

**VILLAGE OF CHATHAM
PLANNING BOARD MEETING
November 17th, 2014
Approved Minutes**

Board Present:

Chairman Dan Herrick
Harry Pisila
Stephen Piazza
Leo Ponter
Ken Dow – Village Attorney
Walt Simonsmeier – Building Inspector
Pat Prentergast – Village Engineer

Public Present:

Lynette Pitcher
Eric Valdina
Vincent Mackowski
Joe Iuviene
Steve Oberon
Paul Hausman
Laura Hausman
Girdhari Lal
Zvi Cohen
Eric Schillinger
Bhavesh Patel
Milap Patel
Heema Patel
Thomas Packet
Treacy Terracciano
Anthony Terracciano
Vince Pecoraro

Call to order: The Village of Chatham Planning Board Public Hearing of November 17th, 2014 was called to order at 7:30 PM by Chairman Dan Herrick in the Tracy Memorial Village Hall.

1.) **Application, #14-065, 123 Hudson Ave., Girdhari Lal**, Applicant; site plan review for signage and addition to building. Steve Oberon, the Contractor for the Applicant, states they decided to bury the kerosene tank instead of trying to screen it. Mr. Oberon presents the Board with a new site plan showing where the tank is and the pump next to it. Mr. Oberon adds it will not have a canopy it will just be lighted. Mr. Oberon states the site plan also indicates the new location of the propane tanks and bollards.

Girdhari Lal, the Applicant states they would also like to remove the trees that on the corner on Route 66. Mr. Piazza asks if the trees were put on the original site plan, why would they want to remove them. Mr. Lal states when you are coming down 66 they cover the light for the pricing. Mr. Ponter asks the trees obscure the view of the intersection. Mr. Lal states they do not. Mr. Piazza states that he does not feel that is a real hardship and there is a certain amount of green space that is part of the condition. Mr. Ponter adds that he would like to see some graphics and some photos of how they obscure the view. Mr. Pisila states between now and next months meeting the Board members can all drive by as well.

Chairman Herrick asks if there are any other questions or comments from the Board – no response.

Chairman Herrick asks if there are any other questions or comments from the Public – no

response.

Motion made to approve the kerosene tank only for Application, #14-065, 123 Hudson Ave., Girdhari Lal, Applicant by Mr. Piazza, seconded by Mr. Ponter.

Mr. Pisila – Aye

Chairman Herrick - Aye

2.) **Application, #14-069, 110 Hudson Ave., Lynette Pitcher**, Applicant; site plan review for change of use and signage. Eric Valdina, the Architect for the Applicant presents the Board with the site plan and color photos. Mr. Valdina adds that the property is located in the C2 zone so it should be a permitted use. Mr. Valdina states the only changes that would be made to the property is make a handicap entrance and fire rated Sheetrock, the upstairs would remain residential.

Chairman Herrick asks about parking for the business and tenants. Mr. Valdina states there are two existing spots and a garage in back, plus they will have additional spots on the side of the building. Chairman Herrick suggests eliminating the two spots up front and move them to the back. Mr. Valdina states they will be fine with four spots and one handicap for the business and residence. Mr. Piazza asks if the entrance for the business will be in the front. Mr. Valdina states the entrance will be through the front porch.

Mr. Piazza asks what the sign will look like and where it will be located. Mr. Valdina states it will be a small oval sign and will be further back from the road than the dermatologists across the street on the small strip of land they are going to purchase as well. Mr. Piazza asks if it will be lighted. Lynette Pitcher, the Applicant states she may want to put a light on the sign but not a lighted sign. Chairman Herrick states there are restricted hours for a sign light. Walt Simonsmeier, the Building Inspector states a sign should be a minimum of 10'ft from from the property line. Chairman Herrick suggests putting the sign back as far as the firehouse sign. Mr. Valdina states there are a lot of trees in the front and the sign may not be visible if it is as far back as the firehouse sign. Mr. Piazza suggests drawing the location of the sign on the site plan and should be fine located between the house and the sidewalk.

Chairman Herrick asks if there are any other questions or comments from the Board – no response.

Chairman Herrick asks if there are any other questions or comments from the Public. Public Member, Treacy Terracciano asks what the hours of operation will be. Ms. Pitcher states she plans to be done by 3pm and is by appointment only. Mr. Piazza states the hours should be set as part of the application. Ms. Pitcher states to just set it from 8am to 8pm incase she does have appointments later in the day.

Chairman Herrick asks if there are any other questions or comments from the Board – no response.

Chairman Herrick asks if there are any other questions or comments from the Public – no response.

Motion made to approve Application, #14-069, 110 Hudson Ave., Lynette Pitcher, Applicant; site plan review for change of use, signage and hours of operation by Mr. Piazza, seconded by Mr.

Pisila.

Mr. Ponter – Aye

Chairman Herrick - Aye

3.) **Application, 2 Church St., Bhavesh Patel**, Application; site plan review for addition to building. Board Member, Harry Pisila recluses himself stating he is the Architect for Bhavesh Patel, the Applicant. Eric Schillinger, the Attorney for the Applicant, states that he has reviewed the paperwork from the previous meetings and prepared new documents. Mr. Schillinger states that he is going to address the issues with the application and the traffic flow. The first document Mr. Schillinger presents is architectural graphics from the Department of Transportation. Mr. Schillinger states Mr. Patel receives fuel deliveries about two times per week, the trucks are about 55'ft in length and the trucks are able to manipulate around the turn when entering and exiting without crossing the property line. Pat Prentergast, the Village Engineer asks if the drawings presented are hand drawn or computer generated. Mr. Schillinger states they are computer generated and based on dimensions indicating there really isn't a concern for traffic. Mr. Schillinger adds that Mr. Patel has a video of a tanker truck pulling out of the parking lot, which Mr. Patel then shows the Board. Mr. Piazza states the video does not show the truck where the issue is. Chairman Herrick states the issue is the trucks going around the corner behind the building, not the fuel trucks. Mr. Schillinger states all the trucks going behind the building to Mr. Patel's are 33'ft box trucks delivering soda, food and beer not tanker trucks. Mr. Ponter suggests directing all delivery trucks in front of the building. Mr. Schillinger states page two of the documentation shows dimensions for the addition and adds there is no reason for tractor trailers to go behind the building for Mr. Patel. Mr. Schillinger adds the dimensions also show that the addition and overhang are actually a foot less than a car parked in the current parking spot, they will put up signage for no parking once the addition is done. Mr. Schillinger states the frequency of deliveries for Mr. Patel are less than one per day and the trucks normally come around 6 or 7am and they will be directed to go around the front of the building and there will also be no parking signs where the addition will be. Mr. Prentergast asks where will the dumpster be, Mr. Schillinger replies it will be enclosed in the current location. Ken Dow, the Village Attorney, asks if they loose the two parking spots by the addition, will they still have enough parking per code. Mr. Schillinger states they will still have two more spots than required with loosing those two spots.

Mr. Piazza states according to the letter from Nancy Scans the easement has not been settled and objects to the addition. Mr. Dow states easements are usually a legal issue not a Planning Board issue and decisions should be made on the codes.

Chairman Herrick asks if there are any other questions or comments from the Board – no response.

Chairman Herrick asks if there are any other questions or comments from the Public. Vincent Mackowski, Kirk Kneller's Attorney, asks that any decision be held until council has had time to review and the Fire Chief has inspected the distance between the buildings. Mr. Schillinger asks if they could reconvene until the officials can give their input. Mr. Prentergast states they should probably get fire professionals to look at properties and to direct all trucks to the front of the building.

Application, 2 Church St., Bhavesh Patel, Application; site plan review for addition to building is tabled till the meeting of December 15th, 2014.

3.) **Application, 40-46 Hudson Ave., Zvi Cohen**, Applicant; site plan review for change of use, retail to bakery. Chairman Herrick reviews the site plan checklist and then reviews the SEQR checklist, everything is there and passes. Mr. Piazza asks if Zvi Cohen, the Applicant will store his vehicles for Our Daily Bread at this location. Mr. Cohen states they will be there when they are not being used. Chairman Herrick asks if the Bakery will be open to the public. Mr. Cohen states it will be just for production, but if someone comes in he would sell to them. Chairman Herrick states parking is not an issue if it is not going to be retail.

Chairman Herrick asks if there are any other questions or comments from the Board – no response.

Chairman Herrick asks if there are any other questions or comments from the Public. Public Member, Treacy Terracciano asks where will the trucks be entering and exiting. Mr. Cohen states the only way in and out is along Route 66. Public Member, Laura Hausman asks if the Railroad tracks in front or behind the building are going to be used. Mr. Cohen states they are not going to use the Railroad tracks for any reason.

Chairman Herrick asks if there are any further questions or comments from the Public – no response.

Motion made to approve **Application, 40-46 Hudson Ave., Zvi Cohen**, Applicant; site plan review for change of use, retail to bakery by Mr. Piazza, seconded by Mr. Ponter.

Mr. Pisila – Aye

Chairman Herrick - Aye

Other Business:

- 1.) **Application, Dardess Dr., Michael Early, Applicant**; site plan review for directional and monumental signage. Walt Simonsmeier, the Building Inspector states the Planning Board needs to make a recommendation for the ZBA on this Application. Chairman Herrick states he is not in favor of the empty spaces on the sign for future stores. Mr. Piazza states the signs are excessive, the front sign is enough and just looking at the Plaza you can see the signs of the stores that are there now. Mr. Pisila states this is typical of Plaza stores to put a monument sign out in front. Chairman Herrick states the monument sign is fine as long as it is not bigger than the current sign. Mr. Pisila adds they should just refurbish the current sign. Mr. Simonsmeier adds that if the other three stores are filled they may not even need a variance. Mr. Ponter agrees that the current sign should be refurbished instead of a new sign.

A motion to approve the minutes of the October 20th meeting is made by Mr. Piazza, seconded by Mr. Pisila.

Mr. Ponter – Aye

Chairman Herrick – Aye

The meeting of November 17th, 2014 is adjourned at 9:55pm.

Respectfully submitted,
Erin Reis-Costa, Secretary