

Planning Board
April 10, 2018

The Planning Board meeting was held on Tuesday, April 10, 2018 in the Municipal Center Courtroom. The meeting commenced at 7:00 p.m. with Acting Chairman Randall Williams, Members Gary Barrack, Pat Lambert, David Burke and Jill Reynolds. Also in attendance were Building Inspector Tim Dexter, City Attorney Jennifer Gray, City Engineer John Russo (in for Art Tully) and City Planner John Clarke. Chairman John Gunn and Member Rick Muscat were excused.

Training Session

Mr. Clarke provided a detailed review of proposed local law concerning the calculation of the lot area per dwelling unit in R1, RD and Fishkill Creek Development Districts. He provided a Power Point presentation and explained the proposed law in detail. A listing of parcels that would be affected by the legislation was reviewed and a lengthy discussion about building on steep slopes took place.

Regular Meeting

The regular meeting started at 7:30 with Mr. Williams calling for corrections/additions or a motion to approve minutes of the March 13, 2018 meeting. Mr. Lambert made a motion to approve the minutes of the March 13, 2018 meeting as presented, seconded by Ms. Reynolds. All voted in favor

ITEM NO. 1 PUBLIC HEARING ON APPLICATION FOR SITE PLAN APPROVAL, 7 RESIDENTIAL BUILDINGS - 307 UNITS, "EDGEWATER" SUBMITTED BY SCENIC BEACON DEVELOPMENTS, LLC, 22 EDGEWATER PLACE (*was adjourned to April 10, 2018; and further adjourned to May 8, 2018 pending City Council action*)

The public hearing for Site Plan Approval for the Edgewater project was adjourned to May 8, 2018 pending City Council action.

ITEM NO. 2 CONTINUE PUBLIC HEARING ON THE APPLICATION FOR SUBDIVISION APPROVAL, 13-LOT RESIDENTIAL, 25 TOWNSEND STREET, SUBMITTED BY AK PROPERTY HOLDING, LLC

Attorney Taylor Palmer reported a site visit with consultants took place to review the site and termination of the sidewalk. Engineer Jon Bodendorf reported large trees will be removed and replaced with additional new screening. House orientations and driveway turnaround areas were changed as previously discussed. Mr. Williams opened the floor to public comments.

Nunzio and Bridget Giavatto, 19 Townsend Avenue, asked that a note be added to the plan indicating the fence that separates their property will not be removed. He noted the plan did not reflect the change in sidewalk location and had concerns that the sewer line may not be able the additional flows. He expressed concerns about the zoning and the affect this project will have on the neighborhood.

Taylor Palmer reported a note will be added about fence removal and the pine tree will be removed and replaced with additional landscape screening. The plan will also be modified to

show the sidewalk and crosswalk will not extend to the entrance of the Giavatto property. He clarified that zoning of this property has been in place and was not changed for this development.

Mr. Clarke discussed lot whether 75-foot lots with tapered frontages meet the minimum lot width and that houses are located on the portion of the parcel that meets minimum lot width per Section 223-12(H). A lengthy debate took place about average lot width and further discussion will take place with the Building Inspector.

After some discussion, members felt the public hearing should remain open, and Ms. Reynolds made a motion to authorize the City Attorney's office to draft a resolution of preliminary subdivision approval for consideration at the May meeting, seconded by Mr. Lambert. All voted in favor. Motion carried.

ITEM NO. 3 CONTINUE REVIEW OF APPLICATION FOR SUBDIVISION APPROVAL AND LOT LINE REALIGNMENT, 2 RESIDENTIAL LOTS INTO 3 RESIDENTIAL LOTS, SUBMITTED BY LORI JOSEPH BUILDERS, INC. & RINA SHUMAN, 446 WASHINGTON AVENUE

Engineer Adam Gasparre reported the board voted last month to authorize the City Attorney to draft a resolution of Preliminary and Final Subdivision Approval and offered to answer questions about the project. Members reviewed the draft resolution of approval that was previously circulated and had no questions. After careful consideration, Mr. Burke made a motion to approve the Resolution of Preliminary and Final Subdivision Plat Approvals as circulated, seconded by Ms. Reynolds. All voted in favor. Motion carried.

ITEM NO. 4 CONTINUE REVIEW OF APPLICATIONS FOR SPECIAL USE PERMIT AND SUBDIVISION APPROVAL, PROFESSIONAL BUILDING EXPANSION, 1181 NORTH AVENUE, SUBMITTED BY NORM SCHOFIELD

Architect Aryeh Siegel described his client's proposal to subdivide the property at 1181 North Avenue into two lots to construct a new office building. He reported they met with the former City Council who supported the project and are prepared to go before the new City Council for a Special Use Permit. Mr. Siegel reviewed changes made to the plan and reported the building design was updated to fit better with neighboring Victorian homes. A lengthy discussion took place about Lot #2 in that it does not meet the minimum 75-foot lot width standard in Section 223-12(H). Although the board may modify lot requirements in accordance with Section 223-12(J), Mr. Clark felt that section appeared to be intended for residential subdivisions and to protect the natural and scenic qualities of open land. Alternately the applicant can apply for a variance or move the building toward the rear of the site. Members reviewed principals that must be realized to allow modification of the law and Mr. Siegel believed this proposal met those standards. After a lengthy discussion, members agreed the new building should remain in the proposed location but felt the applicant should go to the Zoning Board of Appeals for a variance. Discussion took place about making the new building a mix of commercial and residential uses. Mr. Schofield reported the property has been in his family for generations and the office space on the second floor has been rented without vacancy. He has many requests for office space rentals and felt more business space is needed considering the number of new residential projects underway.

After careful consideration, Mr. Barrack made a motion to set a public hearing for the SEQRA environmental review for May, seconded by Ms. Reynolds. All voted in favor. Motion carried.

ITEM NO. 5 REVIEW APPLICATIONS FOR SUBDIVISION APPROVAL, SITE PLAN APPROVAL, AND SPECIAL USE PERMIT APPROVAL, PRIVATE SCHOOL (HUDSON HILLS ACADEMY), 850 WOLCOTT AVENUE, SUBMITTED BY ST. LUKE'S EPISCOPAL CHURCH

For the record, Mr. Williams reported his daughter graduated from Hudson Hills Academy. Architect Aryeh Siegel and Reverend John Williams presented the proposal to separate the church from the school in order to lease the school to Hudson Hills Academy. City Code does not allow two principal uses on the same parcel therefore a subdivision is necessary; the school use requires a Special Use Permit and both the church and the school require Site Plan Approval to show each parcel meets zoning requirements. The church is listed on the National Register of Historic Places, however the existing school building is not. Mr. Siegel reported only interior improvements, landscaping, and lighting enhancements will be done to the school. They are trying to complete the project in time for the next school year.

After some consideration, Ms. Reynolds made a motion to authorize circulation of the Planning Board's intent to act as Lead Agent in the SEQRA environmental review process subject to submission of one Full EAF for the three applications, seconded by Mr. Lambert. All voted in favor. Motion carried.

Mr. Clarke suggested they consider a new crosswalk on Rector Street with a sidewalk connection to the school entrance for students that may walk to school. He also asked that they consider changing the portion of chain link fencing nearest to the church and school to improve aesthetics of the historic appeal of the site. He asked that the driveways, bus loading areas and exterior lighting fixtures be included on the Site Plan. Mr. Russo asked that the plat show proposed easements, location of existing utilities, and handicap parking stalls. Lastly detail should be provided on bus movement through the site.

Miscellaneous Business

Zoning Board of Appeals – April Agenda

Members reviewed the Zoning Board of Appeals' agenda and the two items were each requests for side or rear yard variances. No recommendations were made on agenda items.

Review building setback change for Lot #2 of Roseneth Estates Subdivision, 130 South Avenue, submitted by Hudson Land Design

Attorney Taylor Palmer reported when the three-lot Roseneth Subdivision was approved, the Planning Board set forth specific building envelopes and setbacks for each lot that were more restrictive than zoning requirements. During construction of the single family house on Lot #2, the owner wanted to incorporate a ramp into the front door therefore the home was rotated, inadvertently placing it outside the established building footprint. This shift places the house further away from the nearest neighbor and remains well within zoning setback requirements. Mr. Dexter explained this is a 7-acre lot and only a small corner of the building is 6.5 ft. over the

specified building setback on the plat. After careful consideration of the request, Mr. Lambert voted to approve the minor field change, seconded by Ms. Reynolds. All voted in favor. Motion carried.

Review of West End Lofts Retaining Wall and Public Pathway Signage

Applicant Sean Kearney and Engineer Jeff Contelmo thanked the board and staff for assistance with progressing this project through the approval process. Mr. Contelmo reported part of their approval required them to return to the board for review of materials for the retaining wall and site signage. Mr. Contelmo presented a rendering of the retaining wall adjacent to the municipal building parking lot using Limestone texture “Redi-Rock” blocks. Discussion took place with regard to the type of blocks that will be used for other retaining walls on site, and the proposed landscape plan was debated at length. The other retaining walls were to be made with “Uni-Block” because the view of the walls are not prominent and the blocks are less expensive. After a lengthy discussion, members felt all retaining walls should be made with the same style block, and if it is a matter of cost the applicant must return with an alternate recommendation.

Members reviewed proposed site signage (6 signs total) intended to guide pedestrians and vehicular flow through the site. After careful consideration, Mr. Burke made a motion to approve the proposed signage as presented, seconded by Mr. Lambert. All voted in favor. Motion carried.

Architectural Review

Certificate of Appropriateness – 183 Main Street; change façade colors

Anthony Reihle described his proposal to repaint the storefront at 181-183 Main Street however did not bring color swatches for review. Mr. Reihle will return in May.

Single Family House – 17 Wilson Street

Jon Moss described his proposal to construct a new single family house on Lot #2 of the Wilson Street Subdivision. Members reviewed elevation drawings, proposed color schemes and compared it to neighboring housing stock. After careful consideration, Mr. Burke made a motion, seconded by Mr. Lambert, to approve the plan as presented with the following color scheme: Siding – Native Stone, Slate, Parged Concrete, Corten Panel; Roof – EDPM White; Windows – Dark Brown; Trim – Clad Wood/Steel Factory; Stone – Native Stone Local. All voted in favor. Motion carried.

City Council request to review proposed Local law to amend Chapter 223 concerning calculation of Lot Area per Dwelling Unit – R1, RD, and FCDD Districts

Discussion about the proposed local law continued with focus on the method of square footage, measurement of steep slope areas, and properties that would be affected by implementation of the law. City Attorney Jennifer Gray noted that all properties that don’t have final approvals or vested rights will be subject to the new regulations. Members felt consideration should be given to pre-development grades so changes in grading or shifting of land materials can’t be done prior to initiation of the approval process. Members debated the prospect of a law that deducts land potential development calculations for natural features, specifically wetlands, floodways, steep slopes and surface water, as well as the new way steep

slopes are measured. Section 223-16 currently addresses wetlands, water courses, hilltops, ridgelines, hilltops and steep slopes and is not proposed to be changed. Mr. Clarke added that wetlands are governed by the state and are addressed through the SEQRA environmental review process. Concerns were raised that the proposed legislation further reduces development potential when natural features are already protected in the code. Alternately discussion took place that areas of steep slopes, waterways, etc., should not be calculated in determining usable development area. A memorandum outlining the board's discussion will be prepared for the City Council.

There was no further business to discuss and the meeting was adjourned on a motion made by Ms. Reynolds, seconded by Mr. Burke. All voted in favor. Motion carried. The meeting adjourned at 9:30 p.m.