

VILLAGE OF CROTON ON HUDSON, NEW YORK

PLANNING BOARD MEETING MINUTES – TUESDAY, DECEMBER 14, 2010

A regular meeting of the Planning Board of the Village of Croton-on-Hudson, New York was held on Tuesday, December 14, 2010 in the Municipal Building.

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

ALSO PRESENT: Ann Gallelli, Member of the Board of Trustees
 Daniel O’Connor, P.E., Village Engineer

1. Call to Order:

The meeting was called to order at 8:00 P.M. by Chairman Kehoe.

2. PUBLIC HEARINGS:

- a) *Croton Community Nursery School – Lower North Highland Place (Sec. 67.20 Blk. 2 Lots 5, 6, 9 & 25 [formerly Lots 5, 6, 7, 8, 9, 10, 11, 12 & 25] – Application for a Preliminary Subdivision Approval – Request for an Adjournment*

Chairman Kehoe stated that, as has happened at the last several meetings, the public hearing on this application for a preliminary subdivision approval is being adjourned. Chairman Kehoe noted that the Applicant’s engineering firm has done the revisions to the drainage plan(s) requested by Dvirka & Bartilucci, the Village’s engineering consultants, and is waiting to hear back from Dvirka & Bartilucci. Chairman Kehoe said that this item will be put back on the agenda for the next Planning Board meeting to be held on Tuesday, December 28th.

- b) *Croton Auto Park – 1 Municipal Place (Sec. 78.12 Blk. 3 Lot 2) – Application for an Amended Site Plan Approval for Modifications to Façade and Request for Exception to Village Code on Signage*

Jason Anderson, R.A. of Pharr + Anderson Architecture – Planning – Interiors was present to represent the Applicant.

Chairman Kehoe noted that the Planning Board received in their packets for tonight’s meeting a revised set of plans. The Planning Board has also received a copy of the Planning Board resolution of approval for the Croton Auto Park dated November 12, 2002. Chairman Kehoe noted that this resolution contains 12 conditions, which are still in effect.

Mr. Anderson described the project to those present stating that the Applicant proposes to modify the façade of the building by adding an entry arch, replace the existing signage with the signage required by the Chrysler Corporation and paint the exterior of the building.

Mr. Anderson said that after the last meeting he went back to the Croton Auto Park and looked at each individual sign at the Croton Auto Park site. Mr. Anderson said that, in so far as the signage is concerned, the revised plans are much more detailed than the plans originally submitted. The revised plans show the signage that is to remain and the signage that is to be replaced. Mr. Anderson said that the Applicant is proposing less signage than before. On the South Riverside Avenue side of the building there will be one less sign (8 signs instead of 9) and on the Municipal Place side there will be 5 less signs (8 instead of 13) for a total of 16 signs. Mr. Anderson said that at the last meeting there was a question about illumination of the signs. The illuminated signs would be internally lit with LED lights.

Mr. Kauderer noted that the banners at the Auto Park site are supposed to be removed. He would be concerned that these banners would be removed and then put back up at some point in the future, to which Mr. Anderson said that, according to the owner Lou Giordano, that is not the intent. Mr. Kauderer noted that the Auto Park is at one of the gateways/entranceways to the Village. All these banners at the Auto Park do not present a “good entrance” to the Village. Ms. Allen noted that the sign table on the revised plans shows several banners. She questioned what the Applicant’s intent is for these banners, (Are they to remain or to be removed?), to which Mr. Kauderer responded that it is his understanding that these banners are going to be removed. The only banner to remain is the “Sale” banner. Mr. Aarons asked what the requirement is in the Village Code for signage on a window/glass surface, to which the Village Engineer said that according to the Village Code no more than 25% of the window’s surface can be taken up with signage. The Village Engineer referred to condition #7 in the previous Auto Park resolution pertaining to signs on the windows of vehicles and noted that, according to the Code, there can only be one sign in the interior of each vehicle not to exceed 12” x 15” in size.

Chairman Kehoe opened the public hearing on this amended site plan application.

John Dichiara of 60 Beekman Avenue came forward and told the Planning Board that he lives in the house right behind the Auto Park. Several years ago his neighbor, who was the previous owner of 62 Beekman Avenue, had come to Planning Board meetings and expressed concern about the lighting. Mr. Dichiara said that, as he understands it, the Applicant is not proposing any additional lighting. Mr. Dichiara said that he can understand the need to light the parking lot in the Auto Park at night. Nevertheless, he would think that it would be a good idea to periodically check the lighting to make certain that it does not “reflect out onto the Village.” Mr. Dichiara expressed concern about the height of the arch being proposed. He has a view of the Hudson River in the wintertime and would hope that his view would not be obstructed by this arch. Mr. Anderson noted that the arch being proposed is 6’ 8” above the existing roofline. This neighbor (Mr. Dichiara) would be looking at the back of the arch, so he would be seeing the supports of the arch. Mr. Dichiara said that he does not object to the Applicant’s current proposal to clean up the facility and change the look of it; however, he does not want his view of the river obstructed. Chairman Kehoe said that, with respect to the lighting, efforts were made at the time of the last Planning Board approval to make the lighting of the parking lot such that it does not bother the neighbors. After many attempts by the Applicant, they “got it right;” nothing has changed since then. Mr. Dichiara said that the lighting at the site has been consistent. He just would want to be certain that the Applicant does not increase the lighting. Mr. Anderson said

that, in so far as the lighting is concerned, everything will remain as is except for the signs in the front; these signs will be internally lit and not back lit.

Mr. Anderson referred the board to drawing #C-202 that shows the wall-mounted signs on the west elevation of the building. Mr. Anderson noted that these signs (Chrysler, Dodge, Jeep, etc.) were taken directly from their sign manufacturer. Chairman Kehoe asked about the colors of the signs, to which Mr. Anderson said that the colors are (would be) similar to those shown on the color rendering the Planning Board is looking at tonight.

Mr. Dichiara asked if the illuminated pylon sign in the front would remain, to which Mr. Anderson said that it would. Mr. Anderson added that he believes that the existing pylon sign in the front is actually taller than the arch being proposed.

Chairman Kehoe asked if on the Municipal Place elevation all of the banners being shown are becoming permanent signs, to which Mr. Anderson said that they are.

Mr. Luntz asked if, below the top section of the arch that says *Croton Auto Park*, there is clear glass, to which Mr. Anderson said that there is. This glass is existing. Mr. Luntz expressed concern about the height of the arch and questioned if it could be made smaller (shorter). He asked if, perhaps, there could be installed a smaller arch “that sprung from the height of the doors.” Mr. Anderson noted to the board members that the manufacturer makes this arch in three different sizes. In his view, the arch he chose works the best with the building design. Mr. Anderson said that, at present, the building lacks an architectural element in the front to break it up. This arch is going to create a front entry that, in the building’s current design, does not exist. Mr. Luntz said that he, personally, would rather that it (the arch) not be there. He thinks that the building is not “well served” by adding an arch on the front. Mr. Anderson noted that the Chrysler Corporation is requiring that every dealership must have this arch and the signage currently being proposed. The paint color for the building should be what they have. Mr. Luntz said that the arch presently being proposed does not have anything to do with this (existing) building nor does it have anything to do with the existing finish on the building. It seemed to him “capricious and arbitrary” to insist upon this arch.

Mr. Anderson noted that the proposed arch is flat. It is a flat plane. The building color would be Pelican Gray. The center section of the arch is more silver in color; the rest is the same color as the building. Mr. Anderson said that, in his view, the arch will enhance the building. It will draw attention to where one enters the building. Mr. Kauderer said that he, personally, thinks the arch is “irrelevant” to the building; however, if Chrysler is insisting upon it, then, they (the Applicant) have to have this arch. Mr. Kauderer said that, in his view, the arch is not so objectionable that the Planning Board should “give one of our few successful businesses a hard time.” Mr. Aarons said that he thought that the arch had a radius. He did not realize that it is a flat object that they are “gluing on” to the building.

Mr. Luntz asked what the different sizes of the arch could be, to which Mr. Anderson said that the three options for the height of the arch are 24 feet, 28 feet and 32 feet. The width stays the same. Mr. Anderson noted that the arch presently being proposed is 28 feet in height. Chairman Kehoe said that, in his opinion, the arch would look “more stubby” if the height were reduced. Mr. Anderson noted that the glass of the archway would be spandrel glass. Mr. Luntz noted that the glass in the center of the archway would be dark or black in color. Mr. Dichiara said that the less the height of this arch, the less obtrusive to the neighbors. He just would not want the neighbors’ views of the Hudson River to be blocked. Mr. Aarons said that, as Mr. Luntz had

recommended earlier, he, too, would like to see a drawing of the shorter, 24-foot high arch. Mr. Luntz reiterated that he would like to see a drawing of the shorter arch. Mr. Anderson noted to the board members that, with the 28-foot high arch, the bottom of the spandrel glass lines up with the bottom of the fascia. This would not be the case if the height were changed. Mr. Kauderer asked Mr. Anderson if he could do a rendering of the arch at 24 feet in height so that the Planning Board could compare the two (arch) sizes, to which Mr. Anderson said that he would do so.

Chairman Kehoe noted that in the November 12, 2002 resolution there is a condition about plantings, to which Mr. Anderson said that these plantings were installed. A few of the plantings died and were replaced.

Mr. Aarons asked if the ambient light from the Auto Park site had ever been checked, to which the Village Engineer said that at the time of the last amended site plan approval, he visited the site many times to check the lighting. At that time, the lighting was “turned down” until it was acceptable to all parties involved. Ms. Allen noted that the Planning Board had told the Applicant at that time that the lighting had to stay on site. Mr. Aarons said that, with respect to the lighting, he is referring to the illuminated pylon sign that one sees from the exit coming off of Route 9. He questioned if that was part of this initial study, to which Ms. Allen said that she thought it was; however, she noted that the type of lighting is different now from what it was then. Chairman Kehoe said that the light from this pylon sign goes north and south on South Riverside Avenue. Mr. Aarons asked if there is a possibility of reducing the wattage. He pointed out to the Applicant that a member of the community (resident) has expressed concern tonight about the lighting; therefore, the Planning Board has to look into this. Mr. Aarons questioned if so much wattage is actually needed to see the pylon sign. Chairman Kehoe suggested that, for the next meeting, Mr. Anderson could take a look at the information on wattage for this sign, to which Mr. Anderson said that he would do so.

Ms. Allen said that another issue for the Planning Board to address pertains to the banners, balloons, etc. for promotions and sales at the Auto Park site. In the past the Applicant has put up balloons and banners so that people traveling on Route 9 could see that there was a sale going on at the Auto Park. Ms. Allen noted that there were restrictions placed on their use in the November 12, 2002 Planning Board resolution. The Village Engineer said that according to the Code banners, balloons, flags, etc. can be put up at a business for purposes of opening, reopening or remodeling the business. The Village Engineer added that they can be up for a maximum duration of 45 days. The Village Engineer noted that there is another provision in the Code for temporary signs relating to garage sales, tag sales and other business activities. In this provision, it states that these temporary signs have to be removed in 7 calendar days or less. Ms. Allen expressed concern that the Auto Park was not adhering to these restrictions. Mr. Aarons noted that the condition in the November 12, 2002 resolution states that the Auto Park can have temporary signs/banners for their semi-annual sales events. Ms. Allen noted that she drove by the Auto Park on Sunday morning and saw balloons and banners “whipping in the wind.” They were left over from an event. She does not know what the event was. Chairman Kehoe noted that, if this Applicant were in violation of the Code on temporary signage, it would be the purview of the Village’s Code Enforcement Officer and not the Planning Board to look into this matter.

Mr. Aarons summarized the issues to be addressed for the next meeting. The Applicant should provide a drawing showing a 24-foot high arch. The Applicant should check to see if the wattage of the pylon sign facing South Riverside Avenue could be reduced. Mr. Aarons said that a

decision also has to be made regarding the “Sale” banner. Mr. Aarons noted that Mr. Anderson is saying that this banner is permanent, to which Mr. Anderson said that this is, indeed, true. There are banners that fall under condition #6 in the old (November 12, 2002) resolution. Mr. Aarons said that it was his impression that this sign/banner would not be there forever. The Village Engineer said that he would look into this matter and let the Planning Board know. The Village Engineer said that condition #6 does state that an exception is being made for the Auto Park’s semi-annual sales event. Chairman Kehoe said that he would like the owner of the Auto Park to attend the next Planning Board meeting to address these issues.

Mr. Anderson asked if the public hearing could be closed tonight. Chairman Kehoe said that he would be willing to close the public hearing. He noted that even if the public hearing were closed, the Planning Board’s practice is to allow members of the public to speak. Mr. Dichiara asked if the public hearing could remain open. He noted that if the public hearing were closed, the perception among the members of the public would be that they could no longer speak on this application. Mr. Dichiara noted to the Planning Board that he is representing tonight not only himself but a number of other concerned residents. The Planning Board decided to keep the public hearing open.

Chairman Kehoe referred to the comments previously made by the Advisory Board on the Visual Environment (VEB) and said that, at the meeting tonight, Mr. Luntz touched upon their concern regarding the arch. Chairman Kehoe said that he, personally, thinks that the Planning Board does not need to revisit the landscaping or the other issues that were raised.

Ms. Allen noted that, as per the November 12, 2002 resolution, no more than 7 vehicles are permitted on the rocks on the northeast side of the property for display purposes. Ms. Allen noted that the Applicant’s plan shows 8 vehicles being displayed on the rocks.

Chairman Kehoe said that the next meeting would take place on Tuesday, December 28th. Only three out of the five Planning Board members would be present at that meeting to take a vote. He suggested that this application should be adjourned to the first meeting in January, to which the other board members and the Applicant agreed.

Mr. Aarons noted that earlier tonight the Applicant stated that the center of the archway would be spandrel glass; Mr. Luntz had mentioned that this spandrel glass would be dark or black in color. Mr. Aarons asked that for the next meeting the Applicant should provide a color rendering showing this dark (black) center of the archway.

3. APPROVAL OF MINUTES:

The minutes of the Tuesday, November 23, 2010 Planning Board meeting were approved on a motion by Mr. Kauderer, seconded by Mr. Aarons and carried by a vote of 5-0.

4. ADJOURNMENT:

Chairman Kehoe said that before the meeting is adjourned, he would like to note for the record that Sylvia Mills has officially retired in her role as Planning Board secretary for the Village. Ms. Mills is staying on until the end of the month to train Ronnie Rose, the new Planning Board secretary.

Chairman Kehoe said that he would like to take this opportunity to say that it has been a pleasure to work with Ms. Mills, and she will be greatly missed.

There being no further business to come before the board, the meeting was duly adjourned at 9:17 P.M.

Sincerely,

Sylvia Mills
Acting Secretary