

**Minutes of the Planning Board
Tuesday, December 8, 2015**

Present: Chairman Rob Luntz
Bruce Kauderer
Steve Krisky
Janet Mainiero
Rocco Mastronardi

Also present: Bob Anderson, Village Board Liaison
Daniel O'Connor, Village Engineer

Call to order:

Chairman Luntz called the Planning Board meeting of December 8, 2015 to order at 8:00 p.m.

1. PUBLIC HEARINGS

a) Croton-on-Hudson Veterinary Clinic—401 South Riverside Avenue (Sec. 79.13 Blk. 2 Lot 3)—Application for Amended Site Plan approval for installation of solar photovoltaic panels in C-2 General Commercial Zoning District and Harmon/South Riverside Gateway Overlay Zone.

Present: Representative from Sunrise Solar Solutions, LLC

Motion: Mr. Krisky made a motion to open the public hearing, seconded by Mr. Mastronardi, and carried, all in favor by a vote of 5-0.

There were no comments from the public.

Motion: Ms. Mainiero made a motion to close the public hearing, seconded by Mr. Krisky, and carried all in favor, by a vote of 5-0.

The Planning Board stated its support for the application with no conditions.

Motion: Mr. Kauderer made a motion to adopt the draft resolution granting amended site plan approval for the installation of solar (photovoltaic) panels on the Croton Veterinary Clinic, seconded by Mr. Krisky, and carried, all in favor, by a vote of 5-0.

2. NEW BUSINESS

a) Doran Construction Corp—30 Grand Street (Sec. 78.8 Blk 6 Lot 87)—Application for Minor Site Plan Approval for new single-family dwelling.

Present: Butch Doran, Doran Construction Corp, and Mr. Ron Wegner, P.E., Cronin Engineering

Ms. Mainiero, Planning Board member recused herself from the meeting because she resides in close proximity to the proposed property.

DISCUSSION:

Mr. Wegner stated that the project involves the construction of a single family residence on an existing 9,763 square foot vacant parcel. The steep slope disturbances will fall below the threshold number. The site meets all zoning code requirements and setbacks. The front yard setback is 15 ft. which is allowable with houses built prior to zoning; the setbacks can be the average of two neighboring houses within 300 ft. The square footage of the house is 2,580 sq. feet, and is below the permitted FAR.

The Planning Board reviewed the site plan. Mr. Wegner stated he will utilize masonry stone wall construction instead of mesa block since the upper retaining wall serves as a vehicle barrier. Chairman Luntz stated that he would like to see that the two retaining walls as shown on the site plan be constructed with the same masonry stone. Mr. Doran stated he would do so.

The Village Engineer noted that the deck on the neighbor's property should be screened from the patio. The Planning Board agreed that the planting of six to seven feet high spruce evergreens trees (preferable to the less hardy arborvitaes) would be attractive screening in the back section of the property. The Planning Board thought this type of evergreen are preferable to the less hardy arborvitaes. When asked about installing a fence where there is a steep slope, Mr. Doran stated that he chose a split rail fence with a wire fence behind it so that the area would be safe without the view being blocked.

Mr. Doran brought in samples of the paint colors for the house, trim and roof. The Planning Board had no objections. The Planning Board agreed that the architecture of the house was in character with the neighboring houses.

Ms. Frances Fenaro, the neighbor at 34 Grand Street, was present at the meeting and expressed concerns about potential erosion as a result of excavation, potential damage caused by drainage that flows past the driveway, and potential blasting during construction.

Mr. Doran stated there would be no blasting or hammering. Chairman Luntz noted that erosion control and drainage issues had been addressed on the plan, and the Village Engineer observed that most of the water, given the topography of the site, will drain away from her house.

She also expressed concern about the 20 ft. maple tree on the corner of her property and asked if it would be disturbed. Mr. Wegner responded that it will be designated on the site plan as a preserved tree. Although there will be no construction near this tree, the grading may be close, and the Planning Board recommended that a protective construction fence be installed around it.

The Planning Board recommended that the applicant request a recommendation from the Conservation Advisory Committee on the species for replacement of two street trees.

The following conditions will be added to the resolution:

1. That the two proposed retaining walls be made of the same stone masonry,
2. That, a minimum of six feet screening spruce evergreens be added between the patio and adjoining neighbor's deck,
3. That, the contractor obtain recommendations from the CAC as to which street trees species would be preferable to plant for the replacement of two existing street trees that will be removed,
4. That, a construction fence be installed to protect the neighboring 20' maple tree,
5. That, the site plan house square footage needs to be revised to be consistent with the house square footage on the architectural plans.

MOTION: Mr. Kauderer made a motion to accept the resolution, as amended with the additional five conditions (as specified above) and grant Minor Site Plan approval, seconded by Mr. Krisky, and carried by a vote of 4-0 (Ms. Mainiero recused)

b) 11 Prospect Place (Sec. 67.20 Blk. 4 Lot 13) --Request for extension of Minor Site Plan for single family dwelling.

DISCUSSION: Mr. Doran explained that he had recently bought the property but because he was currently building another house he would not be able to build this house prior to the current expiration of the minor site plan.

MOTION: Mr. Krisky made a motion to approve the extension of the minor site plan until April 23, 2017, seconded by Mr. Mastronardi, and carried, all in favor by a vote of 5-0.

3. OLD BUSINESS

a) MAF Realty--74 Grand Street (Sec. 78.08 Block 6 Lot 59)--Application for Minor Site Plan Approval for a new single family dwelling.

b) MAF Realty--78 Grand Street (Sec. 78.08 Block 6 Lot 56)--Application for Minor Site Plan Approval for a new single family dwelling.

c) MAF Realty--88 Grand Street (Sec. 78.08 Block 6 Lot 48)--Application for Minor Site Plan Approval for a new single family dwelling.

PRESENT: Dan Ciarcia, P.E. and Gary Arbusto (from Ed Gemmola & Associates)

Mr. Ciarcia stated that he had made some adjustments to the site plans based on the discussion at the last Planning Board meeting. He shifted the retaining walls over the five feet minimum so that the retaining walls were now code compliant.

Mr. Kauderer asked about the installation of a fence at the back of the property since there was a steep dropoff.

Mr. Ciarcia stated that there was already an existing chain link fence and the landscaping showed screening at the fence wall with arborvitae. The Planning Board recommended a deer resistant type of arborvitae. The Planning Board agreed that the arborvitae planted at this elevation will nicely screen the wall and the house.

Chairman Luntz noted that the Planning Board had recommended alternating the elevations of the houses so that they look different from one another (the houses next to each other). Mr. Arbusto stated that 78 Grand house will look different from 74 Grand--the landscaping, the color scheme and the elevations will vary.

The Planning Board reviewed the memo that the Village Engineer wrote on December 8, 2015. Based on the discussion of this memorandum, the following items were eliminated (#1 and #9), items #2-#8 will remain, as applicable to the house, and items #6 and #7 are to be completed to the satisfaction of the Village Engineer.

MOTIONS:

Ms. Mainiero made a motion to approve the Minor Site Plan application of 74 Grand Street, to be revised in accordance with the Village Engineer's memorandum dated December 8, 2015 which includes items #2-8, and adding to items #6 and #7 the provision "to the satisfaction of the Village Engineer", seconded by Mr. Krisky, and carried, all in favor, by a vote of 5-0.

Ms. Mainiero made a motion to approve the Minor Site Plan application of 78 Grand Street, to be revised in accordance with the Village engineer's memorandum dated December 8, 2015 which includes the items #2-8, and adding to items #6 and #7 the provision "to the satisfaction of the Village Engineer", seconded by Mr.Kauderer, and carried all in favor by a vote of 5-0.

Ms. Mainiero made a motion to approve the Minor Site Plan application of 88 Grand Street, to be revised in accordance with the Village Engineer's memorandum dated December 8, 2015 which includes the items #2-8, and adding to items #6 and #7 the provision "to the satisfaction of the Village Engineer", seconded by Mr.Krisky, and carried, all in favor, by a vote of 5-0.

d) 32 Piney Point Avenue (Sec. 79.13 Blk. 4 Lot 44) and 34 Piney Point Avenue (Sec. 79.13 Blk 4 Lot 45)--Determination of escrow amount for Chazen Companies Engineering services for the review of two minor site plan applications to construct single family houses on two separate (adjacent) individual lots.

PRESENT: Mr. Mark Franzoso, Applicant

DISCUSSION:

An amount of money was agreed upon based upon the recommendation of the Village Engineer. Mr. Franzoso expressed concerns that Chazen would use up the escrow amount more quickly if the amount of money were a known quantity. The Village Engineer stated that Chazen would not see the established amount and the invoices would be submitted to the Village and paid from the escrow account.

Mr. Franzoso agreed to the recommended amount. The Village Engineer asked if one escrow account or two individual accounts should be created since Chazen is reviewing both lots. Mr. Franzoso stated he wanted to create only one escrow account and he would have Ms. Cross, his attorney, write a letter confirming this.

Mr. Krisky asked if there has been any substantial changes since the Planning Board discussed this application and Mr. Franzoso responded that there have been no changes.

The Village Engineer stated that the Planning Board would first be addressing the major issues first: the geotechnical issues related to the house, stabilization of the slope, and the retaining walls.

Chairman Luntz asked about the Zoning Board's interest with respect to the variance requested. The Village Engineer stated that the Planning Board can invite them to a joint meeting to hear Chazen's presentation. Chairman Luntz agreed that the Zoning Board should be invited to hear the presentation since there may be similar questions from both boards.

MOTION: Mr. Kauderer made a motion to establish the initial escrow account as discussed at the meeting, Mr. Mastronardi seconded, and the vote carried, all in favor, by a vote of 5-0.

REFERRALS

- a) *Palladino--365 South Riverside Avenue (Sec. 79.13 block 1 Lot 66)-Referral by Village Board for consideration of the renewal of Special Permit for Motor Vehicle Service Station and sale of used cars.*

The Planning Board had reviewed this request several years ago for a special permit and had written a memo to the Village Board recommending the renewal of the special permit. The Village Board had granted the renewal of the special permit for the motor vehicle service station and used car sales with conditions and recommendations for improvements. Mr. Palladino stated that he had met those conditions.

Chairman Luntz stated that the Special Permit had been issued for a specific use, this use has not changed, and that he did not see any problem with the renewal. The Planning Board concurred.

MOTION: Mr. Krisky made a motion to recommend that the Special Permit for 365 South Riverside be renewed and be extended for two years from the date of the Village Board's issuance of the Special Permit, seconded by Ms. Mainiero, and carried, all in favor, by a vote of 5-0.

DISCUSSION

- The Village Engineer discussed the letter of December 4, 2015 sent by Mr. Bob Hilpert, attorney for Mr. Fallacaro. The letter stated that Mr. Fallacaro was interested in hiring Mr. Ralph Mastromonaco, P.E., to evaluate the retaining wall at 3 Arrowcrest Drive. Chairman Luntz noted that in the past the board had required that a licensed engineer certify, with his seal, the wall's structural integrity. Mr. Kauderer stated he would like to hear about Mr. Mastromonaco's experience but it has to be made clear that his clients are both the Village and Mr. Fallacaro. Mr. Mastromonaco would not be answering solely to Mr. Fallacaro. Mr. Mastronardi, having worked with Mr. Mastromonaco many years ago, stated that the village would need someone who has experience with retaining wall structure, dams, earth and embankments/impoundments and he believed Mr. Mastromonaco has this experience. Mr. Kauderer asked Mr. Mastronardi if in his professional judgment he would feel comfortable with Mr. Mastronmonaco as the engineer, and Mr. Mastronardi said that he thought that Mr. Mastronmonaco could handle the job. Mr. Krisky asked about setting aside an escrow and the board agreed that an escrow account would demonstrate a commitment on the part of Mr. Fallacaro. The Planning Board expressed interest in reviewing Mr. Mastromonaco's resume.

APPROVAL OF MINUTES

Ms. Mainiero made a motion to approve the minutes, as amended, of November 24, 2015, seconded by Mr. Krisky, and carried, all in favor, by a vote of 5-0.

ADJOURNMENT:

There being no more business to come before the board, the meeting was adjourned at 9:38 p.m.

Respectfully submitted,

Ronnie Rose

Ronnie L. Rose
Planning board Secretary