

North Salem Planning Board Minutes
September 2, 2015
7:30 PM – Town Meeting Hall

PRESENT:
Cynthia Curtis, Chairwoman
Charlotte Harris, Board Member
Gary Jacobi, Board Member
Bernard Sweeney, Board Member
Christopher Brockmeyer, Board Member
Roland Baroni, Esq.
William Agresta, AICP

ATTENDANTS:	Hayfields Market:	Renea Dayton
	Salem Hills Healthcare Center:	Dan Gallagher
		Mark Halliday
	Papovitch/Piedmont:	Don Rossi
	Fuelco:	Marc Petroro
	Railyard (formerly Lakeland)	Tim Allen
		Erik Ryzerski
		Evelyn Ryzerski

Chairwoman Cynthia Curtis calls the September 2, 2015 North Salem Planning Board Meeting to order.

PUBLIC HEARING:

- 1. Hawley Woods:** (owner – Hawley Woods, Ltd.)
Subdivision (location – 396 – 404 Hawley Road)
 - To be reconvened at the next scheduled meeting, September 16, 2015

Cynthia states as noted on the Agenda the Public Hearing for the Hawley Woods Subdivision may reconvene at our Work Session on September 16th. Cynthia states they had gone out and done additional borings but we have not heard the results from them yet.

REGULAR MEETING:

- 2. Homeland Towers, LLC:** (owner - Bloomerside Coop.)
Cond. Use/Site Dev. Plan (location – 101 Bloomer Road)
 - Consider Modified Resolution of Approval

Cynthia states they received their Approvals and are busy putting together all of the requirements before we sign the Mylar's. Cynthia states that AT&T is just a little bit behind Verizon, as Verizon is done. Cynthia states that Verizon would like to proceed with their Building Permit which we think is fine because AT&T is a co-locator and Verizon is working with Homeland Towers who is actually building the Tower. Cynthia states we have prepared a Draft Resolution that basically separates the two and allows Homeland and Verizon to

move forward. Cynthia states it is a two page Draft Resolution and she does not think it is necessary to read it unless the Board has any questions or comments on the way it is drafted. The Board is fine with the Draft.

Chairwoman motions that the Planning Board Adopt the Draft Resolution of Amended Approval as Drafted for New York SMSA Limited Partnership (“Verizon Wireless”), New Cingular Wireless PCS (“AT&T”), and Homeland Towers, LLC. Christopher Brockmeyer seconds. All in favor. No opposed.

3. Hayfields Market: Renea Dayton (owner – Ralua, LLC)
Amended Site Development Plan (location – 1 Bloomer Road)

- Consider Extension Request

Cynthia states Renea Dayton is here and the Board is just going to do the Extension tonight in order to give her more time. Cynthia states she knows Mrs. Dayton is anxious to just do one more submission and get it right. Cynthia states Mrs. Dayton did submit a Site Plan for her to look at. Cynthia states her response was to have Mrs. Dayton create a list which she did do. Cynthia states she has not sat down with the list. Cynthia states assuming we are all together on all of the items that need to be addressed the next submission would take Mrs. Dayton to a finished product in order to have the Mylar’s signed. Cynthia states hopefully we will be able to finish this in October. Mrs. Dayton asks whether it could be part of the middle of September Meeting. Cynthia states if she and Mrs. Dayton get together and go over the list and everything is fine, Tim Allen may go ahead and make the submission in order to have it reviewed for the next Meeting. Cynthia states if there is an issue that we think needs to come back before the Board, we have the Meeting in two weeks so it may be done then. Mrs. Dayton confirms she will need to come back in two weeks only if there are issues, otherwise she will be back for the October Meeting. Cynthia states that is correct assuming Mr. Allen can make the submission by September 16th. Mrs. Dayton asks whether she should wait to go to schedule herself with the Zoning Board of Appeals (ZBA) until after the October Meeting. Cynthia states yes, because part of what the Planning Board will be reviewing is the list of all the Variances that will be needed. Cynthia confirms with Will that the Board did not do the Referral to the ZBA because they did not have the list. Cynthia states the Board should aim to do that at the September 16th Meeting in two weeks, so Mrs. Dayton may still get on the ZBA’s October Agenda. Cynthia asks the Board whether they mind her working with Mrs. Dayton on the list that has been discussed several times. The Board agrees. Cynthia reads the Draft Extension Resolution whereas it states “Resolved, that the North Salem Planning Board hereby grants Hayfields Market a sixty-day extension of their SEQR Negative Declaration and Site Development Plan Approval from October 19, 2015 to December 18, 2015, per written request from Renea Dayton”.

Chairwoman motions that the Planning Board Adopt the above-mentioned Draft Extension Resolution for Hayfields Market. Christopher Brockmeyer seconds. All in favor. No opposed.

After the motion Cynthia speaks with Mrs. Dayton about getting together either later this week or the beginning of next week so she will be all set for the September 16th Meeting to receive the Referral for the Variances and the submittal. Mrs. Dayton states the notes seem longer than their latest discussions. Cynthia states that is what she asked Mrs. Dayton to do so that is perfect.

**4. Salem Hills Healthcare Center: Dan Gallagher (owner – Mokray Acquisition I, LLC)
Amended Site Development Plan (location – 537 Route 22)**

- Consider Report From Planning Consultant
- Consider Report From Town Engineer

Cynthia states Dan Gallagher and Mark Halliday are here tonight. Cynthia states she put all of the Plans up on the screen. Cynthia states we have a Memo from MDRA and a Memo from Hahn Engineering. Cynthia states the Board is anxious to hear whether there are any issues or questions with either Memo. Mr. Gallagher refers to the Hahn Memo and states he had a question in regards to the Town requiring mitigation. Cynthia states that will be part of the discussion tonight. Cynthia refers to the Plan on the screen and asks Mr. Gallagher to explain how the drainage from the extended parking lot will move down through the Site. Mr. Gallagher refers to the Plan and points out where the stormwater will drain. Mr. Gallagher points out a rock swale and states the stormwater will go down the swale. Cynthia asks whether it goes off the property. Cynthia states she has been getting phone calls from the neighbor at Seven Springs thinking that the drainage is actually working its way around the Sewage Treatment Plant and then coming back. Cynthia asks where the swale goes. Mr. Gallagher points out the location of the Sewage Treatment Plant. Cynthia asks Mr. Gallagher whether the drainage is no longer going off the Site, onto the Seven Springs property, and then back on the Site. Mr. Gallagher states no. Mr. Halliday states he guesses it does come together at some point. Cynthia refers to the new lot and states it is adding to the drainage. Cynthia states she is inclined to think the Board should be looking at the post-construction to make sure this really works. Cynthia asks how the rest of the Board feels. Mr. Halliday states the Sewage Treatment Plant was originally part of the Nursing Home property years ago and now it is split off. Mr. Halliday states that is how all of the natural drain culverts ran through the property years ago. Mr. Gallagher states this is not Lot 180, it is Lot 181. Mr. Gallagher states it is still the owner as Lot 181. Mr. Gallagher states they are not combining the Lots. Cynthia states a SWPPP has to be submitted and post-construction should be done, as it has been done on other Applications. Cynthia states this is a Lot that was built without any approvals or oversight and we want to make sure all of the drainage actually works. Mr. Gallagher states this is a new Lot. Cynthia states she realizes that, but there is already a Lot there that has been built and there is an impact on drainage. Cynthia refers to a question from Will regarding the slope of the Lot and asks Mr. Gallagher if there is any way it could be brought down. Mr. Gallagher states it follows the same slope as the existing Lot. Mr. Gallagher states if they were to bring the new Lot down they would end up with a hump. Christopher asks whether the existing Lot has a 13 degree slope. Mr. Gallagher refers to the contour lines and states they looked at widening but would end up with a hump. Mr. Halliday states there is already going to be quite a bit of rock removal.

Cynthia refers to the shed that the waste is picked up from and states it is now in the setback area for structures, and would require a Variance. Cynthia asks if there is anyway it could be moved. Mr. Gallagher states it already is within the setback now. Mr. Gallagher refers to the building setback. Cynthia asks whether a Variance was obtained for the shed to be there. Mr. Gallagher states he doesn't know. Will asks whether it could go near the propane tank. Mr. Halliday states it has to be accessible for a truck. Will asks what the shed is for. Mr. Halliday states it is for infectious waste. Mr. Halliday states it is not a garden shed. Mr. Halliday refers to the Health Code and states they cannot store the waste inside the building for more than 24 hours and the infectious waste shed has to be located within a certain number of feet away from the actual building. Gary asks where the shed is now. Mr. Gallagher points the shed out on the Plan. Gary asks whether it could be moved off the parking lot. Will refers to areas that are being excavated. Mr. Gallagher states they are not excavating, just grading. Will asks whether they could do additional grading in order to move the shed so as to reduce the non-conformity. Mr. Halliday states there has to be a parking space for truck accessibility. Cynthia states the truck is big that goes in there. Mr. Halliday states it is a 24 foot box truck. Mr. Halliday states this is a convenient location. Will shows other options on the Plan. Mr. Halliday states they will speak with the

Health Department to find out the exact distance. There is a discussion the shed going to the side sidewalk possibly as long as it is not too close to the building. Cynthia states this should be looked at so that a Variance would not be required. Will talks about trying to stay within the same distance to the setback due to the increase in the non-conformity. Will talks about staying within the same realm.

Cynthia asks Mr. Gallagher whether there is a need for a Variance or Referral to the ZBA for any other items on the Plan. Mr. Gallagher states no. Mr. Gallagher states their parking area is within the parking setback.

Cynthia asks whether there are any other questions. Mr. Gallagher states they are showing the islands that were requested by the Board. Mr. Gallagher states that Mr. Halliday met with the Office of Emergency Management (OEM) and they requested that the islands not be added to the parking areas as they would affect their fire apparatus access. Mr. Halliday states they did an emergency drill in 2010 and had pumpers come in as well as a ladder truck to see how far it would reach over to the side of the building for evacuation purposes. Mr. Halliday shows on the Plan where the tanker trucks pulled in and put water into holding ponds. Mr. Halliday states they had a pumper pumping water off into the woods. Mr. Halliday shows on the Plan the route the tanker trucks took. Mr. Halliday states when Kurt Guldán looked at this he was concerned about the trucks needing to get past each other, as well as for emergency staging areas. Cynthia states that Mr. Guldán is not part of the Fire District. Mr. Halliday states he is with the OEM. Will refers to cars being parked in that area. Mr. Halliday states cars can be moved, but islands can't if there is an emergency. Will refers to the Plan in regards of maneuverability. Mr. Halliday refers to the Plan and states sometimes trucks need to back up depending on whether there are cars parked there or not. Will asks what type of trucks Mr. Halliday is referring to. Mr. Halliday states they have tractor trailer trucks coming in for food deliveries. Christopher states if our emergency responders have concerns maybe we should hear from them. Christopher states maybe they would like to come in and talk with us. Mr. Halliday states he can talk to the Fire Department about it. Mr. Halliday refers to an emergency access road and states it has been used a few times because trucks have been stuck on the main driveway during snow storms. Mr. Halliday states the road is only 14 feet wide, and shows the plowing procedure in terms of where the snow goes. Mr. Halliday states there is a steep grade. Cynthia states if the snow is going to be plowed there then the emergency trucks cannot use that area. Mr. Halliday states they push the snow in that area. Mr. Halliday states he reviewed the Plans with their administrator as she was very involved with the drill and took pictures. Will states he doesn't disagree, but every shopping center in the United States has those same concerns. Will states there is plenty of room for maneuvering. Mr. Halliday refers to the last parking space and states adding an island on the end would close the area off a lot more. Mr. Halliday states there is an error as the last parking space ends at the island. Christopher asks whether there are curbs designed that could be easily breached by emergency vehicles. Will states they could have mountable curbs. Cynthia states clearly it is very important to work with the OEM and Fire District. Cynthia states the Board has to refer all of their Site Plans over to them. Cynthia states when this was first done a couple of years ago it went to the Fire District and we didn't hear from them with any of these concerns. Cynthia states it is good for the Board to hear about these issues and also take into consideration how the snow removal is handled. Cynthia states there is a contradiction since the same place where the OEM does not want to see plantings is where the snow goes. Cynthia talks about giving this a fresh look. Cynthia asks Mr. Halliday if he has a written report from the OEM or were the discussions only verbal. Mr. Halliday states he only had verbal discussions with the OEM. Cynthia states this matter may go on the Work Session in a couple of weeks if Mr. Halliday would like to bring one of them in to talk with the Board. Will states the turning templates need to be done as there is plenty of room. Cynthia states she assumes there would be a lot of emergency vehicles descending on the Site. Mr. Halliday states that is correct, in addition to them trying to pass each other. Cynthia states she thinks it would be good for the Board to work with the OEM and hear what their concerns are and this is a good place to do it as it is a huge facility. Mr. Halliday states the Fire Department did comment that the parking lots were very small and it was very hard to move the trucks around during the drill. Cynthia states this is why when we send Applicants to meet with the Fire

Commissioner's, we also have our Engineer attend the Meetings, so as to have the benefit of an engineer there to talk about turning radius issues. Will states none of these parking lots are really conventional from an access point. Cynthia states it does not make sense for the Board to insist upon something that may impede the emergency services. Cynthia states she appreciates this being brought to the Board's attention. Cynthia suggests Mr. Halliday see if someone from the OEM is available in two weeks so this matter may be put back on the Agenda to reconsider the islands. Cynthia states as Will mentioned, it would be helpful to see what the turning radius is.

Christopher refers to Item 3 in the Hahn Memo regarding stormwater where it talks about the runoff volume from the 90th percentile storm (1.3 inches) being used for calculations. Mr. Gallagher states their engineer actually used more than that. Christopher asks what was used. Mr. Gallagher states he doesn't know the exact figure, but can find out. Christopher states that a 1.3 inch storm seems to come about every four weeks these days. Cynthia asks whether the Applicant listed the amount in their submittal. Mr. Gallagher states 2.98 inches is in their documentation.

Cynthia asks Mr. Gallagher how quickly he can turn around some of the comments in the Memos. Mr. Gallagher states in two weeks. Cynthia states she does not expect Mr. Gallagher to make a submission, but it would be nice to know how he is doing with the Memos and whether he has any questions. Cynthia asks Mr. Gallagher to confirm whether they can have a representative from the OEM and the Fire District come to the September 16th Meeting. Cynthia states if for some reason they cannot make it on September 16th, we could pencil them in on the October 7th Agenda.

5. Papovitch/Piedmont Prop.: Don Rossi (owners – Wayne Papovitch/Piedmont Prop. LLC)
Lot Line Change (locations – 7 & 5 Bloomer Road)

- Discuss Proposed Lot Line Change Application
- Consider Report From Planning Consultant

Cynthia states Don Rossi is representing Wayne Papovitch. Mr. Rossi states he has check marks next to a lot of the items in the Memo from Will. Mr. Rossi states the one comment that has caused them to pause is in regards to the Variance that had been granted. Mr. Rossi states there was a lengthy procedure to obtain a Variance to re-build the old Bloomer barn out front. Mr. Rossi states after seeing the Memo from Will they obtained a copy of the parcel history and apparently there was a Building Permit issued for redoing the creamery building out in front. Mr. Rossi states he would be remiss if he didn't say that there is some possibility that they may have vested under the Variance, so they need to take a look at that. Mr. Rossi states it is not in the area where the Lot Line Change is proposed, but nonetheless it is a valuable and somewhat lengthy process as part of the Subdivision Approval which some of you may very well remember. Mr. Rossi states if a legitimate claim can be made that rights are vested to that Variance, they would like to present it to the Board. Mr. Rossi states that other than that one item, all the other comments are fine. Mr. Rossi states, from a technical standpoint, Mrs. Papovitch is not entitled, so they would amend the Map accordingly by taking her name off of it, both in the title and on the signature lines. Mr. Rossi states everything else seems straight forward and fine. Cynthia states if the Variance is no longer valid, would it be removed, or would the Note be changed. Mr. Rossi states they would change the note and delete the asterisk and references to it. Roland asks what the Easement was for. Mr. Rossi states there is not an Easement, there was a Variance. Mr. Rossi refers to the screen and asks Cynthia to scroll over to the actual Lot out by Bloomer Road. Mr. Rossi refers to the area near Bloomer Road and states that is the creamery/milk shed. Mr. Rossi refers to the large slab. Mr. Rossi states the concept was for it to be a gate house. Mr. Rossi states that Walter Hutchins, who has since passed away, had previously planned to build a four stall barn with an apartment above it which was where he planned to live. Mr. Rossi states it is an oddly shaped lot and shows the proposed driveway to get to

the rear of the property up where the Lot Line Change is proposed. Mr. Rossi states the Variance was looked on favorably ultimately because it was going to result in the old Bloomer dairy barn being reconstructed on its foundation with current architectural plans. Mr. Rossi states if they can, they will make a good argument that the Variance vested when the Building Permit was pulled and work was started on the creamery. Roland states couldn't you also go back and renew it. Mr. Rossi states they could go back and renew it or do whatever they need to do. Cynthia states she was wondering if the words "if still valid" or "if still applicable" could be added. Mr. Rossi states sure, or "to the extent". Roland states he thinks this is something that should be addressed rather than prolonging it. Mr. Rossi states he agrees, as he thinks it is something that should be resolved. Mr. Rossi states other than that, it is a matter of amending the Map according to the comments from Will. Cynthia talks about having a Draft Resolution prepared for the next Meeting and asks Will whether we should leave that matter to be resolved between the attorneys. Will asks Mr. Rossi how long it will take him to figure it all out. Mr. Rossi states not to long. Mr. Rossi states all they were able to obtain for today was a copy of the parcel history. Mr. Rossi states he would like to look at the Plans. Will asks Mr. Rossi if he could be ready for the next Meeting. Mr. Rossi states yes. Christopher states if that is not the case, we will have to address it separately. Cynthia states if they have it resolved then the Draft Resolution would show it, if it is not resolved we could make it a Condition that the matter must be resolved to the satisfaction of the Town Attorney and a Note on the Plat. Mr. Rossi states it is not an extensive amount of work. Mr. Rossi states it is a matter of looking at the details of the Building Permit that was pulled and determining with Roland if it was sufficient to vest the rights under the Variance. Cynthia states we will pencil this matter in on the September 16th Agenda for consideration of a Draft Resolution. Will asks Mr. Rossi which name is coming off. Mr. Rossi states the wife's name, as well as the signature line.

6. Fuelco/BP (Getty): Marc Petrero (owner – Joseph Bryson)
Amended Site Development Plan (loc. – 2 Fields Lane & Hardscrabble Road)

- Consider Report From Planning Consultant
- Consider Report From Town Engineer
- Consider Report From Traffic Consultant

Cynthia states Marc Petrero is here with us tonight. Cynthia states she has the Plans up on the screen and thought she would start with Page 4. Mr. Petrero states yes, that is the Layout Plan. Cynthia states since the submission, and the above-mentioned Consultant Reports, Mr. Petrero has submitted two or three more revised Plans for the Board to Consider. Cynthia states when the Board gets to them during the discussion she will bring them up on the screen as well. Cynthia refers to the MDRA Memo and asks Mr. Petrero whether he has any questions or concerns regarding what is being asked of him. Mr. Petrero states no, the majority of the comments are items he planned to address anyway in terms of working with the other Agencies, addressing their comments, and providing a SWPPP. Cynthia asks Mr. Petrero where he stands with the Health Department. Mr. Petrero states they have started preliminary discussions with the Health Department and they are agree with their using the existing septic, however they did ask for additional information as far as the usage and the flows. Mr. Petrero states they haven't progressed further as they wanted to get everything situated with the Town in terms of the layout before moving ahead with the other Agencies. Mr. Petrero talks about requesting a Referral to the ZBA so they may obtain their initial input. Mr. Petrero states they do not want to go to the ZBA and then redesign the whole Site again. Mr. Petrero states they would like to obtain feedback from the ZBA and ultimately that is what they would like to get out of this Meeting. Cynthia states at this point, there would need to be a Use Variance with the ZBA for the whole Site. Mr. Petrero states that is correct, as well as a couple Area Variances. Mr. Petrero states there are two Use Variances; one for pumping gas, and one for the convenience store.

Mr. Petrero states since they were here the last time they did have a few minor changes. Mr. Petrero states that most of the changes will not be seen on the Layout Plan, as there were not many changes done to the layout in general. Mr. Petrero states that most of the changes are underground, and deal with the utilities and stormwater collection/filtration. Mr. Petrero refers to the screen and talks about some of the minor changes that were made to the layout. Mr. Petrero refers to the screen and points out an area that is no longer edge of pavement and states it will all be concrete curbed. Mr. Petrero refers to the screen and points out an area where there will be a curb so that water will not enter the property. Mr. Petrero refers to the grass swale where the water will go through. Mr. Petrero states there was a layout change so the curb would wrap around a pump. Mr. Petrero states these changes are more related to stormwater which he will talk about more in a little bit. Mr. Petrero states if oil or gas were to go onto the pavement, they don't want it to go in the grassed area, they want it to stay on the pavement. Mr. Petrero states he will show the reasoning for this later. Mr. Petrero states the majority of the Plan is the same as far as the layout, compared to when he was here last. Mr. Petrero states they did add the stripping and signage per the last MDRA Memo. Cynthia refers to the Plan and states just for clarification, there is a one-way system which is clear in the front, and asks Mr. Petrero if the flow is one-way or two-ways around the building. Mr. Petrero shows the one-way flow and states two-way may be done, but it is essentially one-way flow around the back. Cynthia asks if signage will be added, or will the pavement be marked. Mr. Petrero states they could mark the pavement, and probably put a do not enter sign up. Will states it is unlikely that someone will go in that direction. Christopher states it doesn't seem as if someone parked on the left side will go all the way back around the building to exit. Gary asks Mr. Petrero if there will be an air pressure pump. Mr. Petrero states no. Gary asks where the big tankers will fill up. Mr. Petrero asks Gary if he is referring to the diesel pump. Gary states no, where are the fills for the tanks. Mr. Petrero states they are on the Utility Plan. Christopher states Gary makes a good point, as most service stations do have air pumps for people to pump tires. Mr. Petrero states an air pump is not proposed for this Site. Mr. Petrero refers to the Utility Plan on the screen and shows where the underground storage tanks for the fuel pumps will be. Mr. Petrero refers to the stormwater and shows where there is a low point that will allow the water to stay within the State property. Mr. Petrero states they will also have a trench drain along the driveway to connect to in order to keep the water from Fields Lane or Hardscrabble Road from coming into the Site. Cynthia asks if the trench drain is existing or proposed. Mr. Petrero states it is proposed. Mr. Petrero states the trench drain is proposed and it will connect with an existing catch basin. Mr. Petrero states they are trying to eliminate the amount of water coming into the Site that they would essentially have to filter. Mr. Petrero states the water in this area will need to be filtered. Mr. Petrero states this is a DEP requirement. Mr. Petrero states they have spoken with the DEP regarding the design of the stormwater filtration system. Mr. Petrero refers to the DEP Regulation and states gas stations are considered to be hotspots, especially within the watershed. Mr. Petrero states there are certain criteria's that need to be met, such as filtering any surface water that might come in contact with gasoline. Mr. Petrero states any surface water that may come in contact with gasoline has to be filtrated in a specific manor. Charlotte states basically everything. Mr. Petrero states that is why they are trying to eliminate the water from coming into the property, and are doing the two measures previously talked about. Mr. Petrero states the water on the property is essentially being taken in by three locations where it may be in contact with gasoline. Mr. Petrero states there is one trench drain, and two catch basins. Mr. Petrero states all of those are conveying the water system to the big sand filter which filters out all of the contaminants before they get released into another system. Mr. Petrero states the water from the sand filter goes out into a manhole and into one of two detention systems. Mr. Petrero states the water is detained until it is released below the peak rate. Mr. Petrero states it is a rather complex system, but it is required by DEP for filtrating the potential contaminants that the surface water might encounter if there were a gas spillage. Gary asks if maintenance has to be done on the sand filter. Mr. Petrero states yes, although he does not know the specific maintenance procedure. Christopher asks if all of these measures are above the ground. Mr. Petrero states no, they are all under the ground, so you won't see them. Mr. Petrero states you would see the trench drains and the catch basins. Cynthia asks if the measures may be under macadam traveled ways. Mr. Petrero states yes, and that is why they have the curb indent, in case of a gas spillage. Mr.

Petrero states that all of the water that is collected from the canopy structure and the building will be collected so it goes into a separate system. Mr. Petrero states this water does not need to be filtered in the same way as it is not being touched by gasoline contaminants. Mr. Petrero refers to an infiltration system and states in there they would infiltrate into the ground the water from the roofs only and it can handle up to a 10 year storm. Mr. Petrero refers to a diversion manhole and states once it passes the 10 year storm, it goes into the detention systems. Cynthia asks if it can handle it up to the 100 year storm. Mr. Petrero states that is correct. Mr. Petrero states it is rather complex, but it is what they need to do to in order to meet the Regulations of the DEP regarding their specific requirements. Will confirms that the 100 year storm is combined. Mr. Petrero states the reason they have not been before the Board in a while is because they had to do deep hole test pits and percolation tests to see how the water would percolate. Will asked whether the City witnessed the tests. Mr. Petrero states no, not yet. Mr. Petrero states they will be redoing the tests again. Christopher asks if this is a requirement due to being within the watershed. Mr. Petrero states yes, because they are within the watershed. Mr. Petrero states it is very restrictive within the watershed and a lot of measures are required especially for gas stations. Cynthia asks whether documentation has been submitted to the DEP yet. Mr. Petrero states they did send the DEP a preliminary design to obtain their okay, but they didn't understand it and we would like to meet with them to go over it. Mr. Petrero states the DEP was advised on what we want to do and they are okay with it. Cynthia asks if Mr. Petrero has been working with John Drake. Mr. Petrero states yes, that is correct. Will asks why trench drains are being proposed as opposed to catch basins. Mr. Petrero refers to collecting everything and points to an area on the Plan where there could be one, but it would not necessarily catch everything. Will asks whether one could be put on either side. Mr. Petrero refers to the direction the grading will be and asks Cynthia to bring up the Grading Plan on the screen. Will asks if the driveways are going to be rebuilt. Mr. Petrero states they are rebuilding the driveways but the trench drains perform better. Gary states during a heavy rain the water would run through the whole driveway. Will states that trench drains do get clogged. Mr. Petrero refers to maintenance being done and states they do not want stormwater coming on the property. Cynthia refers to the drain being on State property and asks Mr. Petrero whether his client will maintain it. Cynthia asks Roland whether this will require drainage easements. Cynthia states this is an area that is State-owned property, with a Town Road on top of it. Cynthia refers to the Plan and shows the State-owned property and states it is also Field's Lane which is a Town Road. Mr. Petrero states they will need to obtain a Highway Work Permit. Cynthia refers to a drain on the Plan and asks Mr. Petrero who maintains it. Mr. Petrero states he would assume the DOT would maintain it. Cynthia states we don't know whether it is the Town or the DOT. Will states the Town is only going to own the road portion, not the shoulder portion if it is not Town property.

Gary asks Mr. Petrero if there is any room to expand the septic fields if need be. Mr. Petrero states yes, and refers to property that could be utilized. Mr. Petrero states they are utilizing all the space they can for landscaping. Gary confirms there are expansion capabilities. Cynthia inquires about the well location. Mr. Petrero shows the well setback line. Mr. Petrero asks Cynthia to put up the Architectural Drawings. Cynthia confirms with Mr. Petrero that he is referring to the new Plans just submitted. Mr. Petrero refers to the revised Architectural Plans and states the Plan on the left shows the interior floor plan, and a generic location in terms of where the items may be placed in the store. Cynthia refers to the double door that is pointed downward. Mr. Petrero states that Fields Lane is on that side. Cynthia confirms that is where the pumps are and even though people park on the right they will walk around the building to get in because there will not be a door on the other side. Mr. Petrero states there will be a service door on the side for emergency access and deliveries. Mr. Petrero refers to the Roof Plan and the Sign Plan having the BP logo. Mr. Petrero states they did take into consideration the comments from Board Members at the last Meeting and added LED strips on the decorative cap instead of having the up-lighting. Mr. Petrero states the next Plan shows the revised elevations for the store. Mr. Petrero states the basic design the Board had previously seen is there in terms of the cupolas with the dormers on top except dividers were added on the top row of the windows. Mr. Petrero states there are now windows on the south elevation that faces Hardscrabble Road. Mr. Petrero refers to the Plan that shows

the I-684 side, the front towards the pumps, and the parking area that is adjacent to the building. Mr. Petrero states there are a couple of opaque windows in the front because that is where the bathroom is located on the floor plan. Mr. Petrero shows the location of the cashier. Mr. Petrero states they did incorporate the comments that were brought up by Will at MDRA. Will asks Mr. Petrero if there is any intent to have signage on the building. Mr. Petrero states there is no intent. Christopher asks if the dormers are faux. Mr. Petrero states that is correct. Mr. Petrero refers to the Plan showing the canopy structure with the gas pumps. Mr. Petrero states the east elevation was revised to show the pump angled, but also there is a roof plan and layout underneath. Mr. Petrero states if Cynthia zooms in, everyone will see that up in the canopy there is a dashed area showing where the recessed area will be for the suppression equipment. Mr. Petrero refers to areas where the equipment will be hidden behind the roofline. Will asks whether the lights are flush with the ceiling. Mr. Petrero states yes. Cynthia refers to the flat ceiling on the Plan. Mr. Petrero shows where the lights are hidden. Gary asks if trucks will be coming in for gas. Mr. Petrero states not under the canopy area. Gary asks where the trucks would go then, as he doesn't see any other pumps. Cynthia states they would go to the diesel pump. Mr. Petrero states they are not expecting tractor trailers. Mr. Petrero refers to the diesel pump that is on the side and states it is meant for the construction trucks or horse trailers. Gary asks if there will be a canopy over the diesel pump. Mr. Petrero states no. Mr. Petrero states there are two lights over each parking location for the pumps. Mr. Petrero states they did provide a Lighting Plan with their submission. Gary asks if the drawing is to scale so that even if there are two pumps only one car will be able to obtain gas on either side at a time. Mr. Petrero states there are eight fueling locations underneath the canopy, as well as the diesel location for a total of nine. Will states there are pumps in the middle. Mr. Petrero shows where people may pump on each side. Gary states that two cars cannot pump on the same side. Will states there is only one pump. Cynthia states one faces left and one faces right. Cynthia asks what a u-bollard is. Mr. Petrero states it is to prevent cars from hitting the pumps. Will asks Mr. Petrero when his client hopes to open. Mr. Petrero states as soon as possible. Mr. Petrero asks the Board whether they have any questions. Christopher states no, it is all looking good.

Cynthia confirms Mr. Petrero has no questions regarding the Traffic Report.

Mr. Petrero states he hoped to receive a Recommendation in order to approach the ZBA. Cynthia states she is not sure whether the current Plan should go to the ZBA, or the next submission and asks Will his opinion. Cynthia states we are doing a coordinated review under SEQR. Cynthia talks about the Applicant going to see the Architectural Review Board (ARB) and asks what type of materials will be used. Cynthia confirms with Mr. Petrero that there will be a clapboard look. Mr. Petrero states there will also be a stone veneer. Cynthia asks whether a color has been picked yet. Mr. Petrero states no. Will asks Mr. Petrero what it would take for him to make one more submittal in order to address the majority of the comments. Cynthia states she would like to see it in a better package and does not think it will take much to turn it around so that the Planning Board may do the Referral to the ZBA, ARB, CAC, and the Fire Commissioners. Mr. Petrero states the majority of the items that are outstanding are very minor Site Plan related items. Mr. Petrero talks about fine tuning the items and states he would like to obtain input from the ZBA in order to get an understanding as to where they are. Cynthia asks Mr. Petrero whether he has reapplied under the Use Variance yet. Mr. Petrero states they have not reapplied to the ZBA yet, and that is why they were waiting for a Recommendation from the Planning Board. Cynthia asks Mr. Petrero whether he has submitted a list of all the Variances that are being requested. Will states they are listed on the Plans. Will states there are a few footnotes that also need to be revised. Will states those revisions should be made prior to a submittal to the ZBA. Will asks Mr. Petrero when he will be meeting with the City. Mr. Petrero states they will have to meet with the DEP soon, but have not set up a meeting with them yet. Will states that should be the next critical item. Cynthia asks Will how much time he will need to emphasize which aspects should be included before the Board makes the Referral. Cynthia talks about taking advantage of the Work Session in two weeks and consider the color. Cynthia states personally she does not want to see stark white. Cynthia states she would like to see something that is softer.

Mr. Petrero states he already spoke with the Applicant about that. Cynthia suggests off white or beige that will go with the fieldstone look. Charlotte suggests a natural wood siding. Cynthia states she trusts the ARB to work with the Applicant and hopes it will be something soft and subtle. Cynthia states she does not think red siding would be appropriate, but grey or beige would be nice. Cynthia refers to the roof and states it should not pop out. Mr. Petrero states he believes the color for the roof is a stone gate grey. Cynthia suggests some character and colors for the cupola. Cynthia states she would be comfortable in two weeks to make the Referral so long as we are on the same page as to what additional information will be fixed prior. Cynthia asks Will whether he thinks it is reasonable to put this matter on the next Work Session for him to provide a summary. Will refers to his comments and states the ones that pertain to the Variances are an understanding of the impact analysis of the Variances relating to Lead Agency under SEQR. Will states there are comments about the footnotes that should be easy to fix. Will refers to his comments about the kitchen and suggests the Board talk about them tonight. Will states other than those items the rest are more Planning Board items. Mr. Petrero refers to the kitchen comments and states they relate more towards the coffee aspect. Will asks whether there will be a deli. Mr. Petrero states no, there will be no deli, and no food preparation. Mr. Petrero states there will be a coffee station. Cynthia states we should ask for a Statement of Use that is associated with the convenience store. Will requests a narrative. Gary suggests an air pump be added. Cynthia asks the Board whether they are happy with the landscaping and states she knows the ZBA will think about that too. Roland states he doesn't know that the ZBA will get into landscaping. Cynthia states the ZBA required the fence once before. Will states the one aspect about landscaping in terms of a Variance has to do with the big island in the front. Will states the Variance will put the pumps within the setback yard so there will not be landscaping on the property. Will states he had a comment about the Applicant obtaining an Easement from the State or the Town in order to put landscaping in, and that could help mitigate the setback Variance. Mr. Petrero states they could pursue it, but it would just be subject to the New York State Department of Transportation (NYSDOT), as they would need to obtain a Permit from them. Cynthia refers to an area on the Plan and states that is where the fence is now. Cynthia confirms the Applicant is not proposing to have a fence there now. Cynthia states the concern at that time had to do with the headlights from the parked cars going right out into the road. Cynthia states that is why she brought up landscaping and talks about extending it. Cynthia states she doesn't want to see the fence come back, or the ZBA ask for one. Cynthia states she would rather see the area landscaped. Will states or a stone wall. Mr. Petrero states they were keeping the area clear because of the septic fields. Mr. Petrero talks about providing a line of shrubbery. Cynthia asks whether there is an issue with headlights. Gary states there should not be an issue for people on Hardscrabble, but maybe for people driving down the I-684 exit ramp. Mr. Petrero states he looked at the Utility Plan and there may be enough room between the septic fields that are in the area to put a line of shrubbery just along the edge of the parking in order to mitigate the lights. Christopher states that is a good idea. Cynthia asks whether the Board should ask the Applicant to add that. The Board agrees.

Cynthia states this matter will be put back on the Agenda in two weeks. Cynthia states we don't have to go through a formal review of the submission, but if Mr. Petrero could bring in what he would ask the Board to Refer to the ZBA, and everybody else, and highlight the items that were changed or added per the Memos. Cynthia confirms with Will that would work for him. Cynthia states then the Board could talk about the Referral and probably have a Draft Referral Letter in order to make sure they have touched upon all the items in order to get the Applicant over to the ZBA for a preliminary meeting. Cynthia states she is sure Mr. Petrero would like to know whether the ZBA agrees with the Use Variance in general. Cynthia asks Mr. Petrero whether he has put together the structure of the Use Variance. Mr. Petrero states he hasn't touched any of the Zoning forms yet. Cynthia states it might take a few weeks to put all of that together. Roland states when Mr. Petrero goes to the ZBA he should realize that there is no informal procedure, he will go straight to a Public Hearing. Cynthia states Mr. Petrero has to be ready with an Application stating all of the reasons why the Variances should be granted. Cynthia asks Roland whether the Board has to do a Recommendation on two separate Use Variances. Roland states the Board does not have to do a Recommendation in connection with

the Subdivision Variance. Roland states the Board can choose to give a Recommendation but it is not mandatory. Cynthia refers to the Use and states we are talking about a motor vehicle service station and a convenience store. Cynthia states the way our Ordinance is written the convenience store is currently an Accessory Use. Cynthia states she is not sure whether that Definition was changed. Will states he thought it was historically being treated as a retail store. Cynthia states at one point we had it as an assessor to the motor vehicle service station. Cynthia states that is why she is a little confused about there being two Use Variances. Cynthia states couldn't it just be a motor vehicle service station with an Accessory Use. Will states that is what the Board has previously talked about. Roland states he thinks it could be done that way. Cynthia states the size of it may exceed the term "Accessory" by definition. Will states to him the term "Accessory" does not only have to do with size, it has to do with the type of business and whether the Accessory to a convenience store can live on its own or without the gas and is the gas the majority of the receipts. Roland asks if there is a square footage limitation. Cynthia states no she doesn't think so, it had to do with meeting the Definition of "Accessory" and she couldn't remember if it was defined. Cynthia states as Will previously mentioned, if they decided to get rid of the pumps we didn't want to end up with a standalone retail business, we wanted the convenience store to be an accessory to the motor vehicle service station. Christopher states there would only be one Use Variance. Roland states if the Board is going to make a Recommendation, they should give as much guidance as possible. Cynthia states that is why she was thinking to also ask the Applicant to utilize the GB District's Definition of a motor vehicle service station, the Standards, and Use Group. Will refers to the size aspect and states if it is defined to have the gas station with the convenience store the Use is a gas station, and a gas station could either have or not have a convenience store, so there is one Principal Use, because if you don't have the gas, you don't have anything. Roland states that makes sense. Cynthia states she will fashion a Recommendation or Memo to the ZBA for the Planning Board to consider in two weeks. Cynthia states Mr. Petrero will tell the Board what the Plans will look like that he will send over to the ZBA. Cynthia states the package will have to include the updated SEQR documents too because this is a coordinated review. Cynthia states that Will can provide guidance in terms of what parts and pieces need to go to the ZBA. Cynthia asks Will whether the entire Site Plan has to go to the ZBA, or just certain aspects of it. Will states he doesn't know why Mr. Petrero wouldn't just show them everything. Will states the ZBA may pick and choose as to what they want to look at.

7. Railyard (formerly Lakeland Lumber): Tim Allen (owner – Rylan West Realty, Inc.)
Site Development Plan (location – 621 Route 22)

- Discuss Proposed Site Development Plan Application Proposal
- Consider Report From Planning Consultant

Cynthia states we have Erik Ryzerski the Owner here, as well as Tim Allen and Don Rossi. Cynthia states the Board might want to try and go out to the Site to do a walk through with the Applicant. Mr. Ryzerski states he will make himself available whenever. Mr. Rossi states they have received a Report from Will with a number of comments, many of which are technical aspects to be considered. Mr. Rossi states the building to the rear of the property at the north edges is a replacement building. Mr. Rossi states he brought photographs which he believes were not previously submitted. Cynthia states they have been and she will put them up on the screen. Cynthia suggests starting with the rear photograph as that is one she has some issues with. Mr. Rossi shows a picture of the current condition. Mr. Allen states they want to present this as basically a revitalization of the area. Mr. Allen states it is rundown and they want to make it something viable in the Croton Falls District. Mr. Allen states that Mr. Ryzerski has gone to great lengths to redesigning buildings. Mr. Allen talks about trying to make this a better spot in downtown Croton Falls. Mr. Allen states it is a focal point down in Croton Falls. Cynthia states since the discussion has started with the back building, one thing she is confused about, and the reason she wanted to put up the layout of both the front and back buildings, is the Uses that we now have for Tradesman is clearly the office of Tradesman. Cynthia refers to the Plans and asks where the

Tradesmen offices will be. Cynthia states if what the Board had been told at a previous Meeting is still true, even though the tenants are not completely lined up yet, in the front building there was a proposal to have one or two medical-type people, such as an acupuncturist or therapist. Cynthia states she believes in the Code that is considered to be a Medical Office Use. Cynthia states she knows Mr. Ryzerski is interested in Tradesmen Offices, but she is not seeing where those offices are on the Plans. Cynthia states she does see bathrooms in the back, and assumes that is the thought process for the second floor of the back buildings. Mr. Ryzerski states he doesn't think that would ever be permitted with the Board of Health. Mr. Ryzerski states the back building will be strictly for storage and permitted contractors space, and all of the offices will be in the front building. Mr. Ryzerski states the layout is still moving around a bit, but his Ecopool & Spa Company will be located in the back section. Christopher asks whether the back building will have plumbing. Mr. Allen states there will be plumbing but it will just be for the convenience of the Tradesmen. Mr. Ryzerski states when he started looking at how the Site would work it didn't make any sense to have people coming to work in the back and then going to the offices in the front to utilize a bathroom. Mr. Ryzerski states it didn't fit the Use. Will states that is not the Use, the Use is the Office. Cynthia states it is a Tradesman Office Use. Cynthia states that Mr. Ryzerski has to land the offices for the tradesmen somewhere. Mr. Ryzerski states they will be in the front building. Mr. Ryzerski refers to the Plan and shows where his office and the spa showroom would be. Mr. Ryzerski refers to another area on the Plan and states they are still figuring out how it will play out. Mr. Ryzerski refers to the Plan and shows where the other tradesmen's office would be. Cynthia refers to the second floor and asks whose storage will be there. Mr. Ryzerski states that is basically void space and an attic. Cynthia asks if a second floor is really needed. Mr. Ryzerski states he figures if they are going to be designing the whole building again it makes sense, and from the outside it will look better. Mr. Ryzerski states his back space has been designed to be two floors. Mr. Ryzerski states that one of the things that concerns him about the building is how close it is to either side and the trucks seem to clip the corners of the building. Mr. Ryzerski states to get a nice looking eve line he didn't want it to get hit by the trucks. Cynthia states this Site is on the side of the street where there are all residential homes. Cynthia states we are all used to the one-story building with the front porch. Cynthia states now, Mr. Ryzerski is suggesting something with two stories. Mr. Ryzerski refers to Mr. DePaoli's house and states it has two floors with the roof above it. Cynthia states yes, but it looks like a home, it doesn't look like a commercial or barnlike structure. Cynthia states the architecture of this building is going to be very important. Cynthia states she appreciates the fact that someone approached it in terms of North Salem having barns, but this is not the east side of Town, this is Croton Falls, and all of this area has Victorian homes with porches. Cynthia states the only commercial-looking building is right across the street. Mr. Rossi states there are a number of commercial-looking buildings. Cynthia states yes, up on Front Street. Mr. Rossi states this is butted up against the railroad and asks if the Plan showing the design could be brought up on the screen. Mr. Rossi talks about making the building fit into the motif. Mr. Rossi states it is intended to be part of a railroad junction. Cynthia states she is not sure that is what we need there. Cynthia states this will be important in terms of our approach. Mr. Rossi states that one person's junk is another person's treasure and maybe what we need are buildings that do look like a downtown village center consistent with a train yard, with the brick/stone industrial-type buildings on the opposite side. Mr. Rossi states this is directly across from the art gallery building which is probably one of the most industrial looking buildings around that goes underneath the railroad overpass. Mr. Rossi talks about going to the length of revitalizing a down-trotted piece of property, being able to maximize square footage in order to have additional storage upstairs, and states it is something that is appropriate and reasonable. Mr. Rossi states if the design can blend into the railroad/railyard feel, it is appropriate. Cynthia states she disagrees that this side of the street has anything to do with the railroad/railyard. Cynthia states she doesn't have a problem with two stories, or maximizing out. Cynthia states she does have a problem with the visual look of this side of the street which is very different. Cynthia asks Mr. Rossi to work with her and states she has lived in Croton Falls for 40 years and drives by the Site every day. Mr. Ryzerski points out where the street side off of Route 22 is located. Mr. Ryzerski refers to the Plan and states there is a shed roof and a large eve that sticks out with brackets that compliments the building. Cynthia states it is just not working for her visually for that little part

of the Town. Cynthia states architecturally the architect should take another look at the homes and the structures that are there. Cynthia states there is no landscaping in the front which would also help. Cynthia states she did check the Code and Will put it in his Memo that a loading zone cannot be in the front between the building and the road. Cynthia states there is a porch there now, and there had been parking in the front. Cynthia states we talked about having maybe one handicapped space there but the more she thinks about it, if the porch is going to be removed, some type of landscaping will have to be brought in, as a way to soften it a little bit. Cynthia asks the rest of the Board how they feel. Christopher states it is hard to get a sense of the scale relative to everything else that is in the area. Christopher states all by itself, looking at it on a television screen 20 feet away, is not an unattractive design. Christopher states it needs to fit the feel of the neighborhood and he does not have an opinion as to whether it does or not. Cynthia states that is one of the reasons she would like the Board to get out on the Site. Cynthia states that right now, everything is one story, and putting a second story on will add a lot of mass. Cynthia states the Board needs to see it out in the field in relationship to the other structures that are there, and work with Mr. Ryzerski on this. Cynthia states she thinks we will get there, she is just not sure whether she agrees with the dark-colored barn look, and that is just her opinion. Charlotte states if the building will have two stories, why not have offices up there. Mr. Ryzerski refers to the square footage and states they do not have enough parking and septic. Mr. Rossi states all of the infrastructure would have to be pumped up and the Site is already restricted to a great degree. Will refers to the storage and states it does not get a free pass when it comes to parking. Mr. Rossi states he is analogizing it to his office, as they do not have any offices up on the top floor of their building, but they have all of their files up there. Mr. Rossi states they have a picnic table that goes up there in the wintertime. Mr. Rossi states there is a benefit to storage being up there. Cynthia states that gross floor area is supposed to be part of the calculation. Will states if they are dead files that is one thing, but active files would be another thing. Mr. Rossi states it is dead storage. They are trying to figure out ways to use it, but no matter how they use it, it is an advantage to them. Mr. Rossi states that Mr. DePaoli is a friend of his and his property is in the GB Zoning District even though it is residential. Mr. Rossi states there are residences that have been built up over the years. Mr. Rossi states the lots in the area have all been developed with buildings that go right up to the side yards. Mr. Rossi states that one of the aspects from the beginning that was attractive to him is that we now have someone who wants to set a tone for the area to be inconsistent with the area but consistent with the type of investment someone has to make to undertake a project like this. Mr. Rossi states with the benefits go the burdens. Cynthia states if you look at the rest of the area particularly over in the Professional Office Zone, everyone converted homes into offices and it kept the character of the homes, and she thinks that is important to this little Hamlet. Mr. Rossi states he thinks Mr. Ryzerski's intention is to do something that is in keeping with the character of the neighborhood. Cynthia states as she previously mentioned the Board will work with Mr. Ryzerski to get there, but she wanted to raise the red flag. Will states he knows a lot of work went into the drawings, but refers to the way the doors are framed in addition to the windows. Will states where the Applicant is showing two doors, maybe one grander door could be considered. Will states those details make all the difference. Cynthia refers to the second building going up at North Salem Center and states it was basically just a box of a building but there is a little more detail and architecture so that it doesn't look like a big barn façade. Will states the back is actually layered better. Mr. Allen asks to see the pictures of the front on the screen. Mr. Ryzerski refers to the rear entry elevation. Will talks about layering as a way to reduce the mass. Cynthia asks if it is important to have the split roof where it is not even and is that because there was the thought about doing solar at one point. Mr. Ryzerski refers to the Plan and states originally they were trying to leave a lot of area on the roof for solar panels. Mr. Ryzerski states that after the analysis it was determined that it wouldn't work. Cynthia asks whether the roof could be put back so it is even. Mr. Ryzerski states that could possibly work. Mr. Ryzerski states the architect had it square like a barn, and it didn't work for either of them, as they kind of liked it off-center. Mr. Rossi states a railyard type building is really the concept. Mr. Ryzerski refers to Hawley's barn and the really old railroad building and states the roof has a longer tail on one side. Mr. Ryzerski states it is the same degree in terms of the gable. Cynthia states it is even, but it does extend down further, which is quite different than the proposal the Board is talking about

tonight. Will talks about the shed roof being bigger. Christopher states he does not want to suggest running rough-shot over process, and whether this would be appropriate from a process perspective, but maybe it would be useful to sit down with the ARB and/or the Town Historian to look at properties that are in the Hamlet and buildings that are near this property and maybe design something that looks more in keeping with the neighborhood. Christopher states the proposal is not an unattractive design, but maybe it doesn't work for this space. Cynthia states the Board should do a Site Walk and then carry on the conversation at the next Meeting. Cynthia states while she understands the goals that were presented, she personally has quite a different take on that side of the road as opposed to the other side of the road where all the existing commercial buildings are located.

Cynthia states she thinks the Board has spent enough time on this and suggests going back to the Site Plan. Cynthia asks if Mr. Ryzerski understands the comments from the Board regarding the offices, so as to try and show them how he is going to put the offices into the front building for each and every tradesman. Christopher states Will mentioned that storage space is used in the calculation for determining how many parking spaces are necessary. Will states it depends on how the storage is characterized. Will states if it is unfinished paddock space for dead records, that is like a basement, and doesn't really count. Will states if it becomes more usable space that contractor's might use for storage of equipment, or it is the stock of retail business, that would be counted in the gross floor area. Christopher states he didn't want to get to the point where there is a two story building and the next thing we know we are talking about parking spaces again. Cynthia states even though it might change parking spaces, we have the ability to adjust the number so again we could work with Mr. Ryzerski on that.

Mr. Ryzerski states he walks around Croton Falls and sees a lot of Victorian houses. Mr. Ryzerski states there are also some colonial-type houses, but 80% of the Victorian houses in Croton Falls are falling apart and in a state of decline because they are really hard to maintain, and no one wants to paint them, and put up the details that pop a nice Victorian house. Mr. Ryzerski states he does not want to say it is a dying way, but if you see people putting them up today, they are putting on pre-fab brackets, and rarely well done. Mr. Ryzerski asks the Board for a little direction and states if they do not see his railyard concept, or an industrial barn-type building, tell him what they would like to see. Mr. Ryzerski states there are a couple of nice new buildings along the side on Route 22. Cynthia states Mr. Ryzerski is referring to the Donovan property. Cynthia states she knows some people have really spruced up their Victorian homes, so she doesn't agree with Mr. Ryzerski's comment. Cynthia states this discussion should be held off until after the Site Visit. Mr. Ryzerski states he is not saying that he is resistant to changing the design at all. Mr. Ryzerski states he would rather have more commentary. Will states he thinks the suggestion Christopher had is a good one. Cynthia states we usually invite the ARB and the CAC on Site Walks when it is appropriate. Cynthia states she will send an e-mail around listing a few weekend dates. Cynthia talks about an early evening time and asks Christopher and Gary what time they get back into Town. Christopher states it depends. Cynthia refers to Friday evenings when it is still light and states she may throw that into the mix too.

Cynthia puts the Site Plan up on the screen and states the offices and the pool company are proposed to be in the front, as well as the handicapped parking. Cynthia refers to parking spaces and asks whether they would be utilized by customers coming in. Mr. Ryzerski states yes, for the front building. There is a discussion about the side parking spaces to be utilized by the employees. Cynthia asks where the doorway to get in is located. Mr. Ryzerski points out the doorways. Mr. Ryzerski states likely most of the traffic will come in from the back. Mr. Ryzerski states there were revisions where they actually took the door off of the front. Mr. Allen states that Will has suggested that they cannot have the loading space. Mr. Allen states there is parking in the front now, and they could leave that parking. Cynthia states if it isn't needed, she would like to see all the parking in the front eliminated landscaping put in. Gary states it is always fun backing out of there on Route 22. Mr. Rossi states it would seem to him that a tractor trailer could pull in and circle around the

building. Cynthia states either UPS or a delivery person will pull into the handicapped spaces. Mr. Ryzerski states he doesn't intend for a tractor trailer to park out there. Mr. Ryzerski refers to UPS or Federal Express and states if they have a quick package they don't have to disrupt the internal flow. Mr. Ryzerski states there is a lot of room out there. Mr. Ryzerski states there is enough room for parking and landscaping. Mr. Ryzerski states when he is there during the day there are cars and trucks along the road. Cynthia states the problem is if you have that, they cannot make a left hand turn in order to pull out. Cynthia states the turning radius is not there for a vehicle to pull in, and go across the front. Cynthia states this is where we had all of the issues with the building across the street in terms of people trying to figure out how they were going to maneuver in the front of the building and that is why the bollards were put up. Cynthia asks Mr. Ryzerski to take another look at it, and states she does not want to encourage a loading zone in the front, especially since the Ordinance does not permit it. Cynthia states if the right landscaping is done in the front, it will help soften the building. Cynthia states she believes there is room in the back for maneuverability for the small delivery trucks such as UPS. Cynthia states the large trucks have to go in the back. Mr. Allen states we will show the maneuvers on a separate Plan. Mr. Rossi refers to the traffic flow comments from Will in terms of the back parking spaces and realignment and states he would rather not use up additional parking areas by adding in landscaping. Mr. Rossi states he doesn't think the back area cries out for much more landscaping and maintaining parking spots is much more important. Will talks about adding in an island, and the movement of parking spaces so they may be used. Mr. Allen states most of the people will be parked there for the duration of the day, and it is not as if they will be in and out all the time. Mr. Ryzerski states his goal was to separate the tradesmen. Mr. Ryzerski states if a contractor comes back first, he will park in a specific area. Cynthia states when the trucks are out, will there be personal cars in those spaces. Mr. Ryzerski states he would hope to utilize the side spaces. Cynthia refers to the landscaping along the parking area on the side and states she thinks that discussion has to wait until we have gone out to the Site. Cynthia states there are drastic changes in the elevation and the Board has to see that and how much room there is for landscaping. Mr. Ryzerski states there is a wall that is approximately 24 inches high, that turns into a large block wall. Mr. Ryzerski states his concept was to build the wall up a little bit higher in order to put plantings higher so the houses that are higher would have screening. Cynthia states some of the neighbors may have plantings already and some don't. Mr. Ryzerski states in terms of screening, Mr. Depaoli has a very nice Arborvitae hedge and his house is completely blocked from our direction. Mr. Ryzerski talks about continuing the hedge line back and states it would do wonders. Mr. Ryzerski refers to the islands and states in order to keep the parking flow, it might be a good idea to have a smaller peninsula with a tree in it, so it is not sticking out so far. Mr. Allen states he thinks everyone will get a better appreciation once they go out to the Site. Mr. Allen states the back area is hardscaped. Will states typically you would frame parking lots and islands help with the traffic. Will refers to the Plan and shows where the back and front of the building would be. Will talks about concentrating on the aesthetics because customers will be coming and that is why he suggested the islands in order to create a green divide. Will states the flow should be there. Mr. Ryzerski refers to one of the islands in terms of stretching it another way. Will talks about framing the parking spaces so there is a separation in between the lanes.

Cynthia asks about the buildings along the rail line and asks whether they will be open, or have doors. Mr. Ryzerski states he played around with trying to put sliding barn doors on, and his idea now is to not have a door on the building near where the parking is, and have a roll up type garage door on the other building. Cynthia refers to the Plan and states she understands, since it will be a tradesmen area, having the doors that open and close. Cynthia refers to an area on the Plan where customers will be coming in and asks what kind of Use is anticipated there and how will it affect a car that is parked there or trucks that are coming around. Mr. Ryzerski states there are three storage bays that are in front of the hedge. Mr. Ryzerski states that one of them will be partially taken up by the garbage bin for the people in the front, and the other two would be used to store spa inventory. Cynthia states her concern is that if this area is for storage of the tradesmen in the back, we could see the forklift coming around and trying to maneuver, and that is really part of the office/retail portion, so we should not see the tradesmen coming and going there. Mr. Ryzerski states he would commit to

saying that these specific buildings would only be used by him. Cynthia states there would be better control that way. Christopher asks whether all of these structures exist right now. Mr. Ryzerski states yes. Christopher confirms the structures will be closed in with doors. Cynthia asks whether one of the structures will be taken down. Mr. Ryzerski states they are taking 70 feet of sheds that are 24 feet high down. Mr. Ryzerski states a huge chunk of structures will be coming down on the left side. Cynthia refers to the back and asks Mr. Ryzerski whether he will be creating a break there too. Mr. Ryzerski states there is a roof between a structure and an old shed. Mr. Ryzerski refers to the dotted line on the Plan and states it is an eight or nine foot eve. Mr. Ryzerski states they planned to remove a section so as to clear up space in the back and front so the buildings wouldn't be touching.

Mr. Ryzerski refers to the water flow and states if this is going to be a new building, worst case scenario, they cannot build a dam. Cynthia asks what will be done with the water. Mr. Allen refers to the Plan and states they will bring the water through the Site. Mr. Allen states there is existing drainage. Mr. Allen states the septic is in the back. Mr. Allen states they have had preliminary discussions with the Health Department. Mr. Allen refers to the Utility Plan and states they want to keep the drainage moving that comes down off the hillside more efficiently. Mr. Allen states there is a catch basin which will be repaired and moved, and they will pick up drainage from the back. Mr. Ryzerski states there is an old pipe. Mr. Allen talks about making the flow more efficient that comes off the hillside and states there is a pipe out back that they will be utilizing. Mr. Allen states they are not changing the drainage at all, they are just making it more efficient.

Cynthia refers to an area on the Plan and states it may require a Variance. Cynthia states let's talk about why the outdoor storage is needed and the spaces that are in front of it. Mr. Ryzerski states they are putting the outdoor storage in front of that wall. Cynthia refers to a building on the Plan and asks Mr. Ryzerski what it is for. Mr. Ryzerski states that is either Mr. Schultz's or the neighbor's garage. Cynthia asks what Mr. Ryzerski envisions there in terms of the tradesmen. Mr. Ryzerski states he envisions a chain link fence or some type of a fence going across the front with several access doors, maybe one on the right and one on the left that slide open. Mr. Ryzerski talks about putting a pallet of materials in there or access items that are bulky, that he does not want inside. Mr. Ryzerski states that no one will see it back there, as it will be neat and out of the way, versus in the way. Mr. Ryzerski states as a contractor he runs into items that need to be stored. Cynthia asks Mr. Ryzerski if he envisions the need to have any forklifts in the back. Mr. Ryzerski states there is definitely going to be a forklift on the property. Cynthia asks where the forklift will be stored. Mr. Ryzerski states it will probably be stored in a bay. Cynthia confirms the forklift will go inside a building. Cynthia asks whether the forklift will be parked in the outdoor storage area. Mr. Ryzerski states no, because that area will always be blocked in by trucks.

Mr. Rossi refers to the Ivezaj property and states there is quite a distance, relatively speaking, between that property line and the houses. Mr. Rossi refers to Maple Avenue and states the houses are very close. Mr. Allen states when Mr. Ryzerski bought the property they had suggested that he reach out to a bunch of the neighbors, which he has done. Mr. Rossi shows large pictures around the Site and the two residences. Mr. Rossi states this was taken during the summertime showing the trees. Mr. Rossi states the area is well below grade. Mr. Rossi states the area is fairly well protected in regards to screening. Cynthia states if our Office of Emergency Management Representative is going to come in a couple of weeks to talk to us, she might show him this Site to talk about how the Fire Department would descend upon the property in order to reach all of the buildings. Cynthia states there is a proposal to not have any access to Maple Avenue as it will be closed off. Cynthia states this relates to a previous building that no longer stands. Mr. Rossi states the former property owner went before the ZBA and they wanted the secondary emergency access to be out that way. Mr. Rossi states there is a chain link fence that is dilapidated and the area is all overgrown. Mr. Rossi states in the discussions with the ZBA on the current Applications they were getting the message that the ZBA wanted the access way eliminated. Cynthia states it is really going to be decided when the Board has the conversation

with the Fire District. Cynthia states there was a Condition in an old ZBA Resolution for an Area Variance related to the construction of a building which is no longer there. Cynthia states it still does raise the question, as it is there, and there is an access, so we will see how the Fire District feels as to whether or not it is necessary. Mr. Rossi states in the weighing of all the items that the Board has to do, obviously going out that way would make it a lot more convenient for tractor trailers that are coming into the Site and eventually exiting. Cynthia tells Don not to even go there as that is not up for discussion. Cynthia states the question was as to whether it is needed as an alternate emergency access or for the maneuverability of the fire trucks. Mr. Rossi states that is one part of the property that the Board will see has become a very dilapidated eyesore. Cynthia asks Mr. Allen whether he has any questions regarding the MDRA Memo. Mr. Allen states Will is suggesting a parking rearrangement and he is not sure whether he agrees with Will, but will certainly take a look at it. Mr. Allen states they talked about the back parking spaces, and discussed the architectural aspect.

Cynthia refers to the use of the front building with the different types of offices and asks whether they trigger anything with the Department of Health. Cynthia asks if the Department of Health has been made aware. Mr. Allen states the Department of Health is aware of it. Mr. Allen refers to a letter and states there have been conversations with the Department of Health. Cynthia asks Mr. Allen to send the Planning Board the documentation that was submitted to the Department of Health. Mr. Allen states there have been face to face meetings, but they should be able to memorialize them.

Cynthia states when she or Dawn send out the e-mail to try and set up the Site Visit, should they be communicating with Mr. Rossi, Mr. Allen, and Mr. Ryzerski, or will one of you be the point person. Mr. Rossi states he would be happy to be the point person. Cynthia states that will make it a lot easier for them as they will communicate with Mr. Rossi and he will take care of everybody else. Cynthia states we will invite the members of the CAC and ARB and try to coordinate to have at least one member of each Board to be with us, as well as the majority of the Planning Board. Mr. Rossi states it need not be all at one time if it becomes problematic, as Mr. Ryzerski lives within a mile of the Site. Christopher states he stopped by the Site approximately three months ago. Mr. Rossi states it will be better now as the Board will have a Plan in hand. Cynthia states the Planning Board Site Visits are always publically noticed and occasionally there are residents who ask whether they may come. Cynthia states the Board does not encourage it unless the owner agrees. Cynthia states the Board tries not to have too much conversation going on during a Site Visit. Cynthia states it is not a Meeting that is being recorded. Cynthia states the main purpose is to get out there and get a sense and feel for what the Site is all about. Cynthia states it will be left up to Mr. Ryzerski if neighbors want to join, as he would have to deal with that. Mr. Rossi states he has mixed feelings about it and doesn't think it needs to be open to the public, and if there are members of other Boards there, things could get a little unwieldy. Mr. Rossi states he does not think it is necessary, because he does not consider it to be a public Meeting. Cynthia states she just mentions it because the Board often gets asked, and their response is that the property is private. Roland states that is the right answer, as it is not a requirement because you are meeting there to view the Site, not to hold a Meeting. Cynthia states whatever is talked about, she always tries to bring it back to a Meeting in order to repeat it. Mr. Rossi states if any of the neighbors give Mr. Ryzerski a call, he would be happy to walk the property with them. Cynthia states yes, that is his personal business.

Mr. Rossi refers to the ZBA Meetings and states there has been positive feedback from the neighbors about the Project.

Mr. Ryzerski refers to a comment from Will about seeing landscaping between Maple Avenue and the fence. Mr. Ryzerski refers to the request for a stone wall. Mr. Ryzerski states the grade is very subtle and it could be graded without a stone wall. Mr. Ryzerski states a neighbor parks there and has taken claim to the spot. Mr. Ryzerski states he doesn't know if the Town plans to get rid of the parking spot. Cynthia asks if the spot is on the road, or on Mr. Ryzerski's property. Will states it is on Mr. Ryzerski's property and asks if he is giving

it up. Mr. Ryzerski states he doesn't know where the property ends. Mr. Rossi refers to the metes and bounds description. Mr. Ryzerski refers to the cars that are parked there and the large tree that is there. Will states his comment is to have the area cleaned up so as not to be an overgrown mess. Will refers to the wall and states he was reacting to a boulder wall which sounded like a bunch of stones. Will suggests the area be cleaned up so it looks nice aesthetically. Cynthia states the tree is not shown on the existing conditions and we will see it when we go out to the Site. Cynthia states if the car is parked on Maple Avenue, there is a prohibition during the winter months for cars not to be parked there. Cynthia states if it is on Mr. Ryzerski's property he is going to need to deal with it. Cynthia states if he is going to have a parking spot, it should go on the Site Plan. Mr. Ryzerski states he didn't know if that was the aim of the comment from Will in terms of getting rid of the spot.

Mr. Ryzerski refers to a typical dumpster that a truck would come in, back up, and take away. Mr. Ryzerski states typically they would put the trash in there and take it to the dump as they need to. Cynthia refers to single stream recycling in terms of how much of the trash may warrant a dumpster for recycling. Cynthia refers to contractors and states a lot of their stuff can be recycled. Mr. Ryzerski states they have a lot of cardboard. Cynthia states she would like to see one of the dumpsters labeled as single stream recycling, and a small dumpster for real trash. Cynthia asks Mr. Ryzerski to please encourage all the tradesmen to recycle. Cynthia states it is a high priority for our Town Board to get everybody to recycle. Will asks Mr. Ryzerski if he brings items back from construction sites to dump. Mr. Ryzerski states typically his business is not to go to construction sites and bring materials back to the yard. Mr. Ryzerski states if they go and install something, such as replacing a pool filter, they will take the old filter out, bring it back, and leave it in the dumpster until they dispose of it. Mr. Ryzerski states when the container is full, they take it to the dump. Cynthia suggests Mr. Ryzerski consider recycling whatever he can. Cynthia refers to contractors that come back with cardboard boxes and states they should not go to the dump, they should be recycled. Cynthia states this would really help the Town. Mr. Ryzerski states they do it now. Mr. Ryzerski asks whether the Town picks up the little blue bins. Cynthia states yes. Cynthia suggests Mr. Ryzerski get all of his tradesmen and tenants to recycle.

Mr. Ryzerski asks whether they can get on the Agenda for the mid-September Meeting. Cynthia states if the Board gets the Site Visit done, they might do that, so they may come back and have a conversation before a resubmittal is done. Cynthia states if not, they will pencil this matter in for the first Meeting in October.

8. Financial Report:

- August, 2015

Chairwoman motions that the Planning Board Approve the August, 2015 Financial Report. Charlotte Harris seconds. All in favor. No opposed.

9. Next Meetings:

- Work Session – September 16, 2015
- Regular Meeting – October 7, 2015

10. Resolution:

Chairwoman motions to adjourn the Planning Board Meeting. Bernard Sweeney seconds. All in favor. No opposed.