

**VILLAGE OF CROTON ON HUDSON, NEW YORK**  
**PLANNING BOARD MEETING MINUTES – TUESDAY, JANUARY 25, 2011**

A regular meeting of the Planning Board of the Village of Croton-on-Hudson, New York was held on Tuesday, January 25, 2011 in the Municipal Building.

MEMBERS PRESENT: Chris Kehoe, Chairman  
Mark Aarons  
Fran Allen  
Robert Luntz

ABSENT: Bruce Kauderer

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. The applicant is still working on drainage issues.

**3. NEW BUSINESS**

- a) *Dino Tsagarakis—383 South Riverside Avenue (Sec. 79.13 Blk. 2 Lot 27) – Application for an Amended Site Plan for renovations and addition to existing building, including improvements to exterior finishes and storefront, and site improvements.*

Chairman Kehoe explained, for the record, that Mr. Tsagarakis had been before the Planning Board on November 23, 2010 to request a special permit for mixed occupancy. After Planning Board approval for this request, the application went before the Village Board for approval. The Village Board approved the application for a special permit for mixed occupancy on January 18, 2011 and now Mr. Tsagarakis has returned to the Planning Board to start the amended site plan process.

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The architect, Mr. Eric Lam, of LAM Architectural Workshop, gave a brief description of the project. The building will be completely renovated to include a new entrance to the second floor, minor site improvements with plantings in the front, a new pavement on the parking lot, parking stripes, and a handicapped accessible ramp. A small portion of the existing building at the back of the building will be removed and replaced with an addition to the single story building, north of the site. The single story addition will remain the same height as the existing single story building. Also included in this renovation will be new exterior treatment with bricks pointed and cleaned, new signage for the building, an awning for the single story and front of building, and a screen for the garbage stall. The retaining wall will be partially demolished and the steps refaced. The trees behind the retaining wall will remain.

Mr. Aarons inquired about the longevity of paint on brick to which Mr. Luntz responded that the painting would be helpful since the building needs a lot of patching. Mr. Lam explained that the paint will match the brick, and the entire building will be painted. The building will have all new windows and there will be no outside air conditioning units.

Mr. Aarons asked about the obligation of the owners to maintain painted brick. Mr. Kehoe answered that the Village Board Special Permit resolution of January 18, 2011 includes the condition "(t)hat the property, structures and facilities be maintained and operated to comply with all applicable provisions of the Property Maintenance Code of New York State" and paint maintenance therefore would fall under this condition.

Mr. Luntz added that paint on brick seemed like a good solution and better for the whole look of the building. Mr. Luntz then asked if there was the intention to do something with the concrete on the side that faces Nappy's. Mr. Lam stated that the current condition is not in good shape and would be addressed.

There was general discussion about the lobby of the residential section of the building and Mr. Tsagarakis stated that the look was minimal but clearly differentiated from the retail part of the building. Chairman Kehoe asked about security and access to mail, and the elevator and stairs, to which Mr. Lam stated that delivery personnel and visitors would need to be allowed in by residents.

The Village Engineer reviewed the parking requirements, and stated that the site plan had 17 spaces available and one handicapped space. Only 15 parking spaces are required by Village Code. The Village Engineer recommended that the revised plans show the curb lines being proposed and how the curb island fits together with the adjacent building (Kiko's Restaurant).

Mr. Tsagarakis stated that he does not want to share parking with the adjacent business. He will be charging his commercial tenants for parking and does not want to have any confusion about ownership of parking spaces during the daytime.

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Chairman Kehoe stated that a public hearing should be scheduled, if possible, for the next Planning Board meeting.

The Village Engineer explained that due to the stay of the new Harmon zoning law, the applicant will need to go to the Zoning Board of Appeals for a side yard variance for the rear single story addition (about 8 ft. in length) to the one story section of the building. The existing building is on the property line; however, the zoning code requires a 10 ft. setback when the lot is within 25 ft. of a residence district boundary. The variance application could be on the March 9, 2011 Zoning Board of Appeals agenda.

Mr. Luntz stated that the Planning Board has no choice but to refer this to the Zoning Board for a public hearing for the variance although under the stayed law the Village Board had granted the Planning Board the authority to reduce side yard setback requirements. There was some discussion about the protocol for an application to go to a public hearing at the Planning Board before a Zoning Board hearing. The committee members agreed that in order to make the process less onerous for Mr. Tsagarakis as well as enable this project to move forward in a timely fashion, the Planning Board would schedule a public hearing for February 8, 2011 and a Zoning Board hearing for March 9, 2011.

A motion to schedule a public hearing on Tuesday, February 8, 2011 before the Planning Board regarding Mr. Tsagarakis' amended site plan application was made by Mr. Aarons, seconded by Ms. Allen and carried by a vote of 4-0.

The Village Engineer stated that this application is considered a Type II action under the State Environmental Quality Review Act (SEQRA); therefore, no Negative Declaration is required.

### **3. APPROVAL OF MINUTES**

The minutes of Tuesday, January 11, 2011 Planning Board meeting were approved, as amended, on a motion by Mr. Luntz, seconded by Mr. Aaron and carried by a vote of 3-0-1.

There being no further business to come before the board, the meeting was duly adjourned at 8:50 p.m.

Respectfully submitted,

Ronnie L. Rose  
Planning Board Secretary