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VILLAGE OF WOODBURY

**VILLAGE OF WOODBURY
PLANNING BOARD MEETING**

APRIL 18, 2012

TABLE OF CONTENTS

ITEM	PAGE NUMBER
Minutes	1
Merkley Bldg. Corp./Woodbury Junction Phase 4 & 5	1
Regular Agenda	
CPG Partners/Woodbury Common/Renovations Tax Map 225-1-70.2	2 – 4
WPC Associated – Tax Map 241-1-20	4 – 6
Wireless Consultant	6

MERCURY BLDG. CORP./WOODBURY JUNCTION PHASES 4 & 5 (cont.)

Chairperson Hunter then made a motion to authorize the attorney to prepare a resolution of approval 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

R. Golden said that he had not looked at the application and didn't have any of the Board's comments, but he would try to do his best. Chairperson Hunter explained that this was a different owner of property in WP3 with 15 new house models. She said she would send him all the information she had on the individual color schemes, etc.

REGULAR AGENDA

CPG PARTNERS/WOODBURY COMMON/RENOVATIONS – TAX MAP 225-1-70.2

It should be noted that CPG Partners/Woodbury Common had retained the services of a stenographer for this portion of the meeting.

Chairperson Hunter explained that the Board was going to review the amended Scoping Document to include input and comments received during the Public Scoping Meeting on April 4, 2012 for the preparation of the Environmental Impact Statement. The action proposes to amend an approved site plan involving property better known as Woodbury Common Premium Outlets. The proposed action includes the construction of 60,000 square feet of infill development, as well as the realignment of the existing ring road and other circulation improvements; the construction of a new parking structure; new bus pick-up and drop-off areas; a complete renovation of the façade of the entire development and renovation/redevelopment of common areas. The proposed action also includes renovations to the "main tower building", food court, customer service area, visitor area, pedestrian walkways and associated infrastructure improvements. The property is located on Route 32 in Central Valley.

Chairperson Hunter then noted, for the record, that the revised Scoping Document had been received in the Building Department on April 10th.

Chairperson Hunter then explained that she had spoken with Lt. Abbott from the Woodbury Police Department as well as Village Trustee Sutz, and they wanted her to mention that they had concerns about safety during construction within the facility, as well as concerns about the parking structure that was being proposed. She said they had seen a plan which the Planning

CPG PARTNERS/WOODBURY COMMON/RENOVATIONS - TAX MAP 225-1-70.2 (cont)

Board had not seen that involves 300 parking spaces to be incorporated into the parking structure. They were concerned about the timing of construction, as well as access to the structure with regard to any height restrictions. They wondered if an ambulance would be able to enter the structure, and if the elevators would be large enough to handle a stretcher.

D. Lindsay pointed out that section 2.13.10 of the document has an Emergency Services Access Plan for the center, which includes consideration of the parking structure. S. Turner noted that the concern seemed to be about safety during construction. He pointed out that there is a section on construction affects which could address that. Chairperson Hunter noted that that would be section 3.8.9 on page 19 which says, "development of a maintenance and protection of traffic plan during construction of proposed renovation". She asked that the applicant elaborate on this because there is a concern for the movement of vehicles. She also noted that there is supposed to be a 30' buffer around the cemetery that is on the site. She did not see this addressed in the document, and wanted to be sure that this 30' buffer was maintained during construction.

There was some discussion regarding economics. S. Turner cited section 3.13.2 which discusses sales tax and jobs. He felt that property taxes should also be added to this section.

Chairperson Hunter cited section 1.2.6 regarding construction of the infill space. Language should be added that reads, "not to exceed the previously approved 60,000 square feet". The Board had agreed on this at the previous meeting.

C. Correia brought up the objectives as listed in the document. He said they appeared to be very self-serving. He wanted the applicant to elaborate more on how the opportunity for renovations is going to improve the lifestyles of the Town. D. Lindsay said that, at this point, the applicant would need specific language. He suggested adding, "as well as improve the convenience of the traveling public and the residents of Woodbury". He also noted that the language had been changed to indicate that one of the Board's main concerns was the smooth flow of traffic on 32 and 17.

R. Golden pointed out that the SEQRA regulations are arranged in such a way that the purpose of the project is, in fact, the applicant's purpose and what their intent is. He said it is meant to be self-serving with a description of what they are trying to do. The rest of the document determines the impacts of what they are trying to do. He said that included in the SEQRA regulations is language about the "public needs and benefits". He suggested that this language could be added.

There was some discussion regarding the next steps in the process. R. Golden said the Board should be approving the Scope, so that the applicant could prepare their Supplemental Draft Environmental Impact Statement, and a public hearing can be held. Then the applicant will

CPG PARTNERS/WOODBURY COMMON/RENOVATIONS - TAX MAP 225-1-70.2 (cont)

Return with their Supplemental Final Environmental Impact Statement.

The discussion returned to the objectives and the language therein. R. Golden suggested adding language at the end of 1.1 that says, "the public need and benefits to the Village and Town of Woodbury shall also be discussed". J. Knarick, attorney for the applicant, suggested the word "discussed" be replaced with the word "addressed".

At this point P. Greeley discussed traffic and said that the section on traffic incorporates the items that were discussed at the last Planning Board meeting. He added that once the document is prepared they will be reviewing it for completeness. C. Correia asked if any information had been submitted from the traffic counters at the Common. P. Greeley said he had not received any of that information. However, when the document is submitted, if this information is not presented, the Scope will not be considered to be complete.

There was another discussion regarding the objectives, after which D. Lindsay reviewed the items that were to be added to the Scoping Document. In section 3.13.2 the words "property taxes" will be inserted after the words, "sales taxes". In section 1.2.6, the sentence will be changed to read, "not to exceed the previously approved 60,000 square feet". In section 1.1 at the end of the paragraph, language will be added that reads, "public needs and benefits to the Village and Town of Woodbury shall also be addressed as required by 6NYCRR section 617.9 (b)(5)(i)". After this discussion, R. Cataggio made a motion to accept the Scoping Document, with the changes discussed this evening. Chairperson Hunter 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 some discussion regarding whether or not the interested agencies should also be sent copies of the document when it is submitted. Chairperson Hunter suggested that M. Rubio can distribute this to the interested agencies via e-mail.

WPC ASSOCIATES - TAX MAP 241-1-20

Chairperson Hunter explained that this was to be a review and discussion of a revised application and site plan submitted for proposed amendment of the Special Use Permit to include authorization for additional uses within the LC Zoning District. Amended uses proposed include personal services, medical and dental offices in addition to the general and professional office use allowed under the current Special Permit. The property is known as the Woodbury

WPC ASSOCIATES – TAX MAP 2-11-1-20 (cont.)

Professional Center and is located at 615 Route 32 in Highland Mills. Elise Terhune, an attorney with Jacobowitz & Gubitz appeared on behalf of Woodbury Professional Center. She explained that they had appeared last month with an application to amend the Special Permit for the WPC building to allow for all uses that are allowed in the LC district where the lot and the building meet both requirements. She then listed all the uses that would be allowed. The Board, at that time, was concerned about the potential impacts of such a blanket approval, so Ms. Terhune said she conferred with her client and they amended the application. The new application requests and amendment to the Special Permit to allow personal services and medical/dental offices. These are the uses her client would like to be able to allow. She noted that there is already a hair salon in the building.

Ms. Terhune then pointed out that the code states, "medical/dental offices". She is hoping that the resolution could say "any licensed health care professional". Or any health care professional that is licensed by the State of New York. This would allow chiropractors and acupuncturists, also. Chairperson Hunter asked R. Golden if the code for this particular zone includes "health care professionals". R. Golden said that it does not. He said that this would be an interpretation for G. Thomasberger to make. He suggested that the applicant submit a letter to G. Thomasberger requesting such an interpretation in time for their public hearing on this application.

Chairperson Hunter then asked the consultants for their comments. D. Lindsay said that he had given the Board some background information on the salon. He then discussed the parking requirements for the uses being requested and noted that the applicant is showing shadow parking that will not be installed unless it is necessary for a medical/dental use. However, to have standing before the Planning Board, the applicant will need to submit a plan that shows that they could comply with the code requirements for parking. This could be done in the form of a striping plan which would be initiated at the time that they rent space to a use that would require additional parking.

D. Lindsay also asked for information on how the personal services will operate and how they will manage their customers. He said the businesses would need to be regulated fairly well, since there is no opportunity for overflow parking at this site.

S. Turner had a concern about a parking space that is along the wall, which could be a problem for circulation. Regarding SEQRA, S. Turner felt that this was a Type Two action. However, he said R. Golden may have an opinion on this as well.

R. Golden thought that this should be an Unlisted action under SEQRA because a change in use is an action that is subject to SEQRA, but is not on the Type Two list. He will discuss this with S. Turner and they will have an answer at the next meeting.

WPC ASSOCIATES – TAX MAP 2-11-1-20 (cont.)

Chairperson Hunter noted, for the record, that on April 5th a short EAF was received from the applicant. On February 8th this was sent to the Orange County DPW and the Orange County Department of Planning. A response was received from Orange County Department of Planning on March 1st, and 30 days have passed so the Board is free to act.

After some discussion M. Christman made a motion to schedule this application for public hearing on May 2, 2012. 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

C. Correia made a motion to authorize the attorney to prepare a draft resolution of approval 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

There was some discussion regarding the parking by the wall. Ms. Terhune said that her client would be happy to post "no parking" signs in this location.


WIRELESS CONSULTANT

Chairperson Hunter made a motion to go into Executive Session to discuss the qualifications and the tentative appointment of a new wireless consultant. R. Cataggio 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 Board said they would be taking no action after the Executive Session. The secretary was excused, and the meeting was adjourned when the Executive Session was concluded.

Respectfully submitted,



Gale A. Naugle
Planning Board Secretary

