

**NORTH CASTLE PLANNING BOARD MEETING
15 BEDFORD ROAD – COURT ROOM
7:00 P.M.
September 8, 2014**

PLANNING BOARD MEMBERS PRESENT:

Art Adelman, Chairman
John Delano
Steve Sauro
Guy Mezzancello
Christopher Carthy

ALSO PRESENT:

Adam R. Kaufman, AICP
Director of Planning

Joe Cermele, PE
Consulting Town Engineer
Kellard Sessions PC

Roland Baroni, Esq. Town Counsel
Stephens, Baroni, Reilly & Lewis, LLP

Valerie B. Desimone
Planning Board Secretary
Recording Secretary

Conservation Board Representative:
Absent

Meeting came to order at 7:00 p.m.

PUBLIC HEARING:

TORLISH BROTHERS
6 Maple Avenue
Section 108.01, Block 6, Lot 25
Barry Naderman, pe
Legalize existing use on site
Discussion

Present for this application was Duane Torlish.

Mr. Adelman read the affidavit of publication for the record. No noticed neighbors were present. Mrs. Desimone noted that all paperwork was in order for this application.

The amended site plan application is to permit the utilization of the 1,380 square foot second floor of the building as a personal service use. The previously approved site plan permitted office use on the second floor.

In response to Mr. Adelman's comment regarding comments on the resolution. Mr. Torlish stated that he has spoken to his brother about shared parking but due to the fact that they were not provided with the guidelines and expenses of the shared parking lot they would not commit or agree to anything until that information was provided. The board understood their position on this matter. Mr. Torlish stated that he and his brother would consider this option at a later date when all of the information was provided. The board was glad to know that.

Mr. Adelman asked for a motion to close the public hearing. Mr. Delano made a motion to close the public hearing. It was second by Mr. Sauro and approved with five Ayes.

Mr. Adelman asked for a motion to approve the resolution. Mr. Delano made a motion to approve. It was second by Mr. Sauro and approved with five Ayes.

NEIGHBOR NOTIFICATION:

4 OAK STREET
4 Oak Street
Section 122.16, Block 4 Lot 14-1
Steve Sacrapanti, applicant & owner
Discussion
Consideration of amended site plan approval

Present for this application was Steve Sacrapanti, owner and his architect, Joseph Paterno.

Mr. Adelman read the affidavit of publication for the record. The following noticed neighbors were present: Sean & Robin McVity: 8 Grove Road; Judith Corticelli, 22 Rockledge Road. Mrs. Desimone noted that all paperwork was in order for this application.

The application is for the construction of a 1,725 square foot Dutch colonial home with three bedrooms and two bathrooms and located on an existing vacant building lot. All utilities will be underground. Elevations were presented by Mr. Paterno.

Mrs. Corticelli expressed her concerns regarding blasting on site and the impact that could have on her 1910 home and foundation. Mr. Sacrapanti stated that there would be no blasting and some chipping. He did chipping when building on the other lots that were part of this subdivision and he noted the chipping was soft and had no issues.

Mr. Delano noted that he did not see an easement in the resolution regarding the underground utility access. He also noted some other minor typos that will be corrected.

Mr. Adelman asked for a motion to approve the resolution as amended. Mr. Delano made a motion to approve, it was second by Mr. Sauro and approved with five Ayes.

CONTINUING BUSINESS:

HIDDEN OAK SUBDIVISION 13 Hidden Oak Road Section 107.01, Block 1, Lot 32 Alan Pilch, Evans Associates 3-lot subdivision Discussion

Present for this application was Alan Pilch, engineer for the applicant and the applicant Kevin McKenna.

The application is for preliminary subdivision approval of a three lot residential subdivision in the R-2A Zoning District. The site is currently a 7.5 acre vacant property.

Mr. Pilch reviewed the three lots with the board noted that there were no wetlands on site and the utilities would be underground for all three lots, each lot will be over two acres and have a four – five bedroom house. There is a reservoir stem on lot three.

In response to Mr. Kaufman's comment, it was noted that Mr. Pilch had not read Mr. Kaufman's memo, only Mr. Cermele's memo. After some discussion it was concluded and requested by the chairman that the applicant submits a conservation subdivision

and to follow up and make sure that these lots can gain access into the water district. Mr. Pilch noted he worked very hard to make these three lots work and was not sure if he would produce a conservation subdivision but would work on it and review Mr. Kaufman's memo and address his comments as well.

Mr. Adelman asked for a motion to declare lead agency intent. Mr. Delano made a motion. It was second by Mr. Sauro and approved with five Ayes.

WHIPPOORWILL CLUB TURF MANAGEMENT MAINTENANCE FACILITY

Whippoorwill Road

Section 100.04, Block 1, Lot 41

Karl Ackerman, Sullivan Architecture, PC.

14,400 sq ft two story Turf Management & Maintenance Facility

Discussion

Referral to the Town Board

Consideration of adoption of negative declaration

Present for this application was John Sullivan, Sullivan Architecture; Bob Roth and Mike Kolba from John Meyer Consulting; Kevin Martocci – General Manager Whippoorwill Club; Paul Gonzalez – Whippoorwill Club Golf Superintendent; Kevin Sharkey – Whippoorwill Club Board Member. Also present were Anne and Charlie Curran, 125 Whippoorwill Road.

As previously stated at the January 13, 2014 Planning Board meeting, Mr. Baroni is a member of the Whippoorwill Club. Mr. Baroni left the dais at this time.

The amended site plan application is to construct a 14,400 square foot two story Turf Management & Maintenance Facility that replaces the existing outdated facility. In addition, the proposed plan includes the establishment of a standalone chemical storage building, a vehicle and equipment wash area and the construction of a sand silo.

Mr. Sullivan stated that he is looking for a favorable recommendation to the Town Board, he has reviewed both memos from the professionals. He has reviewed both letters from the neighbors.

Mr. Adelman stated that the board will allow comments from the neighbors this evening even though this is not the public hearing.

Mrs. Curran stated that she would like to read her letter into the record but wanted to note that there was no Planning Board sign on site, most people don't know where this building is going and this building is located too close to the road. She then read her letter into the record. She was concerned about the size and uses of the maintenance garage, she noted the new building was more than three times the original size, she

would like to know the nature and intensity of the vehicles on site, she noted this property was located within the watershed. She was concerned about the noise and the impacts of delivery and storage of vehicles and increased vehicle traffic on site. She was concerned about the visual impacts and noted no amount of landscaping will buffer that large building. In conclusion the building is too large and has significant negative impacts. Many people don't even know about this building/application or where it is located.

Mrs. Curran inquired how many people and how many vehicles will use this facility and referred to plan A-20. She also referenced drawing sp-5 and wanted to know which trees will be removed and the size of the trees and that 10-12 foot trees will not be large enough to screen the building. People don't realize the amount of use for this site and it should be moved to another location.

Mr. Charlie Curran read his neighbor's letter, Charlie Heckler – 129 Whippoorwill Road, into the record at this time. Mr. Heckler concerns were operation hours and associated traffic and noise resulting from the new facility, visual impacts and increase facility size. He noted that garbage pick-up was at 5:00 a.m. on Monday mornings, currently the facility is active and noisy. The present screening has not been maintained and the shipping container is in full view. The existing fence is in need of repair. He noted many large maple trees are stressed and can't be relied on as a visual barrier. He would like an analysis of anticipated delivery times and dates of delivery for the new facility.

Mr. Sullivan stated that Whippoorwill Club has been here a very long time. The existing garage is where it is going to stay. This building is based on current needs, not to increase staff or use. The size, presently does not accommodate the use on site. Storing expensive equipment outside does not make sense. The size of the building is established based on the needs of the site. The operation of the site remains the same based on what they have today. This is a very environmentally sound structure with reduced energy consumption and has state of the art water recycling. Wash-downs occur today and presently run down the site uncontrolled. The water will now be contained and recycled.

Mr. Adelman stated that the mass, visibility and size are of concern and inquired if something can be moved to another area on site to make the building smaller. Is it necessary to consolidate everything? Is there something that would not suffer to reduce the visibility and mass of the building? While Mr. Sullivan was bringing up his photo simulations, Mr. Carthy inquired about the roof height of the building. Mr. Sullivan presented photo simulations at this time - which were not part of the original submission for the board's review. A berm was shown with three different species of 14' spruce trees with integrated shrubs.

Mr. Adelman noted this information was very useful but was concerned if a parasite invaded all of the spruces, he would like a variety of trees planted. Mr. Sullivan stated

that he could provide a variety of trees and the berm would be 5-8 feet tall and the trees would be 14' tall and would be able to create a nice buffer.

Mrs. Curran stated that she appreciates the effort and the response of screening and agreed with Mr. Adelman's earlier comment that the screening was not just for the two neighbors it was for all who travel, run, walk or live on the road. Mr. Kaufman stated in response to Mrs. Curran comment that the landscaping is typically done at the end of the project and the screening/landscaping will have to be maintained for life.

Mrs. Curran stated that she is concerned about the increase in the amount of noise and traffic on site since consolidating all these uses to one location. Mr. Adelman stated the board will discuss start times and traffic.

Mrs. Curran inquired how many people will be coming and going to this building and how many vehicles will be coming and going to this new building and what the hours of operations are. She also noted that her neighbor referenced his concern about the noise in his letter as well.

Mr. Gonzalez stated that they open at 6:00 a.m. in the summer and 7:00 a.m. in the winter. Presently 13 out of 14 people work in that building. Once this new building is complete, there will be one more person working there. The vehicle maintenance is not in this building at this time and will be moved into that building once constructed.

Mr. Adelman noted that both residents have stated that there is a noise problem today. Mr. Gonzalez stated this is the first time they are hearing about it. Mr. Delano stated that 65 decibels is the maximum amount from 8:00 a.m. to 6:00 p.m. and 55 decibels is the maximum amount from 6:00 p.m. to 8:00 a.m. It was noted that the start time for mowing should be time restricted.

In response to Mr. Adelman's comment, Mr. Sharkey stated that one of the members has sound and decibel training.

It was suggested that the time of day the trash is picked up is changed. It was also suggested that the decibels be measured to see if the club was in a sound violation or not.

Mr. Sauro stated that the maintenance shop can be noisy. It is currently further away and that can reverberate noise quickly. Mr. Sullivan stated that they can close the doors when working and make sure the decibel level is ok and maintenance works from 7:30 – 4:00 p.m.

Mr. Adelman asked his question again - the mass, visibility and size are of concern and inquired if something can be moved to another area on site to make the building smaller. Is it necessary to consolidate everything? Is there something that would not suffer to reduce the visibility and mass of the building? Mr. Gonzalez stated that it

makes sense to keep it all together. It makes it inefficient to have the mechanic off site. Mr. Sullivan stated that we could reduce it 2,000 square feet but with a 14,000 square foot building, to reduce it 2,000 feet, you would not see the difference, it would still be a two story building, it is not like you would eliminate one story. Mr. Adelman stated that this puts that subject to rest and the board must rely heavily on the applicant reducing the noise and changing the garbage pick-up and enhancing the screening.

After some discussion regarding landscaping on site, Mr. Sullivan stated that he will landscape for the Hecklers the same as they did for the Curran's view. He noted parking was only for the users of the building not for the entire club. He could split up the parking on site if that would assist the visual effect.

Mr. Adelman stated that he would like to see what can be done to keep the sound attenuation into the building and make sure we are doing all we can regarding the sound on site.

Mr. Mezzancello stated that he worked at the club 30 years ago and did not recall any loud noises. He would like the garage doors to look more residential and he would like the color of the building to be subtle as it looks today, more subtle. He also inquired about the fertilizers stored on site and what protection measures were done to prevent fires. Mr. Delano stated that the Whippoorwill Club has to submit the MSDS Sheets and all chemicals on site to the fire department as well as the Fire Marshal.

In response to a comment made the ARB granted approval on April 30, 2014.

Ms. Curran stated that she appreciates the poor quality of the building as it exists today and that it needs to be replaced but agrees with Mr. Mezzancello that the red color draws more attention and it should be a more subtle color as it is today. She also agrees with Mr. Mezzancello that the doors look industrial and should look more residential. Ms. Curran concluded that many people are not even aware of this application.

Mr. Curran stated that he appreciates all that has been done. He raised his concerns regarding the existing water on site and how the stone wall was in disrepair. After a lengthy discussion it was concluded that the existing drainage inlet and pipe adjacent to Whippoorwill Road shall be fixed and the damaged stone wall adjacent to the road be repaired to the satisfaction of the Town Engineer and the Highway Department. Mrs. Curran also noted that she had a Easement Agreement that was enacted between the Whippoorwill Club and the prior owners that was still in effect. She will provide a copy of that Easement Agreement to the Town.

Mrs. Curran inquired when would all of these issues be resolved. Mr. Adelman stated all of these conditions would be listed in the resolution as conditions to be addressed.

Mr. Adelman asked for a motion to approve the Negative Declaration. Mr. Delano made

a motion to approve. It was second by Mr. Sauro and approved with five Ayes.

Mr. Adelman asked for a motion to make a positive recommendation with the comments noted this evening to the Town Board which were as follows.

- An approximately 8-foot berm shall be constructed adjacent to the existing driveway and planted with large mixed species evergreen screening in an effort to further mitigate the visual impacts of the building.
- The barn red color of the proposed building shall be amended to be more muted to the satisfaction of the Planning Board.
- The proposed maintenance building shall be constructed with materials that will provide additional sound attenuation.
- The garage doors shall be replaced with a model that is more residential in character to the satisfaction of the Planning Board.
- That all operations associated with the maintenance facility be in full compliance with the Noise Chapter of the Town Code.
- That the current 5 AM garbage pickup shall be changed to a time that complies with the Noise Chapter of the Town Code.
- That the existing drainage inlet and pipe adjacent to Whippoorwill Road shall be fixed and the damaged stone wall adjacent to the road be repaired to the satisfaction of the Town Engineer and the Highway Department.

Mr. Delano made a motion to approve the recommendation to the Town Board all the comments listed above as noted at the meeting.. It was second by Mr. Sauro and approved with five Ayes. Mr. Kaufman will prepare a draft for Mr. Adelman and Mr. Baroni to review prior to submission to the Town Board.

CVS

450 Main Street

Section 108.01 Block 6, Lots 22 & 27

Site development plan for various amendments to the site and the establishment of a 17,389 square-foot pharmacy and 2,497 square-foot retail space.

Discussion of Field Changes

Present for this application is Shannon Rutherford from VHB and the contractor, Alan Poe.

The board discussed raising the stone Vaneer base 10 inches higher because the last tenants name would be blocked by the guard rail if this did not occur. The board was in agreement to this field change.

The board discussed the proposal of 4 -18" breaks in the curbing to relieve the drainage of the water collection. The board was in agreement to this field change.

The board discussed the light pole bases, 3 poles will be reduced 3 to 3 ½ feet because there is not enough foundation and the shift is due to the water main location. The new base will be within six inches of grade with no negative impacts. This will make the aesthetics better. The board was in agreement to this field change.

The board discussed the landscaping on the side of the hill, the applicant is proposing to plant a wildflower seed mix which is shade tolerant and will have very little maintenance. The board was in agreement to this field change.

The board discussed the fact that the compactor did not have an enclosure around it and a single Bollard will be placed at the corner of the compactor. The compactor did not have an enclosure as there would not be enough space for cars to safely pass if there was an enclosure. It was noted the dumpsters will be fenced. The board was in agreement to this field change.

The board discussed the fact that the applicant would like to put up a bond in regards to the movement of the Con Ed pole at the corner of Maple Avenue. The applicant is planning on getting a temp C.O. and opening on October 5, 2014 and the pole will not be moved in time. It was noted the temp C.O. was only good for 90 days and the applicant needed to return to the Planning Board every 90 days with updates before the temp C.O. can be re issued if the pole has not been moved. Mr. Cermele was directed by the board to send the letter regarding the establishment of the bond directly to the Town Board.

Mr. Delano made a motion to approve the entire field changes listed above. Mr. Sauro second the motion and it was approved with five Ayes.

Mr. Adelman asked for a motion to adjourn the meeting. Mr. Delano made a motion to adjourn, it was second by Mr. Mezzancello and approved with five Ayes at 9:25 p.m.