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WOODBURY BLDG. DEPT.

**VILLAGE OF WOODBURY  
PLANNING BOARD MEETING  
FEBRUARY 15, 2012**

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**VILLAGE OF WOODBURY  
PLANNING BOARD MEETING**

**FEBRUARY 15, 2012**

PRESENT: M. Hunter, Chairperson  
M. Christman  
C. Correia  
R. Cataggio  
D. Lindsay  
S. Turner  
R. Golden

Chairperson Hunter opened the meeting with the Pledge of Allegiance and a moment of silence for our Armed Forces and all others in harm's way.

**MINUTES**

R. Cataggio made a motion to accept the minutes from the meeting of February 1, 2012 as submitted. C. Correia seconded the motion. The vote was as follows:

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

**REGULAR AGENDA**

**MANDEL – TAX MAP 227-6-1**

Chairperson Hunter explained that she was adding this as an agenda item, as the Board had received a letter regarding this two lot subdivision. She said this subdivision was approved in January and the resolution was signed. The applicant then had 60 days to submit their materials. The applicant is requesting and extension to 90 days because they are having difficulties with one of the utilities which they need to install. Chairperson Hunter then offered a motion to grant an extension to May 2, 2012. M. Christman seconded the motion. The vote was as follows:

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

## **KOHL'S - TAX MAP 225-2-1.12**

Chairperson Hunter explained that this was to be a public hearing for an exterior façade remodel at the existing retail store located at 43 Centre Drive within the Woodbury Centre Shopping Plaza. She then read the Notice of Public Hearing which was published in the Times Herald Record on February 9<sup>th</sup>. She then asked the applicant to introduce himself and give the Board and the public a brief overview of the project.

Peter Puskuldjian, of Casco Corporation, introduced himself as the representative for Kohl's who is working on their national remodel program. He explained that Kohl's is proposing a remodeling of their store which includes work at the entrances such as new synthetic stucco finishes, modifications of the columns at each of the entrances, and changing the doors from swinging doors to sliders. Other decorative elements will be added as well. He then showed the Board two elevations, one as the store presently exists, and one depicting what the store will look like after the renovations are completed. There will be no change to the footprint of the building. Mr. Puskuldjian then presented the Board with a palette of material samples which they passed around to each Board member.

Chairperson Hunter then asked the consultants for their comments. D. Lindsay said that the only significant item that he mentioned in his memo is to make sure there are some safety requirements in place because it is an active center and the public is involved. He added that the applicant had corresponded with G. Thomasberger and expressed their willingness to cooperate in this area. There are also a number of provisions in the draft resolution that was prepared to cover this issue. D. Lindsay had no further comments.

S. Turner had no substantive comments other than to reiterate that the Board had determined at the last meeting that this is a Type Two action under SEQRA.

R. Golden noted that the Board had directed him to include the same conditions in this resolution as there were in the Ann Taylor resolution for Woodbury Common. He specifically noted condition number 2 and said he was not sure it would be appropriate in this situation. He said the Board could decide whether or not to keep this condition as part of the resolution of approval. Chairperson Hunter asked Mr. Puskuldjian if he wanted to comment on this. He said that Kohl's contractor will have no issue maintaining the clear zone that is called for in this condition of the resolution. He said Kohl's has two entrances and can easily block off one and work in that area and cordon off the sidewalk to protect the public. He had no problem with this condition.

Chairperson Hunter asked the Board members for their comments. R. Cataggio asked if there was lighting as he did not see any in the rendering. Mr. Puskuldjian said the lighting already exists and no changes are proposed.

**KOHL'S - TAX MAP 225-2-1.12 (cont.)**

Chairperson Hunter then opened the floor for public comments and questions. There being none, M. Christman 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
- R. Cataggio – In Favor

Chairperson Hunter then began her reading of the resolution of approval. It was decided that condition number 2 would remain. However, conditions 4 and 5 were deleted, as they were not applicable in this situation. When the review of the resolution was completed, R. Cataggio made a motion to approve the resolution with the changes that had been made. M. Christman seconded the motion. The vote was as follows:

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

**WP3/ARB - TAX MAP 225-1-3.22 et al**

Chairperson Hunter explained that this was to be a public hearing for an amendment to prior ARB approval to include a new comprehensive list of colors and materials for single family homes located within the subdivision known as Woodbury Junction. Pursuant to Village of Woodbury Code Section 8-4, dwellings located within an area designated as a critical environmental area are subject to the Village regulations for ridge preservation (310-13). Property is located on Dunderberg and Nininger Road in Central Valley. She then read the Notice of Public Hearing which appeared in the Times Herald Record on February 9<sup>th</sup>.

At this point Bill Brodsky introduced himself as the owner of Woodbury Junction, WP3. He explained that his goal was to try to provide more diversification within the subdivision, and to provide potential purchasers more diversification within the selection process. He added that, in doing this, they will keep in mind the approval that this Board has already given with respect to using earth tone colors within the selections for the siding, roofing, shutters and other amenities that go along with each house. He displayed the previously approved color patterns and said that he is trying to get away from the established patterns and get more into the selection within the earth tone colors for his buyers. Chairperson Hunter cited a list that had been received on February 6, 2012 in the Building Department. The list has six columns showing colors for all the elements of the homes. She wanted to make it clear that a buyer could choose one color from each of these columns for any home that was purchased. Mr. Brodsky said that is exactly what he wants to be able to do.

**WP3/ARB - TAX MAP 225-1-3.22 et al (cont.)**

Chairperson Hunter then asked about the roof color Dual Black. She wondered if this color would be removed from the list. Mr. Brodsky said that, because of the prior approval from the Board, Dual Black will not be offered in any ridge preservation areas.

Chairperson Hunter then asked D. Lindsay for his comments. D. Lindsay wanted to be sure that the list that was submitted on February 6, 2012 was THE list and the only list that is being approved.

Chairperson Hunter noted, for the record, that this application had been submitted to the Orange County DPW and the Department of Planning on February 6. No responses have been received as yet.

R. Golden noted that, with regard to SEQRA, the Board should declare themselves Lead Agency, classify the action as Unlisted, and reaffirm that this is consistent with their prior SEQRA findings. Therefore, no further SEQRA review is necessary. He also noted that, if this application is subject to 239 review, the Board would have no jurisdiction to act until they had received comments from the County. He said he had indicated in the past that the Board would need to know where the colors in this approval will apply, and if any of the homes would be in an area of the 500' triggers for 239 review. Mr. Brodsky said that there is only one spot in the subdivision that would be subject to 239 review and he does not own any of those properties. He said they would be in Phase 7. He added that none of his lots would trigger a 239 review. R. Golden said there would need to be a condition in the resolution that these colors will not apply to any house that is within 500' of any of the trigger for County review. Mr. Brodsky had no problem with this.

Chairperson Hunter then opened the floor for public comments and questions. There were none, so C. Correia 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
- R. Cataggio – In Favor

Chairperson Hunter then 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
- R. Cataggio – In Favor

**WP3/ARB - TAX MAP 225-1-3.22 et al (cont.)**

M. Christman made a motion to classify this as an Unlisted Action under SEQRA. C. Correia seconded the motion. The vote was as follows:

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

R. Cataggio made a motion to reaffirm the prior SEQRA findings. C. Correia seconded the motion. The vote was as follows:

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

Chairperson Hunter apologized to Mr. Brodsky because there was no draft resolution prepared for review at this time. This will be ready for the next Planning Board meeting on March 7<sup>th</sup>.

**WP3/LOT #443**

Chairperson Hunter explained that the Board had received an application, along with a narrative from Mr. Brodsky, with a copy of the survey and plot plan for lot number 443. She said she had spoken to both D. Lindsay and R. Golden regarding this application, and the foundation had been relocated at the request of the Building Inspector. However, due to inaccuracies in measuring, the foundation has a 22.9' setback. A 25' setback is required. R. Golden explained that an amended resolution would be needed, which requires a public hearing. R. Cataggio made a motion to schedule a public hearing on this application for March 7<sup>th</sup>, and also to request that the attorney draft an amended resolution for this lot only. M. Christman seconded the motion. The vote was as follows:

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

**PRINCE - TAX MAP 230-8-3.1 & 3.2**

Chairperson Hunter explained that this was to be a review and discussion of a proposed two-lot subdivision located at 18 Valley Avenue in Central Valley.

**PRINCE TAX MAP - 230-8-3.1 & 3.2 9 (cont.)**

John Lattimer appeared on behalf of Mr. and Mrs. Prince and said that he is their nephew. He then explained that Mr. Prince had suffered a stroke, and that is why they are seeking this two-lot subdivision. They want to remove the existing garage from the second lot and construct a new house with everything accessible on the first floor to accommodate the wheelchair.

Mr. Lattimer said that he had submitted an application for a lot line change, but he had received D. Lindsay's memo saying that this was a two-lot subdivision. Therefore, he was requesting a referral from the Planning Board to appear before the ZBA.

Chairperson Hunter asked D. Lindsay for his comments. He explained that the new lot will have a front lot width of 65.48'. There is a requirement for a 75' lot width for a single family house. This will need a variance from the ZBA. D. Lindsay informed the applicant that it is his responsibility to be sure that he applies for all the variances he will need at the time of his appearance. He did not review any of the technical aspects of his memo, as he is waiting for the ZBA decision.

S. Turner commented that the applicant had been asked to provide an Environmental Assessment Form to begin the SEQRA process. He also wanted to be sure the lot was situated so that there was no backing out of cars onto Valley Avenue. Also, he noticed there was a very large tree on the property.

There were no comments from R. Golden or any of the Board members at this time. Chairperson Hunter asked D. Lindsay to prepare his letter of referral to the ZBA.

At this juncture the Board took a five minute recess to discuss some issues with their attorney. When they returned, Chairperson Hunter made a motion to authorize a Request for Proposals for a Wireless Telecommunications Consultant for the Village of Woodbury Planning Board. C. Correia seconded the motion. The vote was as follows:

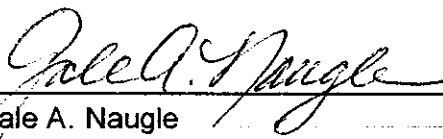
- M. Hunter – In Favor
- M. Christman – In Favor
- C. Correia – In Favor
- R. Cataggio – In Favor

There was no further business for the Board to conduct, so M. Christman made a motion to adjourn. C. Correia seconded the motion. The vote was as follows:

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

The meeting was adjourned at 8:30 p.m.

Respectfully submitted,



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Gale A. Naugle  
Planning Board Secretary