

At this point, we do not have a complete Application. We don't want the Applicant to go back and forth to individual Boards dealing with items that concern each Board and not do it in a coordinated fashion. The areas of common concern are, for instance, the Architectural Review Board (ARB), who will review the Application referred by the Planning Board. The ARB will concentrate on the architecture of the actual structure. In this case where there is a Use Variance, the ZBA deals with the affect on the character of the neighborhood. That could be a very broad interpretation as to what the building and Site Plan look like. Cynthia states that there are areas of common concern. We wouldn't want the Applicant to go and obtain direction from one Board, spend a lot of money changing plans, and then go to another Board and find out that they are not happy. Then the Applicant will be revising plans yet again. The Planning Board would like to see a coordinated review under SEQR and Site Plan, which means that all of the revisions and materials come to the Lead Agency which would be the Planning Board under SEQR. The Planning Board will distribute the materials to the ZBA and ARB, with their responses coming back to the Planning Board. There will be one message and one line of communication going back and forth between the Applicant and a Town Board, which would be the Lead Agency.

The Planning Board's role as Lead Agency does not mean that the Planning Board is restricting authority or power from any other Board. Every Board has their own jurisdiction, whether we send it out to the Board of Health for a septic review, or the Department of Transportation for an access consideration, or it goes back to the ZBA for a Use Variance. All of the Permits and referrals are coordinated through one Board. Everyone is looking at the same materials at the same time. Cynthia states that in one of the e-mails from the ARB, it was stated that they had not seen the Plans yet. The reason for that is because at this point in time the Planning Board does not have a complete Application. We do not circulate Plans until the Application is complete, and the Applicant has responded to every detail that has been asked of them by the Planning Board in accordance with our Regulations. Cynthia asks Peter Kamenstein, ZBA Chairman to weigh in on the procedure and see if he has any concerns with the process of how the Applicant is being asked to respond. From there, Cynthia would like to go into the actual concerns about the neighborhood character, and maybe some of the directions the ZBA has given to the Applicant so that some of the other Boards may weigh in.

Peter states that first of all the ZBA is very happy to hear that the Planning Board feels the process through our Board is relatively easy and expeditious. We would like to feel that way too. One of our major concerns and one of the items we take most seriously is to maintain the character of the neighborhoods. That is one of the charges we are given as a Zoning Board. When the Applicant came before us we were very clear that we thought that the Use was an appropriate Use, as a gas station. We thought that having a convenience store at this point in time would be considered a natural adjunct to a gas station. It should be considered as a whole, rather than a separate issue. We told the Applicant that we were in favor of them having a convenience store as part of the primary Use of the gas station. We did tell the Applicant that our primary concern is that his property is located in one of the two major gateways to our Town. The other being the entrance off of I-684 at Exit 7. We are concerned that it set the appropriate tone architecturally, which is a very strong consideration for our Board. In considering the character of the neighborhood, there is a residential area across the street, as well as somewhat of an industrial area on Fields Lane. The North Salem line ends relatively quickly on Fields Lane. There are commercial/industrial type buildings that are not visible from the ingress or egress from I-684 onto Hardscrabble Road. The gas station has a prominent position real estate wise, and we felt it should appropriately represent North Salem, or our image of North Salem. We stressed that to the Applicant, and we told the Applicant that we would do everything possible to expedite his Application, as we thought the Use is an appropriate Use.

Cynthia asks Peter if he is in agreement that the Applicant should come back to the Planning Board and provide responses to the issues as part of the referral under completeness. Peter states that is fine. They are willing to do anything to make the process as least egregious and erroneous for the Applicant. We would like

to see the matter expedited. Having an empty building on that particular corner serves no purpose. Peter states that as a Board, they have two additional members represented here tonight; we find the Use and proposed Uses appropriate. Our primary concern at this point in time is architectural, signage, parking, and building façade. We have the ARB here tonight. We have not had an opportunity to communicate with them yet on this Project. Peter refers to the Shell Station which is not very far away, and states that it went through a few modifications to make it a bit more acceptable to the area that it is in. We are not looking to impose tremendous costs upon the Applicant or the possible tenant. We do want to see this place be an appropriate gateway for the Town of North Salem. This is the opportunity to have that occur.

Cynthia states that is the same message that the Planning Board gave to the Applicant. It is the Planning Board's job to deal with the appearance of the structure. We do refer to the ARB when it comes to specifics of the look of the building. In this case we have a rather large canopy being proposed in front of the building which will be very different. Signage is very important to the Planning Board. We already communicated our concerns about that. We do have a lot of areas of common concern. Cynthia states that it is crucial that the Application come back to one Board, go out for review, and then have the comments come back for circulation.

Peter states that it has always been the policy of the ZBA to be concerned with the character the Town of North Salem. We do inject into the architectural elements for a lot of matters we become involved in. Peter states that many of the projects don't come before the ARB.

Cynthia asks Peter for specific architectural instructions and states that as the Planning Board starts looking at architectural renderings, there are quite a variety of Uses in the area. Cynthia passes around pictures she had taken. Cynthia states that in addition to the Shell Station on Route 22, up the road on Fields Lane, there is a very different type of structure. The Ambulance Corp. has a different type of design. Cynthia states that there is a building with a stone structure with a house, which has also has stone right across the street. The Applicant is not proposing too much change to his building. The Planning Board had been focusing in on the canopy in front. That will totally change the look of the Site. Cynthia asks Peter if the ZBA provided the Applicant with specific instructions.

Peter refers to the Ambulance Corps building across the street from the Site, as well as buildings on Fields Lane and states the ZBA considered what is visible from the ingress and egress of I-684. That is the heart of the Town. We are concerned with what people see first when they get off I-684. What is the entrance to our Town? Our suggestion was a colonial design to the structure. The ARB would be much better equipped to deal with this than the ZBA. The ZBA suggested the Applicant make this Site a warmer more welcoming entrance to our Town. It would be more appropriate.

Cynthia states that sometimes this result may be achieved with plantings. The Planning Board will pay particular attention to the landscaping around the building.

Peter states that the ZBA did get into signage. The Applicant has a concern that he wants to attract business from the highway. Cynthia states that the Planning Board talked about the Applicant having a sign on the highway to attract business. Peter states that there are also ways of having gas station signs with old fashioned down lighting. Treated in an old fashioned form that would be more visible from the road, which may accomplish the same purpose and not subtract from the surrounding area.

Cynthia states that we have the Applicant here tonight. The Applicant has received feedback from the ZBA from their attendance at the ZBA Meetings. The Applicant will receive feedback from the ARB as soon as they make a submission. Cynthia hopes to provide the Applicant with direction in a very general way, as well as concepts of the design character that the various Boards may be looking for. Cynthia states that the

Applicant should feel free to come forward with their questions.

Don Rossi, Esq. is here tonight to represent Fuelco. Mr. Rossi puts up various photographs of the proposed Site. Mr. Rossi states that it is greatly appreciated that the Boards have come together tonight. It is unprecedented. Cynthia states that having the Boards come together tonight will help to facilitate the process. Mr. Rossi states that with him tonight are Jerry Gershner, Bryan Orser, and Lawrence Culley from Fuelco. Mr. Rossi states that James Holt is here tonight. He designed the facility when it was first built. Mr. Rossi states that one of his concerns with the ZBA requirements are with the subjectivity of the design. Mr. Rossi states that the existing building fits into the neighborhood very well. Mr. Rossi states that they have not redone their architectural plans. Mr. Rossi states that after the meeting with the ZBA, he had to sit down with his client, and the owner Joe Bryson in order to talk about numbers. Mr. Rossi states that the changes suggested for the architectural style of the building will result in a large expense, which could jeopardize the Project. Mr. Rossi states that the plans that were shown to the ZBA had dormers built in for the roof line. Mr. Rossi states that there had been a desire to maintain the fencing. Mr. Rossi states that there are significant expenses in resurrecting a gas station use, and implementing a convenience store use. The investment decision whether to continue and go forward with the deal or not are impacted with the overall costs.

Cynthia suggests the Boards have a discussion of the word “colonial.” Cynthia states that she believes everyone agrees that the Site needs to be cleaned up so it looks better. Cynthia states that with additional plantings and low lighting that may be accomplished, as well as changes to the roof line. Cynthia does not know if she would want the design of the building to be colonial style. Cynthia would like to see how the Applicant would propose to improve the Site. Perhaps part of the improvement would be to see a rendition of the proposed landscaping around the fencing. Cynthia talks about an improvement to the smaller structure so it does not contrast with the main building. Cynthia states that the Applicant should show how the canopy will blend in with the roof line and how low it will stay. Cynthia states that when a roof is too low, it is not attractive. Cynthia states that she is not sure if the various Boards agree that the design should be colonial.

Mr. Rossi states that there are no significant residential properties close to this Site. Low lighting could be accomplished, but that would make the Site less visible from the road. There are also safety issues. Cynthia refers to a Mobile Station in Rhinebeck, and states that the introduction of additional landscaping against the stone made a nice difference. Cynthia suggests a good landscaping plan, which also shows the canopy, be submitted as a first step.

Roland asks if we will hear from the ARB Members. Cynthia states absolutely. Please join in anytime.

Robert asks what the height of the canopy is. Mr. Rossi states it is approximately 17 feet high. Mr. Rossi states that there will not be a sign on the canopy. Mr. Rossi shows the proposed sign on the Plan. There is discussion that the canopy elevation to be shown in relation to the building. Peter asks if Mr. Rossi has the Plans he showed to the ARB. Mr. Rossi thought he had them with him, but he does not. Peter does not recall seeing elevations showing dormers on the building and changes to the roof line. Mr. Rossi states that they are proposing shed dormers. Peter asks how high up on the roof line would the island be. There is a discussion about not seeing the roof of the building. Cynthia states that the canopy will introduce quite a bit of an architectural statement. Cynthia suggests the canopy be concentrated on first. Cynthia states that the visual impact of the canopy is very important to all of the Boards. Cynthia asks Mr. Rossi if his client could provide a computerized rendition of what the canopy would look like in front of the building. Before there is a discussion about changing the roof line, we need to see what the introduction of the canopy in front of the building will do to the Site. Mr. Rossi states that beauty is in the eye of the beholder. Cynthia states the Boards are not questioning the need for a canopy. Mr. Rossi states that the next submittal to the Board will be thorough. Cynthia states that the building façade may not be as noticeable with the canopy in front of it, as well as the landscaping. Maybe then the idea of the dormers would work.

Peter states that the ZBA suggested a colonial style because they thought it would be appropriate for this location. A satisfactory resolution may be achieved by other means, which the ZBA may agree to, and then the other Boards will need to be convinced. We want to stress that we consider this Site to be a gateway to the Town and we want it to look appropriate. Peter states that if a proposal came in to move the Shell Station to this Site, he probably wouldn't vote for it. Peter states that he wants a softer look. There are people who have homes on Hardscrabble Road. When people come off the highway, I want this to be a welcoming place. Off Exit 7 in Purdys within seconds you are at the reservoir. Similarly, Peter wants this to be a welcoming place. He has no objection to there being a gas station there, as well as the convenience store. Peter hopes it attracts a lot of business off the highway.

Ed Isler of the ARB commented on the existing color of the building and stated that you certainly wouldn't want to change this to aluminum, vinyl or the like, so maybe with a little tweaking, it would help.

Bob Tompkins stated that the concept of what colonial means to one person may be different than what it means to another. A discussion of the term colonial commenced and Peter explained that we should think of the word "appropriate."

Jerry Gershner said he's really more concerned about the business aspect. For a gasoline station the profit is in the convenience store. This convenience store will be about 1100 square feet which is about 1/3 the size, and it becomes a marginal location. The pumps are so close to the building; we prefer that there would be a lot more width and you'd get a lot more parking in front of the station.

Peter said the ZBA determined, short of a vote, that a convenient store is appropriate and acceptable as an adjunct to a gas station.

Jerry said we are about 50 to 75 thousand over budget. We have been paying rent for about a year. Our lease is up December 31. We have to decide whether or not we want to continue and what's important to us. The assessor set the fair market value about one million dollars. One of the problems is that it is zoned residential, not commercial.

A question of use was raised and Cynthia explained that the convenience store use is the issue, not the gas station. The latter has a special permit under the prior ordinance. Jerry said we need to understand the financial issues. Cynthia said we are here tonight to define the process and try to send one message to you so that you come back with one set of plans with which you are relatively comfortable and which will satisfy the majority of us here. Our hope is to hash out a few ideas and try to give you one message at the end of the day. It is really important for you to give us a visual rendition of the structure with the canopy and with new landscaping. No one is asking you to totally redo the building. We want you to take a good look at North Salem and try to bring in a plan that will fit – lighting low, signage low, soften the colors, add landscaping. This is the entrance to our town, it makes a statement about our town, we want to be proud of you and we want you to be proud of us and a lot of people will bring you business. It's teamwork here.

Peter said the ZBA made it very clear that we will do everything possible to expedite the process. We held a work session, which is quite extraordinary. Jerry, you mentioned financial situation, the ZBA did not subject you to a financial review. We simply said we want this to fit into the character of the neighborhood.

Don Rossi,.....was interrupted by Don Russell, who made a statement in support of this business.

Don Rossi commented that the business considerations are important; the economics are very important, not just the aesthetics.

Gary said we hear you and understand; we'll move quickly; the ball is in your court to get the plans back to us. We will move quickly.

Jim Holt, the architect who designed the original building, spoke next. It was built in the early 70s. Most gas stations are square; this was a new design concept. Each service bay door was screened by the fencing. The fencing was original also. The concept was you cannot see through it, but the shadows softened it. We reduced the visual mass of the building. Traffic has to go around the building.

Brian Ivanhoe asked about the front of the building and for Jim to explain what they were seeing in one of the pictures on the table. Jim confirmed the view and mentioned the small foot-print of the building. He also spoke to the roof line.

Cynthia added that we were anxious to see the scale of the building once the new canopy is imposed on the design. Cynthia asked the applicant whether they need any more direction from the board as to what we are looking for and what they need to add to the plan. Cynthia asked if any other board members wanted to add to the comments about the plan. She asked if the boards wanted to have another joint meeting once a complete application is submitted. Mr. Kamenstein said that would be best to help expedite the process. Peter also reminded the applicant to make sure they show the small building when they do the simulation of the canopy in front of the main building. Cynthia reminded that they have an outstanding memo from MDRA about the completeness of the application and they need to address all those items at the same time. She said the boards are ready to move.

Cynthia reiterated that the town's volunteers on these boards here tonight have worked expeditiously to move this application along; we are coordinating our efforts. Cynthia said she will call another joint meeting if that is necessary. Don Rossi concurred about the process.

Bill Monte asked Mr. Holt if he would be willing to return to comment on the potential impact of the proposed canopy on the building.

Linda Farina, a resident for over 30 years, said that she found the building to be attractive and commented that the canopy could be a major issue. She complemented the owners on how well they have maintained the property over the years. She noted that the design of this building separated it from others in the neighborhood. She questioned the suggestion that the building be colonized and said that the last thing anyone wants is for the area to be homogenized.

Bobby Tompkins said he has lived on this street all his life and noted that the town has only one station right now. This business has been closed far too long and we need to keep this process moving and we will do our part to see to that.

Cynthia said it is time to close the meeting. The PB needs three weeks to review the next submittal for completeness. Then they will start the SEQRA process. There will be a public hearing at the appropriate time. The meeting was adjourned at approximately 9:00pm.