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**VILLAGE OF WOODBURY
PLANNING BOARD MEETING**

JANUARY 4, 2012

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**VILLAGE OF WOODBURY
PLANNING BOARD MEETING**

JANUARY 4, 2012

PRESENT: M. Hunter, Chairperson
M. Christman
C. Correia
S. Conroy
R. Cataggio
D. Lindsay
K. O'Donnell
R. Golden

Chairperson Hunter opened the meeting with the Pledge of Allegiance, a moment of silence and a wish for a Happy New Year.

CARRYOVERS & RESOLUTIONS

MANDEL - TAX MAP 227-6-4

Chairperson Hunter explained that this was to be a decision for a proposed two-lot subdivision located at 35 Buena Vista Terrace in Central Valley. She then reviewed the Resolution of Preliminary and Final Approval, after which R. Cataggio made a motion to approve the resolution, with the changes made, and authorize the Chairperson to sign it. M. Christman seconded the motion. The vote was as follows:

M. Hunter – In Favor
M. Christman – In Favor
C. Correia – In Favor
S. Conroy – In Favor
R. Cataggio – In Favor

REGULAR AGENDA

WP3/WOODBURY JUNCTION - ARB - TAX MAP 255-1-3.22 et al

Chairperson Hunter explained that this was to be a public hearing for ARB approval to include an additional single family home, pursuant to Village of Woodbury Code Section 8-4. Dwelling is located in a critical environmental area and is subject to the Village regulations for ridge preservation (310-13). The property is located within the subdivision known as Woodbury Junction on Dunderberg and Nininger Road in Central Valley. She then asked the applicant to give a brief overview.

William Brodsky appeared as the applicant and explained that this application was for a model home called the Rushmore, which is a 1750 square foot ranch home. He cited some changes

WP3/WOODBURY JUNCTION – ARB – TAX MAP 255-1-3.22 et al (cont.)

in the color schemes, which he had proposed at a previous meeting, and said that these would be handled at a future meeting as a separate application. He had, however, submitted a narrative explaining the changes and an EAF as requested by the Board. He displayed a rendering of the proposed home and said that the colors to be used would be chosen from the colors previously approved by the Planning Board.

Chairperson Hunter asked the consultants for their comments. D. Lindsay pointed out that there are several options associated with the Rushmore model home, such as a walk-out basement and a side location for the garage as opposed to the front location. He wanted the Board to be aware that if they approve this plan, they will be approving all of the options as well.

Mr. Brodsky explained that the topography of the lots would dictate which options would be used, rather than the customer as some of the lots are located on the side of a hill, requiring a walk-out basement. Also, some of the lots have common driveways or a common T which Mr. Brodsky referred to as a "living lane". These common driveways would necessitate a side garage entrance.

R. Golden noted that, with regard to SEQRA, the Board should reaffirm the prior SEQRA by declaring themselves Lead Agency, classifying this as an Unlisted Action, and reaffirming the prior SEQRA findings.

At this point Chairperson Hunter opened the floor for public comments and questions. There being none, S. Conroy made a motion to close the public hearing. C. Correia seconded the motion. The vote was as follows:

- M. Hunter – In Favor
- M. Christman – In Favor
- C. Correia – In Favor
- S. Conroy – In Favor
- R. Cataggio – In Favor

C. Correia made a motion to reaffirm SEQRA. S. Conroy seconded the motion. The vote was as follows:

- M. Hunter – In Favor
- M. Christman – In Favor
- C. Correia – In Favor
- S. Conroy – In Favor
- R. Cataggio – In Favor

WP3/WOODBURY JUNCTION - ARB - TAX MAP 255-1-3.22 et al (cont.)

S. Conroy made a motion to declare the Village of Woodbury Planning Board Lead Agency for this application. M. Christman seconded the motion. The vote was as follows:

M. Hunter – In Favor
M. Christman – In Favor
C. Correia – In Favor
S. Conroy – In Favor
R. Cataggio – In Favor

Chairperson Hunter made a motion to declare this an Unlisted Action under SEQRA. M. Christman seconded the motion. The vote was as follows:

M. Hunter – In Favor
M. Christman – In Favor
C. Correia – In Favor
S. Conroy – In Favor
R. Cataggio – In Favor

Chairperson Hunter noted that there is no GML 239 referral required for this application. She then noted that the Board had neglected to authorize the preparation of a resolution of approval, but said that R. Golden could read the Board a resolution from a prior ARB, and the Board could amend it as needed. R. Golden then read from a resolution of approval dated September 15, 2010 for ridge preservation architectural review board involving an unrestricted single family dwelling for WP3. He then read the seven Specific Conditions, after which Chairperson Hunter asked for questions or comments from the Board. S. Conroy wanted to be sure that the correct colors were somehow attached to the resolution. R. Golden cited a spread sheet of materials and colors dated February 19, 2010, showing the correct colors.

C. Correia then made a motion to approve the resolution, and authorize the Chair to sign it. M. Christman seconded the motion. The vote was as follows:

M. Hunter – In Favor
M. Christman – In Favor
C. Correia – In Favor
S. Conroy – In Favor
R. Cataggio – In Favor

Chairperson Hunter also pointed out that the colors schemes that had been previously approved were for the entire project, not just the active adult section.

ANN TAYLOR LOFT/WOODBURY COMMON - TAX MAP 225-1-70

Chairperson Hunter explained that this was to be a public hearing for and amended site plan, special permit and ARB for proposed renovations to an existing retail space located at 280/288 Red Apple Court in Central Valley, within Woodbury Commons Premium Outlets. She then cited an e-mail from Lieutenant Arthur Abbott stating that the Woodbury Police Department has no comments or objections to the proposed Ann Taylor Loft renovations at Woodbury Common Premium Outlets. She wanted this noted, for the record. She then read the Notice of Public Hearing that was published in the newspaper.

At this point Alan Andreas, interior architect for the applicant and Brian Sullivan, exterior architect for the applicant, introduced themselves. Mr. Sullivan said that he is with the firm of FRCH Design Worldwide. He then introduced Helen Herrick from Ann, Inc., as well as Ray Long from DGC Capital and Steve Lazone. Also, Dave Mistretta from Woodbury Common was in attendance.

Mr. Andreas then explained that, because of some of the iconic elements that Ann Taylor likes to have within their stores, they would like to take the existing building down to the foundation and reconstruct it. They will not be increasing the building footprint at all. The existing building will stay in the exact same location. He then noted the additional information that had been added to the plans at the Board's request. The plans now show two means of egress from the front of the building through two sets of six foot doors, with a total of 144" of exit space. There will be one exit door leading out onto a ramp, to bridge the 12" difference between the finished floor and the exterior grade at the back of the building. Mr. Andreas said he had photos to show that the ramp and the entry doors will not interfere with any utilities or drainage or the like. The applicant has also submitted a safety plan which shows the required barricading. He added that the Board had requested 20' of clear space around the building, and there is one "pinch point" which is only 17'. He said that this was discussed with the Emergency Service Organizations and they had no problem with this.

Mr. Sullivan then reiterated that the reason for this project is to insure that the merchandise volume will be possible within the existing footprint. These renovations will make the project work for the Loft Outlet from a financial standpoint. C. Correia asked what the total square footage of the building will be. Mr. Sullivan said that the building will be 7,458 square feet, when completed.

Chairperson Hunter then asked D. Lindsay for his comments. D. Lindsay said that the applicant obviously took the Board's comments seriously at the last meeting, as they included the requested items on their plans. He still suggested that the Board maintain the condition in their resolution that he had recommended regarding safety. He then cited the rear exit area and said that this should be an unobstructed access door. He again suggested a condition that this be a clear access and not interfere with any utilities, such as refrigeration units, etc.

ANN TAYLOR LOFT/WOODBURY COMMON - TAX MAP 223-1-70 (cont.)

D. Lindsay also said that he had asked Maria Rubio to request comments from the ESO's and, aside from the Police Department, no comments had been received. Nevertheless, he recommended that a condition be included in the resolution of approval that requires that any reasonable requirements of the ESO's be complied with by the applicant.

D. Lindsay also recommended a condition regarding the existing drainage in case any changes need to be made because of alterations to the foundation of the building.

D. Lindsay also noted that Woodbury Common has a signage plan. A condition should be included to require that the applicant comply with this signage plan.

K. O'Donnell stated, for the record, that at the last meeting the Board confirmed the previous SEQRA findings, so SEQRA has been completed for this project. Chairperson Hunter noted that at the last meeting, S. Turner said that this would be a Type Two action under SEQRA.

Chairperson Hunter then asked her Board members for their comments. S. Conroy cited the logistics plan and, in particular, item number 6 regarding a rigging plan to be prepared and submitted to the mall for approval. She felt that the Building Department should also get a copy of this plan for review and comments.

At this point Chairperson Hunter opened the floor for public comments and questions. There were none, so S. Conroy made a motion to close the public hearing. M. Christman seconded the motion. The vote was as follows:

- M. Hunter – In Favor
- M. Christman – In Favor
- C. Correia – In Favor
- S. Conroy – In Favor
- R. Cataggio – In Favor

M. Christman made a motion to reaffirm the prior SEQRA for this project. C. Correia seconded the motion. The vote was as follows:

- M. Hunter – In Favor
- M. Christman – In Favor
- C. Correia – In Favor
- S. Conroy – In Favor
- R. Cataggio – In Favor

ANN TAYLOR LOFT/WOODBURY COMMON – TAX MAP 223-1-70 (cont.)

Chairperson Hunter then asked for a motion to declare the Planning Board Lead Agency for this project. S. Conroy made the motion. Chairperson Hunter seconded the motion. The vote was as follows:

M. Hunter – In Favor
M. Christman – In Favor
C. Correia – In Favor
S. Conroy – In Favor
R. Cataggio – In Favor

R. Golden then advised that this application qualifies as a Type Two action under section 617.5c2 of the SEQRA regulations, as it is a reconstruction of a structure, in kind, on the same site with no expansion proposed. Therefore, no further SEQRA action is necessary.

At this point Chairperson Hunter read the resolution of approval. It was decided to add some language to condition number two regarding the rigging plan, and its review by the Building Department. R. Golden suggested the following language, “the review of this requirement by the Building Inspector shall include a plan similar to the logistics plan submitted to the Planning Board dated December 21, 2011.” He also proposed adding an 8th condition that would read, “all signage shall be in accordance with the previously approved signage plan for Woodbury Common”.

Mr. Sullivan had a question regarding condition number two, as it begins with “prior to the issuance of a building permit”. He said that subsequent items begin with “prior to the signing of the final plans”. He wanted an explanation of the difference between the two. R. Golden explained that there were some things that would need to be accomplished before the plans could be signed. After the plans are signed, they can be taken to the Building Department so they can issue a building permit. Mr. Sullivan wanted to be sure that the project was actually being approved, from a design standpoint. D. Lindsay assured him that it is approved. He suggested that this condition say “prior to the beginning of construction”. R. Golden will change the language to read, “prior to the commencement of actual construction authorized by this resolution”.

M. Christman then made a motion to accept this resolution with the changes made tonight, and authorize the Chairperson’s signature. C. Correia seconded the motion. The vote was as follows:

M. Hunter – In Favor
M. Christman – In Favor
C. Correia – In Favor
S. Conroy – In Favor
R. Cataggio – In Favor

At this point Chairperson Hunter made a motion to go into Executive Session to discuss personnel matters dealing with the hiring of a traffic consultant to the Planning Board. C. Correia seconded the motion. The vote was as follows:

- M. Hunter – In Favor
- M. Christman – In Favor
- C. Correia – In Favor
- S. Conroy – In Favor
- R. Cataggio – In Favor

The Executive Session lasted from 8:35 to 8:50, at which time the Board returned and Chairperson Hunter explained that there is a project being anticipated for Woodbury Common that would require the services of a traffic consultant. The Board's current traffic consultant had a conflict of interests and could not represent the Village of Woodbury for this project. Therefore, Chairperson Hunter made a motion to hire the firm of John Collins Engineering, PC to represent the Planning Board as the traffic consultant for this project. C. Correia seconded the motion. The vote was as follows:

- M. Hunter – In Favor
- M. Christman – In Favor
- C. Correia – In Favor
- S. Conroy – In Favor
- R. Cataggio – In Favor

Chairperson Hunter asked K. O'Donnell to inform Mr. Collins. K. O'Donnell will send him a letter, and copy the Board.

There was no further business for the Board to conduct, so M. Christman made a motion to adjourn the meeting. C. Correia seconded the motion. The vote was unanimous, and the meeting was adjourned at 8:52 p.m.

Respectfully submitted,



Gale A. Naugle
Planning Board Secretary