

STATE OF NEW YORK : COUNTY OF ROCKLAND

TOWN OF STONY POINT : PLANNING BOARD

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IN THE MATTER

OF

117 WEST MAIN STREET

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Town of Stony Point
19 Clubhouse Lane
Stony Point, New York
June 27, 2024
7:05 p.m.

BEFORE:

- MARK JOHNSON, CHAIRMAN
- KERRI ALESSI, BOARD MEMBER
- ROLAND BIEHLE, BOARD MEMBER
- MICHAEL FERGUSON, BOARD MEMBER
- ERIC JASLOW, BOARD MEMBER
- JAMES PURCELL, BOARD MEMBER
- JERRY ROGERS, BOARD MEMBER

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MR. CONWAY: Chair, good evening. Kevin Conway, attorney for the applicant. And Members of the Board. As we covered previously, the applicant is proposing an addition to the existing school building on-site and utilizing for office space on the first floor, and one and two-bedroom apartments on the second, third, and fourth floors to create a mixed use building while keeping with the original look of the school as it currently stands on the site.

We are seeking the unlisted action and requested the Planning Board previously to declare itself as lead agency, and along with negative dec, as we do need to go to the ZBA. We require both a site plan approval here and conditional use approval for the application.

The applicant is proposing the 6900 square feet of office space on the first floor, along with a total of 24 residential units proposed to the second, third, and fourth floors. The project would include 61 parking spaces, public sewer and water would

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be utilized, and stormwater management has been designed for zero net runoff. The residential units for the project are permitted by conditional use permit in the BU district and meet the following conditions, we which talked previously.

However, we do require variances, as the Board is aware, for maximum development coverage at 75 percent; we're at 79. Max floor area ratio of 35; we're at 58. Maximum residential units of 12 per acre; we're at 24. The waiver for the residential floor area, more than 2.5 times the commercial floor area ratio. The -- we also talked about previously the recreation area that's proposed to the roof, in addition to an area for recreation on the western portion of the lot, which is situated on 1.14 acres located in the BU district.

The residential mixed use in the BU is permitted by conditional use permit. All business offices are permitted by right. In addition, the subject property adjoins residential and religious uses, which we're

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going to talk about a little bit tonight, as well as the residential zoning to its north, west, and east. Access to the site is provided both by West Main Street and Franklin Ave.

And the -- we did mention previously, which we'll mention also to the Zoning Board, as the conditional use permit Section 215-92.2 was recently adopted by the Town Board. This applicant did have an application that was pending. And we would ask that that be given consideration.

With regard to -- Toni, if you could switch to the correspondence dated June 17th. I'm going to ask Toni to speak a little bit tonight to what we looked at, the scale and proportion of the building. We did take into the account the Board's reaction both to the, what was proposed by way of diagrams before, but more importantly from the site visit.

It's hard. With site visits, it's important. I think the Boards always do a site visit inspection almost universally with regard to any property because there's no

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substitute for going to the site and getting a sense of the site. But many times, that alone does not give you the full picture of what the project would look like when completed.

So Toni had done a scale and proportion analysis, which I'm going to ask including to go through tonight, and including the lines of sight from the West Main Street portion to the lower parking area portion to the middle parking portion and the upper parking portion. Because if one, for this site, just stands in the front of the building and looks at it from one direction, or if it -- even from the rear, you don't get a total, what I would consider viewpoint of what the design really is meant to be. And you might otherwise think that it's too large, or too embodying if you just looked at it strictly from the Main Street line of sight itself. Now, because the topography does make a difference here.

The -- as we know before, we did try to keep the historic nature of the building

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without having it as a factory style going straight across as well if the addition had just been for the school in the traditional sense. We went through last time, we covered why it is that it does look different. It's broken up. It's done that way on purpose, as opposed to just having the standard look across the front of it, where there would be no break in it.

The -- I wanted to talk just a little bit, and Toni will speak about that as well, the density units is, as said, at 24. The number was achieved by limiting the building additions to the flanks of the existing schoolhouse, which was prioritized for saving from demolition through an approach of an adapted reuse of overall property since the structure is historic, and it's actually beloved within the community and is part of the local fabric in terms of Stony Point history.

Because many times, you can just demo the building. It's much easier, certainly with a new structure, and this structure is

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older. So to work around the existing structure is more expensive. It's more prohibitive.

But we felt that that was what really, to make this a unique building and a unique site to attract young professionals and residents that are in the area that would otherwise move from the area, we thought that this would combine both the historic aspect as well as make it attractive. It was decided that any design would mask or hide the front of the building would not be mindful of this. And there was other options that were looked at, but this seemed to make the most sense.

The composition of these 24 units results in 36 bedrooms. We had looked at the surrounding neighborhood just to get an idea because obviously, and this is not -- because our developer, builder-developer Mr. Goldberger did not come in with -- ordinarily, you would expect a builder-developer to come in with 40, 50, or even 60 units and go straight up. That's not

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what Mr. Goldberger has done. He's developed a lot of residential properties in Stony Point over the years, and he did not want to put something that would be out of use or character, or that would be something that's not, traditionally would not be welcomed by Stony Point.

The analysis of the areas adjacent to this property take into account the single-family homes of comparable land size, or importantly, the same amount of street frontage, and similar to the same amount of total square footage. He did an analysis upon viewing these homes' property records. Eight of the homes in the direct vicinity of the project comprise 34 bedrooms. Not different than what we're requesting. So with 34 bedrooms in direct comparison to this project's 36 bedrooms, this is appropriate within the existing neighborhood.

Also, given the demographic most likely to occupy the project, and we're seeking younger professionals, single or married, the population density would be comparable.

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Either way, the population density of the occupants of freestanding homes or this building in this scenario would be given the same infinite options of populace, but the conclusion, the appropriate development, it's at the current development as proposed, would be, would fit in with the existing neighborhood.

The -- we also, we didn't really speak of this before, but it's mentioned in the analysis. There's roughly five active businesses within a four-minute walking distance, and three former small storefronts. This proposed development would encourage pedestrian traffic, not vehicle traffic, for independent and non-franchise businesses to reopen to prosper, as well as to boost the vicinity with the addition of this proposed buildings.

The younger generations -- I hate the terms, the Z and millennials. I guess I'm just a, I was a baby boomer, but I didn't like that name when I was given that tag years ago. But the demographics for the

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people that would occupy the premises don't like to use their cars, but would prefer walking. It's attributed to, you see a lot of these projects designed closer, near to mass transit, either bus stations or train stations. And that's the idea. So we've tried to incorporate that.

We also take advantage to the roof terrace. So there's privacy. There's -- provides amenities without having to be strictly next door to the adjacent properties. Any sound emanating would be buffered by the surrounding parapet walls that are included. And the height won't be transmitting or reflecting to any surrounding buildings. So it would actually result in a very quiet use.

Sometimes if, in which is probably a bad example, because I live in Pearl River, but they have some of the, there's one rooftop bar that's in Pearl River on Main Street which, when they first proposed, and the neighbors were concerned for the residential area, the church that's nearby, any noise

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would emanate from. And at the higher elevation and on the roof, that they have not had the concerns or complaints that you otherwise might expect. Where if the same operation was on the ground, that would be a problem. And with recreation, you go to ball fields, or you go to playgrounds, or hear noise and such, with it elevated up, it does take away that aspect. So it's just another thing to consider that ordinarily one might not consider.

The other items we did take into account, with the refuse management. We made that change and we would incorporate that. We also took into account the fire access.

So I believe that the site itself works now in a much more user-friendly way, both for the emergency vehicles, for the people there. And I don't believe with the, what I consider smaller number of units, not larger number of units, that the impact here will not be as great as it otherwise might be if the developer was proposing to either demolish the building, or go up in addition,

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2 or as high he could go. Which, ordinarily a
3 developer might wish to do, but we've not,
4 but from our own vantage point haven't tried
5 to do that.

6 This has been driven by what the -- what
7 you see is what was the first and only
8 variation. There was no larger variations
9 that were shrunken. This is what I think is
10 a smart, efficient, but not too large
11 development.

12 So with that, I'm just going to have
13 Toni just go through some more details, and
14 certainly any questions. But we are
15 requesting tonight, if the Board is otherwise
16 comfortable, to have the referral over to the
17 Zoning Board because we do need the approvals
18 notwithstanding. And then we'd certainly
19 come back. We have to come back here as well
20 for any, for the Board's ultimate
21 determination on the site plan.

22 MS. KOWIDGE: Hi. All right. To follow
23 up --

24 CHAIRMAN JOHNSON: One second.

25 BOARD MEMBER PURCELL: Toni, you could

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2 raise the mic.

3 MS. KOWIDGE: I've been screaming all
4 day with my kids. My voice is kind of shot.

5 CHAIRMAN JOHNSON: Sorry about that.

6 MR. CRICHLow: Yeah, it's connecting.

7 MS. KOWIDGE: All right. While it's
8 reconnecting, I will start talking about the
9 scale and proportion. In our memo that we
10 sent out, I specifically highlight the design
11 approach. I'm just going to read this
12 verbatim.

13 It looks like the historic schoolhouse.
14 And we'll talk about that it's a articulated
15 basement story, partially underground,
16 currently wrapped in a resilient polished
17 stone panels with minimally sized windows.
18 This gives the building the appearance from
19 Main Street of a two and a half story
20 structure. So two full structures and a roof
21 structure above, as you can see there.

22 Therefore, when the additions were
23 designed, this was specifically why we used a
24 arcade at the base. We wanted to minimize
25 the massing of the addition and prioritize

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the middle section of the original structure. The recess of the arcade creates a reveal of the base, lending to the appearance of a raised two-story building instead of a full three-story structure. This is even more pronounced since the top of the parapet is thoughtfully aligned with the cornice of existing structure.

The new design of the parking lot will raise the grade in front of the building, sloping away from the building to level the upper level of parking with the retaining wall separating the lower level and middle levels of parking. This will visually reduce the base of the overall structure, thus further diminishing the scale of the building.

Then from Orchard Street, it's important to note that the building is more than one and a half stories below grade towards the Franklin Street side, and nearly a story below grade towards the middle of the street. Additionally, the design allows for the historical cupola and the roofline of the

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original schoolhouse to shine from all angles of view. So we're not trying impede on that.

And I want to point out that the height of the existing schoolhouse is not an anomaly in this neighborhood. I mean, it is a large building, but it's not out of context or character. There's a church right next door with an exaggerated ridge and a belfry tower nearly the same height. We realize it's at a lower elevation, but it is nearly the same height.

And then to the east of the property is a three-story brick structure that was clearly designed in the same intent, first for commercial, and residential apartments above. And then as you go down the block, on the same side of the street, most of the buildings are two and a half story structures, save for one one and a half story structure.

And the corner structure on the corner has a large three-story present. It's a three-story building, but it's a two-story on -- how did that -- I'm sorry, the

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pronunciation there is wrong. It's a three-story building with a gamble on it, on two street fronts.

So across the street are a two and a half, a two, and a one and a half story structure. And I also want to note that there is a historic remnant of a storefront across the street. If you look at the facade, it's clear that there used to be a storefront there.

And along the north side of West Main, there's a row of structures with a uniform setback and relatively uniform building height being contextually the same base on this factor. Thus, the scale and proportion of this project being set back further from the street is in tone with the rest of the adjacent two blocks.

Also, in terms of signage, it should be noted that it is the intent of the businesses to have an office use, thus removing the need for exterior building mounted signage, which we thought was important for the context of the project. The design will be for two

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small signage stanchions at the two vehicular entrances to allow for a street number with slots for sign placards below. So we're going to limit the amount of signage.

So I want to point out in this sketch right here, this is important to look at in that it, this is drawn to scale and at the site of roughly the cut. Even though I'm showing the facade, it's cut roughly at the face of the existing schoolhouse facing Orchard Street.

Now if you look at the way the site is, we've raised the slope for the upper parking. And then the middle parking is the division between the upper and lower, with the lower as being cut in a little bit. And these are based on the topography that was taken.

You know, you can't look at a Google street view because those cameras are ten feet up in the air, eight feet up in the air. So you have to actually go and take a look at it.

So I'm showing here two visual sight lines from a six-foot tall person standing

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now on West Main Street. There are two dashed lines. The lower one would be assuming that there's no cars in the parking lot whatsoever. Their line of sight over the retaining walls and the railings puts them at the base -- you got to keep that girl alive.

MR. CRICHLow: Yeah, I'll see it. I'm on it.

MS. KOWIDGE: So I'm sorry, I apologize about that.

CHAIRMAN JOHNSON: Toni.

MS. KOWIDGE: Yeah.

CHAIRMAN JOHNSON: Real quick, flip this placard up right side up for us, please.

MS. KOWIDGE: Oh, I am so sorry.

CHAIRMAN JOHNSON: Thank you very much.

MS. KOWIDGE: Is that better? So sorry.

So in that image, you could see that if they could look right over, just over the railings only, there, the bottom of their line of sight is at the top of the arcade. So it becomes a two-story building. And visually, even if they're in the parking lot, it is also, like I was saying, the recess and

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the articulated base create an image of it being two stories above.

And it's just, I realize the height is the height. But the scale, I mean, it's one's perception, right. And your perception is that it's two massive stories -- not massive is the wrong word -- two major stories, one minor story.

So the other line of sight is considering that, you know, there's going to be people living here. And their line of sight is going to be over cars. So the cars are going to, you know, we have to -- we all live in this world. Cars exist. And this will be a 24-hour occupied building. So the line of sight will be restricted by the cars.

So that's -- this is my explanation for the scale and the proportion of the building. And then furthermore, from the unobstructed side on Orchard Street, it is mostly underground. I mean, you've all, the Board Members that went there, that is a very steep hill. And we have a very large retaining wall on the other side.

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2 So this was my attempt as the architect.

3 Is there any questions about that?

4 CHAIRMAN JOHNSON: There has not been
5 any, any thoughts on scaling it down a little
6 bit.

7 MS. KOWIDGE: It's not feasible. I
8 mean, I am the architect, right. I am not
9 the -- I don't control the purse, right.
10 Given the amount of restoration work that has
11 to be done to this building, given the amount
12 of infrastructure that needs to be built into
13 this site, we're talking all of the new, new
14 grading, the stormwater system alone, the
15 retainage walls, repairing the existing
16 retaining on Orchard Street, fixing up the --
17 I mean the, what's the word I'm looking for,
18 the mortar, I mean just doing the historic
19 restoration on the mortar of this building is
20 going to be a massive undertaking.

21 So with all of that, the investment for
22 someone to put in two -- you know, I don't
23 even, can't even think about the proportion.
24 But it's more than a third of the total
25 budget just in the site alone. I can't see

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that a lesser unit count would return anything worthwhile. So I, I can't really speak to that. But I do know that this was, we feel is proportionate, as I showed in my study about the neighborhood --

CHAIRMAN JOHNSON: Right.

MS. KOWIDGE: -- population density scenarios. It is proportionate to the neighborhood. You know, if we look at the amount of street frontage, because we do have three fronts, and the comparable land size, you know, I realize there may not be that many people living in those houses now. But they could live, they could move tomorrow and a family could move in.

And frankly, with the way the housing is and the median incomes, we are finding that studies are showing that generational families, you know, kids don't move out. They stay in. Or vice versa, they take in their parents because their parents can't afford to retire. So I mean, the population density will grow.

CHAIRMAN JOHNSON: All right. Does

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anyone else have any questions? Or comments?

BOARD MEMBER FERGUSON: Just a note on the west side of the building that's proposed there, more than half of that's ledge. That's a lot of hammering.

MS. KOWIDGE: I'm sorry, say that again.

BOARD MEMBER FERGUSON: More than half of the west side proposal, there's all ledge underground there. That's why Orchard Street is so high. It's all rock.

MS. KOWIDGE: It's what?

BOARD MEMBER PURCELL: It's all rock ledge.

BOARD MEMBER FERGUSON: All rock ledge.

MS. KOWIDGE: Yeah, I realize that. Yeah.

BOARD MEMBER FERGUSON: It's lot of hammering. You're talking about cost, dollar amount.

MS. KOWIDGE: We're actually not going into it that deep. If you look at the drawing on the board, you'll see that the first floor is beyond. And we're pulling back from that, if you look at the ground

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2 floor plan that we have. I don't have it up.

3 Let me see.

4 So as you can see in this drawing here,
5 the, this area here, that is backfill. We're
6 not digging into that rock ledge. We will --
7 this area here adjacent to the building,
8 we're going to be, we're only going to be
9 pulling that back to here. And then we'll be
10 building a retaining wall and backfilling.

11 So we're not -- we're actually trying to
12 take advantage of the site. And then we'll
13 be building on top of that backfill. But
14 it's not much backfill. It's like, what,
15 four or five feet. Yeah. It's not much.
16 We're cantilevering the second floor into
17 that. But you're right. It is a lot of
18 rock.

19 BOARD MEMBER FERGUSON: Do footings.
20 Bet you there's rock underneath it.

21 MS. KOWIDGE: You can, I mean you can
22 tie in the rock.

23 BOARD MEMBER FERGUSON: They didn't do
24 test holes.

25 MS. KOWIDGE: I'm sorry.

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2 BOARD MEMBER FERGUSON: They didn't do
3 test holes yet. But I would bet that there's
4 a lot more rock there.

5 MS. KOWIDGE: I spent eight years in the
6 Marine Corps artillery. I can barely hear
7 you.

8 So now the other question was a talk
9 about the trash. And we took a deep dive
10 into the trash. And in the memorandum -- oh,
11 that actually was -- so I went into the EPA
12 calculator, put in the total number of
13 people, the total number of units, and the
14 commercial aspect. And we came up with
15 22 tons per year.

16 And that breaks down to -- I gave the
17 breakdown in here. When you divide the
18 22 tons by the number of containers that you
19 would need, using the 95-gallon containers,
20 we have five, and you said they pick up twice
21 a week, so that's five 95-gallon containers,
22 and that's two 95-gallon recycling
23 containers, so that's seven total for each
24 time.

25 Now that's considering maximum output,

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with no compaction whatsoever. There are compaction devices that we can use. I have seen and I have found some that utilize these containers. But there are some that use smaller dumpster-like containers, which we are trying to avoid that usage.

So on the one page, let's see, I showed what it would look like on the street. And it would fit those seven containers, if you line them up, would fit directly in our curb cut. Or I was going to do a second one with them shown in a double row. But I just want it to be clear that it's not a significant presence on the street.

And if you look at the size comparison pictures, yes, they are three times the size. I mean three times the capacity. But visually, they are not that imposing.

Plus, they're a lot neater. They come with the covered lids. You know, if people are using 32-gallon lids, I'm assuming they're not -- I mean 32-gallon cans, they're not putting lids on top of them. They're just taking them out there.

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2 These are going to be closed, uniform in
3 height, uniform in color, and taken in and
4 out by the steward.

5 CHAIRMAN JOHNSON: Yeah. I'm not sure
6 the appearance of the containers was at
7 issue. Everybody's got trash cans on the
8 side of the road, you know.

9 MS. KOWIDGE: Right. I think the
10 implication was -- I'm sorry, I didn't mean
11 to cut you off -- but the implication was
12 that there was going to be too many of them.
13 And this is maximum output. Now --

14 BOARD MEMBER BIEHLE: What about
15 recycling?

16 MS. KOWIDGE: I'm sorry. That includes
17 recycling. So the purple are the trash, and
18 the two are recycling.

19 BOARD MEMBER BIEHLE: Yeah. I know my
20 house, there's more recycling than trash.

21 MS. KOWIDGE: You're right. There is.

22 BOARD MEMBER BIEHLE: Amazon alone,
23 boxes. So I think that number is very
24 skewed.

25 MS. KOWIDGE: Yeah. I think that the

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2 plan here is just for the cardboard aspect.

3 I think we're going to use a cardboard
4 machine, a cardboard compactor no matter
5 what. So I think that's going to take care
6 of that.

7 CHAIRMAN JOHNSON: And they're going to
8 be in the building, inside.

9 MS. KOWIDGE: Kept in the building, yes.

10 CHAIRMAN JOHNSON: Okay.

11 MS. KOWIDGE: So I mean, it was a lot of
12 discussion about that. So I just wanted to
13 talk about that. We just really don't like
14 the idea of a dumpster enclosure on this
15 site.

16 CHAIRMAN JOHNSON: Who doesn't love the
17 sound of a dumpster being hoisted at 6:00 in
18 the morning?

19 MS. KOWIDGE: Nobody likes that. It's
20 good for nobody. And you know, again, in my
21 letter, I note that, you know, having a
22 steward on-site also contributes to the
23 picking up the trash that maybe didn't get
24 picked up. Or, you know, looking at the back
25 side of the site as they pull the containers

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2 back in, and cleaning up and tidying up.

3 It's just presence on-site is better
4 than nothing because I don't know about you,
5 but I've never seen a dumpster driver get out
6 and clean up the spillage from the dumpster.
7 They just move on because they got a track to
8 go on and they got to get moving. So I think
9 it's better for everyone involved in this
10 site.

11 So one other thing that I want to talk
12 about is we did, we did do a code breakdown
13 of the issue that's been brought up at many
14 of the meetings about the aerial apparatus,
15 at the lane for the aerial apparatus road.
16 In the memorandum that I sent today --

17 CHAIRMAN JOHNSON: Yeah, I didn't get a
18 chance -- I don't think any of us really got
19 an opportunity to look it over.

20 MS. KOWIDGE: Okay. Would you like me
21 to pull it up on the screen?

22 CHAIRMAN JOHNSON: Or just give us a
23 synopsis.

24 MS. KOWIDGE: Okay. The synopsis is
25 there's, the section is D105, D105 of the

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New York State fire code. And I go through the five sections of it. And I have a diagram showing that we comply with those requirements and there should not be any need for going to the state.

I did put in a request to meet with the local fire code official just to get their -- because there is a part in that where the fire code official, the duly appointed representative of the New York State, which would be the local fire official -- much brighter. So that's been -- from our standpoint, we comply. So unless Lanc and Tully finds a different conclusion.

MR. O'ROURKE: Which we do.

MS. KOWIDGE: What did you say?

MR. O'ROURKE: I said which we do. But you can talk to the fire chief and you can --

MS. KOWIDGE: Okay. Fair. And Kevin covered the rest of the issues that I had in the design memorandum. So if there are any other questions?

BOARD MEMBER BIEHLE: Just the size.

CHAIRMAN JOHNSON: Yeah.

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2 BOARD MEMBER BIEHLE: You put the code
3 out there and right away, 12, 24.

4 BOARD MEMBER ALESSI: It's not within
5 our purview to --

6 CHAIRMAN JOHNSON: Yeah, we can't
7 override that. I mean, we just changed the
8 code to a maximum of 12 units and --

9 MS. KOWIDGE: No, I realize that.

10 BOARD MEMBER JASLOW: You guys got to go
11 to the Town Board for that.

12 MS. KOWIDGE: I'm sorry, what?

13 BOARD MEMBER JASLOW: I said, we've said
14 it before that we don't have to -- we don't
15 make that decision.

16 CHAIRMAN JOHNSON: Yeah. We -- that's
17 Town Board, correct.

18 MR. O'ROURKE: The Town Board is the one
19 who adopted the law. If they're requesting
20 variances, they would go to the Zoning Board
21 of Appeals.

22 MR. CONWAY: We understand the Board's
23 concern and position. So I'm not saying you
24 should just, you know, ignore that or just
25 push it aside.

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2 CHAIRMAN JOHNSON: Right.

3 MS. KOWIDGE: But we did want to make a
4 point that the density of bedrooms in terms
5 of proportion to land and street frontage,
6 it -- this is in proportion to that existing
7 condition. So it would be not expanding the
8 density in the neighborhood, but keeping --
9 I'm sorry.

10 CHAIRMAN JOHNSON: Considering there's
11 not 34 bedrooms there currently.

12 MS. KOWIDGE: No, it's not --

13 CHAIRMAN JOHNSON: You're adding, you
14 know, another 36 on. Yeah.

15 MS. KOWIDGE: But the point is that that
16 proportion for land to street frontage is
17 representative of what we have designed.

18 So also, in terms of that fire apparatus
19 lane, we find that we comply. And if that is
20 indeed the case, we would not be asking for
21 the full closure of Orchard Street because it
22 wouldn't be necessary. We'd only be asking
23 for 18 feet flanking the curb cut for loading
24 and unloading, and deliveries, and that's it.
25 It wouldn't be the full --

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2 CHAIRMAN JOHNSON: Full closure of
3 Orchard Street.

4 MS. KOWIDGE: No, no. The full --

5 CHAIRMAN JOHNSON: Was that in the memo
6 that I didn't get a chance to read?

7 MS. KOWIDGE: No, no. What you see
8 there, the proposed no parking fire lane that
9 I have blocked off, it would be for --

10 CHAIRMAN JOHNSON: Okay. The fire lane.

11 MS. KOWIDGE: It wouldn't be necessary.
12 We would just ask for a little bit wider than
13 our existing curb cut to allow for an Amazon
14 delivery van, or the trash truck, or the
15 moving truck of somebody, you know, coming
16 in.

17 CHAIRMAN JOHNSON: In the fire lane.

18 MS. KOWIDGE: No. The fire lane is on
19 the other side. We only need one.

20 CHAIRMAN JOHNSON: Okay.

21 MS. KOWIDGE: That was my point. Sorry
22 if I wasn't clear.

23 MR. CONWAY: Why don't you show them?
24 We're going to go through that now. Because
25 otherwise, just visualize it.

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2 CHAIRMAN JOHNSON: Thank you.

3 MR. CRICHLow: Okay. Good evening,
4 everybody. So I just want to go over the
5 engineering plans and what changes I have
6 made, as well as the fire access road. So
7 I've added the curb radii to the curbs.
8 There was a request for the stormwater report
9 and calculation for the drainage system. We
10 provided that.

11 Landscaping and lighting plans are
12 provided. We did get a comment about the
13 levels exceeding the acceptable levels. So
14 we're revising that as we speak. So that
15 will be provided pretty soon.

16 Guardrail protection is provided.
17 Profiles are provided for the parking lot and
18 the stormwater system. We couldn't do the
19 sewer because we have very little information
20 for the existing main in West Main Street.
21 So we couldn't really provide that. Spot
22 elevations are provided on the sidewalk. All
23 doors and access ways are provided.

24 And yeah, for snow storage, for I guess
25 the fire access, we are providing a snow

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2 storage area down here near West Main Street.
3 We did get a comment saying that it wasn't
4 sufficient and that we should have a note
5 saying that all excess snow will be dropped
6 offsite. We do have that note. Can't really
7 see it here, but it's up on this corner, Note
8 Number 2, providing that note. Also, since
9 the last submission, we have made a small
10 change in reducing the pavement a bit from
11 the retaining wall. So that opens up a bit
12 more space for snow storage.

13 As for the fire access lane, I've gone
14 over before how I did a fire turning
15 movement, showing that a fire truck could
16 make its way on to and off this site. The
17 fire lane would be this front --

18 MR. CONWAY: And your diagram shows the
19 fire truck.

20 MR. CRICHLow: Yeah. Has a -- yeah. So
21 this front row of parking, or front aisle, I
22 would say, would be the fire access lane.
23 According to the code, it has to be 26 feet
24 wide, which I provided. And it has to be
25 between -- it can't be less than 15 feet from

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the building and no more than 30 feet. And from my measurements, I found that it's within those parameters. So unless there's clarification about what we're not complying with, I have to agree with what Toni said.

MR. O'ROURKE: Well, again, you'll talk --

MR. CRICHLOW: Okay, yeah.

MR. O'ROURKE: I don't want to get into it now. But where you measure the 15 feet is not actually from the building. It's from an overhang.

MR. CRICHLOW: Okay.

MR. O'ROURKE: Which is not considered the building, because again, the distance is set so they can set a fire ladder to the top of the building.

MR. CRICHLOW: Okay.

MR. O'ROURKE: So by you putting an overhang on the first floor, you shifted it out --

MR. CRICHLOW: Push it back.

MR. O'ROURKE: -- so it pushes it back.

MR. CRICHLOW: So it's the distance

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2 that's the problem.

3 MR. O'ROURKE: So it's the distance
4 aspect. But again, I'm not going to argue
5 with you now. Talk to --

6 MS. KOWIDGE: But the -- that doesn't
7 make any sense, because the ladder is landing
8 at the parapet. And the parapet is at the
9 full face of the building. The arcade is a
10 feature. It's not the footprint.

11 MR. O'ROURKE: I'm not going to discuss
12 it now.

13 MS. KOWIDGE: Yeah, I know.

14 MR. O'ROURKE: So meet with the fire
15 department and the fire marshal.

16 MR. CRICHLow: Okay, yeah.

17 MR. O'ROURKE: And if he has a different
18 opinion, that's fine.

19 MR. CRICHLow: Okay. Yup. And that's
20 about all the changes I've made.

21 CHAIRMAN JOHNSON: In regards to the
22 lighting, just a question. Are these going
23 to be, like the parking lot lighting, is that
24 going to be elevated pole mounted lights?

25 MR. CRICHLow: Yes. They should be

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elevated pole mounted lights. We wanted no lighting on the building. That was per Toni's request. So it's all just in parking lot, and it will be pole mounted.

CHAIRMAN JOHNSON: All right.

MS. KOWIDGE: We're trying to avoid light pollution.

CHAIRMAN JOHNSON: Yeah, well, I mean that sits up a little bit. So it's, the light is going to be cast out down toward West Main Street there. That is going to bleed out some. Max, I guess, or Sam could -- that's their forte. But you know, just, I'm thinking because they're higher than West Main Street, and then you're elevating even higher, that's going to bleed out.

MS. JUSTINIANO: Yeah. John had already mentioned, I believe, in his memo that there's basically some bleed over from the lighting.

MR. CRICHLow: Right.

MS. JUSTINIANO: And like you mentioned, you're going to revise it.

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MR. CRICHLow: Yeah.

MS. JUSTINIANO: So we'll review it when you revise it. But also in that revision, keeping in mind the temperature of the lighting. Because right now, your lamp output is at, like, 6200, 6100, which is like a super cool tone. And usually, we would rather prefer, like, in the 3,000.

MR. CRICHLow: 3,000.

MS. JUSTINIANO: We usually like a little warmer. A lot warmer, theoretically.

MR. CRICHLow: Okay.

MR. CONWAY: You want it warmer.

MS. JUSTINIANO: Warmer, yes.

MR. CONWAY: Okay.

MS. JUSTINIANO: When you're at 6,000, you're thinking of, like, those very bright, bright white lights which tend to have more of an impact versus a warmer tone.

MR. CRICHLow: Okay. Got you.

CHAIRMAN JOHNSON: That's all I've got.

MR. CRICHLow: Okay. Any other questions, comments?

MR. CONWAY: So unless the Board has any

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2 other issues, we were requesting a referral
3 so we could deal with the other issues with
4 regard to the requested variances, and then
5 return back to the Board at the appropriate
6 time depending on how you --

7 CHAIRMAN JOHNSON: I'm not sure where we
8 are on SEQOR at this point.

9 MS. JUSTINIANO: I mean, you -- and
10 correct me if I'm wrong -- they can go before
11 the ZBA. The ZBA cannot make a decision
12 until you guys theoretically give a neg dec.
13 So if they would like to go before the ZBA,
14 that's within their --

15 MR. CONWAY: Unless the Board was
16 otherwise at your direction, Chair. If the
17 Board was otherwise --

18 CHAIRMAN JOHNSON: I think everybody
19 still has reservations about the size and
20 scale. And if this is what's going to go to
21 the ZBA, I don't think this Board is going to
22 be real, real pleased, real amenable to it
23 just yet. You were --

24 MR. O'ROURKE: I was going to say
25 obviously, the ZBA is the one who's going to

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2 make this decision.

3 CHAIRMAN JOHNSON: Right.

4 MR. O'ROURKE: And there's a lot of
5 variances. I honestly, I personally, I think
6 the sooner they go to the ZBA, the better. I
7 don't think we're ready for a neg dec. But
8 they can go to the ZBA and get the ZBA feel.
9 They can schedule the public hearing and see
10 what the neighbors feel. So I have no
11 objection with you sending them to the ZBA.
12 And typically, and this is you, you can send
13 them to the ZBA with a positive
14 recommendation, you can send them to the ZBA
15 with a negative recommendation, or no
16 recommendation at all and just send them.

17 CHAIRMAN JOHNSON: Right. I think that
18 would be the best option.

19 MR. O'ROURKE: You don't have to. But I
20 would have no objection with that.

21 CHAIRMAN JOHNSON: Steve?

22 MR. HONAN: Well, I think if this Board
23 has strong feelings about what's being
24 presented, they probably should let the ZBA
25 know and give them some idea of what's

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2 happening. And I know in the past, their
3 Board likes to hear the input from the
4 Planning Board.

5 MR. CONWAY: I have, for the applicant,
6 I have no problem with going without a
7 recommendation because, you know, we
8 understand the Board's position. And we'll
9 certainly, I would happily disclose that to
10 the ZBA. We'll explain why we didn't come
11 with a neg dec and, you know, this is kind of
12 a unique situation of being the first one
13 through when you have to deal with a new reg.
14 No one ever wants to be the first one through
15 with a new reg. But, you know, we can
16 certainly explain and present that to the
17 Board and let them know that's why it's
18 coming in this fashion, so.

19 CHAIRMAN JOHNSON: All right.

20 BOARD MEMBER JASLOW: Why would we not
21 say that we were not happy with it and --

22 CHAIRMAN JOHNSON: Well, I'm sure we'll
23 be in touch. We'll write a letter or a memo
24 to the ZBA.

25 THE CLERK: You have to ask them.

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CHAIRMAN JOHNSON: Because --

MR. HONAN: I mean, it's a good idea to basically poll the Board. And if that's the opinion of the Board, I think a memo can be prepared by the Chairman to the ZBA with the feelings of the Board and the opinion with respect to the, this particular project and the variances that they're seeking.

MR. CONWAY: And the only thing I would caution the Board, we don't want to have where a letter goes, saying we're against the application.

CHAIRMAN JOHNSON: Right, right.

MR. CONWAY: Because then our rights are prejudiced. So this Board is very fair and open-minded. We want the Zoning Board to have the same opportunity.

CHAIRMAN JOHNSON: We don't want to influence their thoughts. All right. I make a motion to recommend them to go to the ZBA.

BOARD MEMBER ALESSI: I'll second that motion.

CHAIRMAN JOHNSON: All in favor?

(Response of aye was given.)

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CHAIRMAN JOHNSON: Any opposed? All right. So we'll send them to the ZBA with no recommendation at this point.

MR. CONWAY: That's what I would request. And we will, because they're going to inquire as to why there's no neg dec, and then we'll, and I'll explain all that.

CHAIRMAN JOHNSON: All right. And I'll get with Steve, I guess, or Steve and Mary about writing a memo.

THE CLERK: John writes the memo for the zoning.

CHAIRMAN JOHNSON: Okay.

MR. HAGER: Do we have sufficient plans to make very specific what variances are sought?

MR. CONWAY: I believe so.

MR. HAGER: The exact dimensions?

MR. CONWAY: I believe so. Because we're asking for maximum development coverage, it's 75 percent is the requirement. We're at 79 percent. So we exceed by four percent. The maximum floor area ratio of .35, that's what's required. We're at

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2 .58. The no buffer condition use in the BU
3 district, the residential use in the
4 residential district. The maximum number of
5 units of 12 units an acre required, we're at
6 24. And the waiver for the residential floor
7 area, more than two and a half times the
8 commercial floor area. So those are the
9 variances that we're requesting.

10 MR. O'ROURKE: I believe there was a
11 front -- something that you had said had
12 already expired, right. The height in the
13 front yard, I believe, also.

14 MR. HAGER: I think there was a side
15 yard setback.

16 MR. O'ROURKE: And a side yard as well.

17 MR. HAGER: And the height, I think the
18 only thing that exceeds on the height is the
19 existing part of the building. I don't know
20 if there's variance for that.

21 MR. O'ROURKE: I don't know. I know it
22 was discussed in the beginning along with the
23 side and along with the front yard.

24 MR. CONWAY: Well, we'll include the
25 side and the front. We'll clarify. We don't

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2 want to go without -- you know, we want the
3 laundry list, we want everything.

4 MS. JUSTINIANO: Yeah. I would suggest
5 looking over our previous memo that we had
6 sent out, because we went through every
7 single one of the environments and stuff, and
8 the variances we thought you needed. There
9 are also, there was one comment -- I mean,
10 there's a couple outstanding comments. But
11 one of the comments was related to the
12 recreational area.

13 So you guys kept saying that you're
14 going to do recreation on the roof, which is
15 all and good. But as per the code,
16 50 percent of the first story above grade of
17 the structure has to be existing, which we're
18 not sure if you're compliant with. So we're
19 not sure if you can use roof recreation
20 towards your count. And you haven't
21 indicated where your floor recreation is
22 going to be. So you might need a variance on
23 that or you might not. But we don't know
24 because it's not clear enough.

25 MR. CONWAY: We're indicating that we

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will --

MS. KOWIDGE: Yeah.

MS. JUSTINIANO: Okay. Yeah, so I would say outline -- go through our memo. It outlines out all of the requirements. And I can see where we said you don't comply, or you need further information to see.

MR. CONWAY: All right. Thanks, everybody.

CHAIRMAN JOHNSON: Thank you very much.

MS. KOWIDGE: Thank you very much.

MR. CRICHLOW: Thank you.

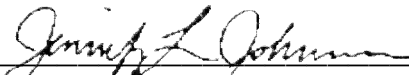
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THE FOREGOING IS CERTIFIED to be a true
and correct transcription of the original
stenographic minutes to the best of my ability.



Jennifer L. Johnson

