

**Planning Board  
May 8, 2018**

The Planning Board meeting was held on Tuesday, May 8, 2018 in the Municipal Center Courtroom. The meeting commenced at 7:00 p.m. with Chairman John Gunn, Members Gary Barrack, Pat Lambert, David Burke (in at 7:15 p.m.), and Randall Williams (in at 7:32 p.m.). 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. Member Jill Reynolds was excused.

**Training Session**

City Attorney Jennifer Gray provided members with an in depth examination of the SEQRA environmental review process. Mr. Burke joined the meeting at 7:15 p.m.

**Regular Meeting**

The regular meeting started at 7:30 with Mr. Gunn calling for corrections/additions or a motion to approve minutes of the April 10, 2018 meeting. Mr. Lambert made a motion to approve the minutes of the April 10, 2018 meeting as presented, seconded by Mr. Barrack. 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**

This item was previously adjourned to April 10, 2018 and May 8, 2018; and is further adjourned to June 12, 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, Cuddy & Feder, reported that due to a late submission, the Building Inspector did not have the opportunity to review information on measurement of lot width. He respectfully asked the board to consider preliminary and final approval for the next meeting considering a resolution for preliminary subdivision approval was authorized at the last meeting. Mr. Williams joined the meeting at 7:32 p.m. Members agreed to authorize the City Attorney to prepare draft Preliminary and Final Subdivision Approvals for consideration and to continue the public hearing at the June meeting.

**Miscellaneous Business**

**300-310 South Avenue – Consider request for 90-day extension of Subdivision Approval**

Attorney Taylor Palmer, of Cuddy & Feder, LLP, requested the board consider an additional 90-day extension of Subdivision Approval for the lot line realignment at 300 & 310 South Avenue (Lee & Gowan). The necessary transactional documents have been completed and the final plat has been submitted for consultant review and approval. After some consideration, Mr. Williams made a motion to grant the extension as requested, seconded by Mr. Barrack. All voted in favor. Motion carried.

**ITEM NO. 3 PUBLIC HEARING FOR SEQRA ENVIRONMENTAL REVIEW ON APPLICATIONS FOR SPECIAL USE PERMIT, SITE PLAN AND SUBDIVISION APPROVAL, PROFESSIONAL BUILDING EXPANSION, 1181 NORTH AVENUE, SUBMITTED BY NORM SCHOFIELD**

Mr. Gunn made a motion to open the public hearing on the SEQRA environmental review for 1181 North Avenue, seconded by Mr. Williams. All voted in favor. Motion carried. Architect Aryeh Siegel described his client's proposal to subdivide property at 1181 North Avenue to create another lot for a new office use building similar to the existing building. This will close an open gap on the street and maintain consistency in frontage as well as screen the existing parking lot. The new building will be similar in style to the existing Victorian structure. An area variance is needed for areas of the new parcel that are slightly smaller than the required minimum lot width.

A lengthy discussion took place about the City Planner's suggestion to extend the sidewalk from Route 9D onto Tompkins Avenue. Mr. Siegel explained a sidewalk only exists on the other side of the street and a significant grade change and outcropping exist beyond the Scofield property. A new sidewalk would not connect to anything and would lead people to cross Tompkins Avenue in an unsafe manner rather than use the crosswalk at the intersection. A pathway from the front of the new building to the rear of the existing building will provide pedestrian access from Route 9D. Discussion took place with regard to the location of new signage, an additional handicap space, and the new building front yard setback. Members asked for a full rendering of the new building in context as it relates to existing adjacent buildings. The LWRP Consistency Statement was submitted and reviewed. There were no further comments from the board and Mr. Gunn opened the floor to public comment.

Stan Lindwasser, 35 Monell Place, walks to Main Street from Lafayette Avenue and felt it inconvenient when sidewalks don't exist. He was unsure how the office building is accessed now and spoke about sidewalks and navigating throughout the City.

Arthur Camins, 39 Rombout Avenue, spoke about building context and felt moving the building closer to the street to be in alignment with adjacent structures eliminates green space. He felt larger setbacks would be better.

There were no further comments and Mr. Lambert made a motion to close the public hearing, seconded by Mr. Muscat. All voted in favor. Motion carried.

Mr. Williams made a motion to declare the Planning Board as Lead Agency in the SEQRA environmental review, seconded by Mr. Williams. All voted in favor. Motion carried.

City Attorney Jennifer Gray prepared and circulated Parts 2 and 3 of the EAF and a statement outlining reasons based on supporting information, documents, public comments, and reports. She noted SHPO had no concerns for impacts to the adjacent historic DeWindt House which is listed on the National Register. After careful consideration, Mr. Lambert made a motion to issue a Negative Declaration on the SEQRA environmental review, seconded by Mr. Muscat. All voted in favor. Motion carried. Mr. Barrack made a motion to issue a LWRP Consistency Determination finding the project is consistent with all relative policies in the

LWRP, seconded by Mr. Burke. All voted in favor. Motion carried. The applicant was referred to the Zoning Board of Appeals for an area variance for lot width without recommendation or comment.

**ITEM NO. 4 CONTINUE REVIEW OF 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**

Aryeh Siegel described his client’s proposal to subdivide the church property into two lots so the school building can be used as a private school. Revised plans were submitted and they are awaiting the City Attorney’s determination as to whether the lease agreement would be sufficient for parking purposes in order to eliminate the need for cross easements. City Attorney Jennifer Gray explained a recorded easement agreement is required.

Discussion took place with regard to traffic, the number of students, and bussing. The applicant was asked to provide a general narrative to provide a clear understanding of enrollment numbers, bus trips, and related impacts needed to make a SEQRA determination.

Mr. Siegel reported Hudson Land Design will do the required I & I study. A long discussion took place with regard to the need for a sidewalk and crosswalk across Rector Street, and possible replacement of the chain link fence that exists in front of the historic building. Father John Williams explained each entity involved is a non-for-profit organization therefore they are trying to do only what is absolutely necessary without spending unnecessary funds. For safety reasons members felt a sidewalk must be installed but agreed it could be made of stone dust, and felt the cost of a crosswalk on Rector Street could be discussed with the City. School Director, Asma Siddiqui, explained approximately 95% of students are bussed therefore felt the walkway would not be highly used. A lengthy discussion about school enrollment and possible growth took place. A narrative will be submitted for the next meeting.

Mr. Williams made a motion to declare the Planning Board act as Lead Agent in the SEQRA environmental review process, seconded by Mr. Lambert. All voted in favor. Motion carried. After careful consideration, Mr. Williams made a motion to set a public hearing for the SEQRA environmental review for June, seconded by Mr. Muscat. All voted in favor. Motion carried.

**ITEM NO. 5 CONTINUE REVIEW OF APPLICATION FOR SITE PLAN APPROVAL, 6 UNIT RESIDENTIAL “FERRY LANDING AT BEACON”, BEEKMAN STREET, SUBMITTED BY FERRY LANDING AT BEACON, LTD.**

Tom Weiss described his client’s proposal to construct six single-family townhouses on property located on Beekman Street near the train station. Changes were made to the site plan based on comments from City consultants and recent comments will be addressed by the June meeting. Mr. Clarke had minor comments but noted the property is a gateway to Beacon and architectural renderings in conformance with standards of the Linkage District must be submitted for review by the Architectural Review Committee. He explained the plan calls for more parking

than necessary and the applicant will offer a one car garage option which should be shown on the typical floor plans. Mr. Russo said they met with the applicant and no major engineering comments remain outstanding.

Mr. Williams made a motion to authorize circulation of the Planning Board's intent to act as Lead Agent in the SEQRA environmental review process, seconded by Mr. Lambert. All voted in favor. Motion carried.

After careful consideration, Mr. Barrack made a motion to set a public hearing for the SEQRA environmental review for June, seconded by Mr. Muscat. All voted in favor. Motion carried. City Attorney Gray reported a prior subdivision plat showed a small 27 sq. ft. area that was to be dedicated to the City. She explained it doesn't affect the design but advised the applicant to ask the City Council if they still want that portion of land. Also drainage easements shown on plat are valid and will be formalized with this subdivision.

**ITEM NO. 6 REVIEW APPLICATION FOR SPECIAL USE PERMIT APPROVAL, RETAIL/RESIDENTIAL, 208 MAIN STREET, SUBMITTED BY 206-208 MAIN STREET, LLC**

Aryeh Siegel described his client's proposal to renovate the existing building at 208 Main Street, including a rear second floor addition and new third story to create two storefronts and eight apartments. Although the property is not in the historic district, they will renovate the building façade to appear historic. The applicant notified and will work with the adjacent neighbor to address the rear shed and fence encroachments. Discussion took place with regard to achieving the 10% minimum landscape requirement. Mr. Siegel reported they will be providing three off-street parking spaces which will be tucked under the rear building overhang as suggested by Mr. Clarke. Mr. Siegel analyzed the building's use in 1964 to determine how many off-street parking spaces must be provided for this proposal. There were originally five apartments with retail space and compared to the parking requirements of the CMS zoning district, no additional off-street parking is required. The Department of Motor Vehicle building across the street is in the Lower Main Street Historic District therefore the application must be forwarded to SHPO for comment.

Mr. Gunn made a motion to authorize circulation of the Planning Board's intent to act as Lead Agent in the SEQRA environmental review process, seconded by Mr. Williams. All voted in favor. Motion carried. After careful consideration, Mr. Williams made a motion to set a public hearing on the application for Site Plan Approval for June, seconded by Mr. Muscat. All voted in favor. Motion carried. City Attorney Jennifer Gray clarified that although a Special Use Permit application was submitted, both the retail and residential uses are permitted in the CMS zoning district with Site Plan Approval.

**ITEM NO. 7 REVIEW APPLICATION FOR SUBDIVISION APPROVAL, THREE-LOT RESIDENTIAL, 38 ST. LUKE'S PLACE, SUBMITTED BY BEACON 226 MAIN STREET, LLC**

Engineer Adam Gasparre, Hudson Land Design, described his client's proposal to subdivide the property at 38 St. Luke's Place with an existing house into three lots for the

construction of two new single family houses. The corner lot is located at the intersection of Union Street in the R1-5 zoning district and new lots will be served with municipal water and sewer services.

Discussion took place with regard to building setbacks and maintaining uniform street coverage on St. Luke's Place, and how best to handle the house on Union Street where frontages are less consistent. Debate about whether to require a new sidewalk on Union Street also took place. Mr. Russo reported the survey shows the property line along Union Street extends into the pavement which the applicant is willing to resolve with an offer of dedication. Discussion continued about stormwater drainage, sight distance for Lot #3, landscaping/street trees, and confirmed removal of the chain link fence.

Mr. Muscat made a motion to authorize circulation of the Planning Board's intent to act as Lead Agent in the SEQRA environmental review process, seconded by Mr. Lambert. All voted in favor. Motion carried. After careful consideration, Mr. Muscat made a motion to set a public hearing for the SEQRA environmental review for June, seconded by Mr. Williams. All voted in favor. Motion carried.

#### **ITEM NO. 8 REVIEW APPLICATION FOR SUBDIVISION APPROVAL, TWO-LOT RESIDENTIAL, 31 MOUNTAIN LANE, SUBMITTED BY PENELOPE HEDGES**

Glennon Watson, Badey & Watson, described his client's proposal to subdivide a 5.5 acre parcel on Mountain Lane with an existing house into two lots for the construction of a new single family house. He received consultant comments and believed items could be readily addressed. Mr. Watson reported he was unaware that the existing house may be a Bed & Breakfast (B&B) facility so will advise the applicant to meet with the Building Department. Mr. Russo suggested using a common driveway however the applicant prefers to have separate driveways. City Attorney Jennifer Gray explained B&B's are subject to Special Use Permit approval, and if it operates as a short-term rental it would be covered by the legislation under consideration.

Mr. Muscat made a motion to authorize circulation of the Planning Board's intent to act as Lead Agent in the SEQRA environmental review process, seconded by Mr. Lambert. All voted in favor. Motion carried. After careful consideration, Mr. Lambert made a motion to set a public hearing for the SEQRA environmental review for June, seconded by Mr. Muscat. All voted in favor. Motion carried.

#### **ITEM NO. 9 PRELIMINARY DISCUSSION OF PROPOSAL, "TWO BANK SQUARE", OFFICE/RESIDENTIAL, 134 MAIN STREET, SUBMITTED BY THE LINDLEY TODD, LLC**

This item was removed from the agenda at the request of the applicant.

#### **Miscellaneous Business**

##### Zoning Board of Appeals – May Agenda

Members reviewed the Zoning Board of Appeals' agenda and the only item was a request for an area variance. No recommendations were made on the agenda item.

17 Wilson Street – Consider request for a 90-day extension of Subdivision Approval

Owner Jon Moss requested a 90-day extension to allow his engineer to finalize the items that remain outstanding in order to file the map with the County. After some consideration, Mr. Lambert made a motion to grant a 90-day extension as requested, seconded by Mr. Williams. All voted in favor. Motion carried.

Certificate of Appropriateness – 183 Main Street; change façade colors

No one was present for this item.

Certificate of Appropriateness – 177 Main Street; change brick siding (on addition)

Aryeh Siegel presented proposed changes to the elevations for the rear addition of 177 Main Street. He explained that due to the cost, the rear addition was previously approved as brick to match existing, however the owner seeks to change it to Hardie Board horizontal siding with corner boards in color Iron Gray. After careful consideration, Mr. Williams made a motion to approve the change as proposed, seconded by Mr. Lambert. All voted in favor. Motion carried.

Single Family House – Maple Street

Lois Julier described her proposal to construct a new single family house on a vacant lot on Maple Street. Members reviewed elevation drawings, proposed color schemes and compared it to neighboring housing stock. After careful consideration, Mr. Williams made a motion, seconded by Mr. Muscat, to approve the plan as presented with the following color scheme: Siding – Hardie Batten Board – Arctic White; Roof – Metal Sales 5V Crimp – Charcoal; Windows – Double Hung Black; Trim – Arctic White. All voted in favor. Motion carried.

Certificate of Appropriateness – 423-425 Main Street (Memorial Building); new windows

Michael Haines from New Beginnings Window, and Street Superintendent Reuben Simmons presented the proposal for window replacement on the Memorial Building at 323-325 Main Street. Members reviewed the proposed window type and after a lengthy discussion members agreed to the following:

Main Building – Double-hung aluminum clad exterior/wood interior window with simulated divided light to match existing mullion pattern (white)

Building Extension – Fixed picture window with simulated pattern to match the existing pattern (white)

After careful consideration Mr. Williams made a motion to approve the above, seconded by Mr. Burke. All voted in favor. Motion carried.

There was no further business to discuss and the meeting was adjourned on a motion made by Mr. Williams, seconded by Mr. Muscat. All voted in favor. Motion carried. The meeting adjourned at 9:45 p.m.