 4-0.

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Planning Board Meeting

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3. APPROVAL OF MINUTES:

The minutes of Tuesday, December 14, 2010 Planning Board meeting were approved, as amended, on a motion by Mr. Aarons, seconded by Mr. Luntz and carried by a vote of 4-0.

There being no further business to come before the board, the meeting was duly adjourned at 8:45 p.m.

Respectfully submitted,

Ronnie L. Rose

Planning Board Secretary

RESOLUTION

WHEREAS, the Planning Board held a public hearing on an Amended Site Plan application on Tuesday, January 11, 2011 for Croton Auto Park, hereafter known as “the Applicant,” said property located in the C-2 Zoning District and Municipal Place Gateway Overlay Zone, at 1 Municipal Place and designated on the Tax Map of the Village of Croton-on-Hudson as Section 78.12 Block 3 Lot 2; and

WHEREAS, this Amended Site Plan application is for the granting of an exception from the Village Code signage requirements, new exterior signage and the construction of an entry arch; and

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

NOW, THEREFORE BE IT RESOLVED, that the Amended Site Plan application, as shown on Drawing #C-100 entitled “Civil Title Sheet & Rendering;” Drawing #C-200 entitled “Site Plan;” Drawing #C-201 entitled “Existing Exterior Elevations;” and Drawing #C-202 entitled “Proposed Exterior Elevations 28’ Option,” dated November 11, 2010, last revised January 6, 2011 and Drawing #C-203 entitled “Proposed Exterior Elevation 24’ Option” and Drawing #C-204 entitled “Exterior Renderings,” dated January 6, 2011 prepared by Pharr + Anderson Architecture Planning Interiors, be approved subject to the following conditions:

- 1) The architectural drawings prepared for the Amended Site Plan application shall be revised to accurately show that the proposed modification to the façade of the existing building shall be a 28’ entry pylon (arch).
- 2) The total sign square footage as noted on the table on Drawing #C-202 entitled “Proposed Exterior Elevation 28’ Option” shall be corrected with respect to the Municipal Place and South Riverside Avenue building frontages.
- 3) The sign table on Drawing #C-202 entitled “Proposed Extension to Elevation 28’ Option” shall be revised to include information as to which signs are to be illuminated.
- 4) All previous conditions listed in the November 12, 2002 resolution (attached) shall be carried over to and be included in this resolution.

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
Chris Kehoe, Chairman
Mark Aarons
Fran Allen (absent)
Bruce Kauderer
Robert Luntz

Motion to approve by Mr. Kauderer, seconded by Mr. Luntz and carried by a vote of 4 to 0.

Resolution accepted with the minutes of the meeting held on Tuesday, January 11, 2011.

RESOLUTION

WHEREAS, the Planning Board held a public hearing on an Amended Site Plan application on Tuesday, October 1, 2002 for Croton Autopark, hereafter known as “the Applicant,” located at One Municipal Place and designated on the Tax Map of the Village of Croton-on-Hudson as Section 78.12 Block 3 Lot 2 (formerly Sec. 21 Blk. 209 Lot 72-C); and

WHEREAS, the proposed project includes additional landscaping; modifications to the parking; and an application for a free-standing sign; and

WHEREAS, site visits were made to the Croton Autopark by the Planning Board; and

WHEREAS, under the requirements of Local Law 7 of 1977, the Planning Board has determined that there will be no adverse impacts resulting from the proposed application that cannot be properly mitigated.

NOW, THEREFORE BE IT RESOLVED, that the Amended Site Plan application as shown on drawing SY101 entitled “Site Plan,” and drawing A201 entitled “Elevations and Signage,” prepared by Neil Carnow, A.I.A., Architect, dated March 27, 2002, last revised September 12, 2002, be approved subject to the following conditions:

1. The parking of automobiles beyond the property line adjacent to Municipal Place and South Riverside Avenue, on the NYS Right-of-Way, is subject to consent by the NYSDOT. The parking of vehicles as shown on SY101 is approved by the Planning Board only for the present Applicant.
2. The Applicant will provide eight (8) trees of no less than 2-inch caliper to be planted by the Village at the locations shown on the above-referenced site plan.
3. Drawing SY101 will be amended to show a 15’ buffer from adjacent properties on Beekman Avenue and also to show location of exterior lights on the building.
4. All loading/unloading of supplies for the Parts Department will take place either on Riverside Avenue or on-site from the Riverside Avenue entrance, not on Municipal Place. This condition is subject to reconsideration for up to two (2) years at either the Applicant’s or the Village’s discretion.
5. No more than seven (7) vehicles will be located on the rock on the northeast side of the property for display purposes.
6. All banners will be removed from poles on the site and no new signs, as defined in 230-44M., shall be installed except as noted on SY101 for a semi-annual temporary event.
7. Except as modified by the discretion of the Planning Board by this site plan approval, all other provisions of Chapter 230-44 which apply to

Motor Vehicle Sales and Service agencies shall apply, specifically 230-44P.(6)(c)[2] having to do with signs on the interior and exterior of individual vehicles.

8. On-site adjustments will be made and maintained by the Applicant to the existing lights on the site to ensure that there will be no off-site glare. The Applicant will return to the Planning Board the first Planning Board meeting of November 2002 to review the status of the lighting adjustments. Further reviews may be scheduled until the Planning Board is satisfied with the result, but not to extend past January 31, 2003.
9. The driveway areas behind the building must be kept clear and passable to assure emergency vehicle (including fire truck) access around the building perimeter at all times and also meet the requirements of Sec.125-5A and B (Fire Prevention) of the Village Code.
10. All vehicle-inventory loading and unloading must occur on Riverside Avenue northerly of the existing main driveway. Hours permitted for loading and unloading vehicles shall be restricted to occur between 7:00 A.M. and 11:00 P.M. on weekdays. No more than one (1) delivery truck may be present on the road at the same time.
11. Under normal operating conditions, the cars on the site shall not exceed the number of parking spots shown on the site plan but, for limited periods of time, additional cars can be on site provided they meet the conditions in Section 125-5A and B (Fire Prevention) of the Village Code. The (corresponding) note on the parking count on SY101 should be changed, accordingly.
12. No stacking or double-deck parking of vehicles shall be permitted.

In the event that this Amended Site Plan is not implemented within one (1) year of this date, this approval shall expire.

The Planning Board of the Village of
Croton-on-Hudson, New York

Ann H. Gallelli, Chairperson
Fran Allen
Ted Brumleve
Joel Klein
Andrew Zelman

Motion to approve by Mr. Zelman, seconded by Ms. Allen and carried by a vote of 4 to 1. Mr. Klein was opposed.

Resolution accepted with the minutes of the meeting held on Tuesday, November 12, 2002.