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**VILLAGE OF WOODBURY  
PLANNING BOARD MEETING**

**MAY 16, 2012**

RECEIVED  
JUN 01 2012  
VILLAGE OF WOODBURY

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**VILLAGE OF WOODBURY**  
**PLANNING BOARD MEETING**

**MAY 16, 2012**

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

ABSENT: M. Christman  
R. Cataggio

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**

C. Correia made a motion to accept the minutes from the meeting of May 2, 2012. R. Anzalone seconded the motion. The vote was as follows:

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

**WOODBURY JUNCTION - PHASES 4 & 5**

Chairperson Hunter cited a letter from G. Thomasberger regarding Phases 4 and 5 of the Woodbury Junction subdivision. R. Golden cited the resolution of approval dated October 30, 2006, Specific Condition number 22 which deals with "substantial" completeness. He said there was also a question as to which of the phase plans was the current approved phase plan. R. Golden said that the 8<sup>th</sup> amended subdivision resolution dated August 3, 2011 would be the current plan. There was also a question regarding the Developer's Agreement, which can be found in Specific Condition number 1 of the 8<sup>th</sup> amended resolution of approval.

After some discussion, including discussion with B. Brodsky, it was decided that this was clearly an enforcement issue for the Building Inspector. R. Golden will provide G. Thomasberger with the research that he had cited above, so he can determine whether or not the phases are substantially complete to allow building in another phase of the subdivision.

**WOODBURY COMMON - RENOVATIONS**

Chairperson Hunter noted that the plans had been received for the renovations to Woodbury Common. She asked D. Lindsay about setting up a meeting with the ESO's. D. Lindsay suggested two separate meetings; one with the State Police and Woodbury Police, and one with the Fire Department, Ambulance and Woodbury Police. D. Lindsay will set up these meetings.

**REGULAR AGENDA**

**LEGACY RIDGE - TAX MAP 203-1-11 & 12.5, 207-3-55**

Chairperson Hunter explained that the Board was to act on an extension request for preliminary subdivision approval of a 287 lot subdivision located on Smith Clove and Trout Brook Roads in Highland Mills. Marvin Rosenzweig appeared on behalf of Legacy Ridge and asked for a one year extension so they could proceed with their permitting processes. C. Correia made a motion to extend the preliminary approval to May 15, 2013. R. Anzalone seconded the motion.

The vote was as follows:

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

**CONSERV CONSTRUCTION - TAX MAP 229-2-8**

Chairperson Hunter explained that this was to be a discussion of a proposed overflow parking area to include erosion and sediment control, selective site demolition, grading, pavement, concrete curbs and traffic control signage. The property is located at 27 Bond Street in Central Valley. Matt Driscoll appeared as construction manager for Conserv Construction, and explained that they had been engaged to build an additional 40 space parking lot. He said that he had received memos from both D. Lindsay and S. Turner. Chairperson Hunter pointed out that this property is currently the Hampshire Storage facility.

Mr. Driscoll further explained that they are adding a 40 space parking lot adjacent to the building. There is no lighting proposed and no additional plantings. They will be removing excess soils, bringing in Item Four as a base, and paving and striping the area. He said this area is to be used as overflow parking for the building.

At this point Chairperson Hunter asked D. Lindsay for his comments. D. Lindsay noted that the plan that was submitted may not have all the information that would be required for a site plan. Also, the parking calculation was based on so many spaces per hundred storage units. The applicant indicated that there are 437 storage units. The previous approval from the Planning Board was for 400 units. He said that there is another tenant in this building also and he is not

**CONSERV CONSTRUCTION - TAX MAP 229-2-8 (cont.)**

sure what the full interior usage of the building currently is. This would be important for the Board to know because they would need this information for the parking analysis. He added that the parking requirements in the code are much smaller than what the applicant is proposing. D. Lindsay also noted that the previous approval did not allow any outdoor storage at this facility. He suggested that the Board hear from the applicant as to how these spaces are going to be used, and get verification that there is not going to be any outdoor storage. Or, if the Board wants to allow outdoor storage, that there is sufficient screening required.

D. Lindsay pointed out that he had given a full list of the items included in the code requirements for site plan, but also listed the items that he thought the Board really should have because a lot of the items listed for site plan are not applicable to adding a small parking lot on the side of the building.

Chairperson Hunter pointed out that there is a U-Haul business being run out of this facility which was not mentioned in the application or in any of the resolutions of approval. She asked where it was stated in the resolution that two businesses were allowed in this facility.

D. Lindsay said that there were two tenants, which complies with the code. However, there was no outdoor storage allowed. He added that if G. Thomasberger permitted the use, then it has to be permitted under the code. Chairperson Hunter suggested that the Board conduct a site visit to see if the U-Haul trucks need to be moved to the rear of the property to minimize visibility.

D. Lindsay suggested that the applicant prepare a narrative on the use of the structure and the proposed use of the parking lot for the Board's information.

Chairperson Hunter then asked S. Turner for his comments. He said that on two occasions he had noticed that all the parking spaces were utilized, and there were trucks parked along the driveway into the facility. He suggested that the applicant indicate on their revised submittal where Bond Street actually ends. He also suggested that the Board ask for advice from the Fire Department as to whether or not the trucks that park there are creating any difficulty for access into the site.

With regard to screening of the site, S. Turner said that the original approval included screening in the back where the residences are located. This area will not be disturbed. He did not feel that this parking area would be visible from the residences.

S. Turner also said that this will be subject to SEQRA, as it is an Unlisted Action. He added that the applicant had submitted a Part One of the short environmental form.

Chairperson Hunter asked R. Golden for his comments. He noted that this application will require a public hearing when the Board deems the application to be complete. Also, he said the ownership is unclear. There's a Mr. Conrad that has signed both the old and new application. However, there is no indication of what his position is with the corporation.

**CONSERV CONSTRUCTION - TAX MAP 229-2-8 (cont.)**

R. Golden said that the Board would need to have his title so they could determine whether or not he was someone with authority. Chairperson Hunter also pointed out that one application received on February 23<sup>rd</sup> states that the property owner is Hampshire Companies, and the one received in March lists the property owner as Central Valley Self Storage, LLC. This also needs to be clarified.

Mr. Driscoll had a question regarding the original resolution under 8.1 "Site Plan Conditions". He said that this section allowed for shadow parking to be constructed at a later time. He wondered if the proposed parking could be considered as shadow parking. He said he was trying to locate the site plan to see where the shadow parking had been set aside. D. Lindsay said that if the parking was not for outdoor storage it may be able to go in as approved. However, he added that there have been changes in the law with respect to storm water management since this was approved in 2002. He said that water quality and quantity would need to be reviewed, and storm water management will need to be provided, which may not be shown on the plan. Also, the shadow parking may not be located where the applicant wants it to be. D. Lindsay will get Mr. Driscoll a copy of the plan.

Chairperson Hunter then asked the Board members if they had any comments or questions. R. Anzalone was concerned about screening for the residents of Rose Place. He asked for some additional plantings near the parking lot. S. Turner suggested that when the plans are redone, the existing landscaping and trees should be shown.

**ORANGE & ROCKLAND UTILITIES - TAX MAP 225-1-13**

Chairperson Hunter explained that this was to be a discussion of the proposed addition of equipment within an existing substation located at 91 Melody Lane in Central Valley. Alan Lipman appeared on behalf of the applicant and explained that the substation has existed for many years. He said that now there is a need for some additional equipment which would consist of a capacitor bank and a circuit breaker. These items will not occupy a great deal of space, and will fit within the fenced area, except for one small triangular portion of fence that the applicant would like to bump out as shown on the plans. He then asked John Coffee to explain the technical aspects of the application.

John Coffee then introduced himself as the Chief Substation Engineer for Orange and Rockland Utilities. He said that the Harriman substation located on Melody Lane is behind the Wal-Mart shopping center, and is visible from Route 17. It is a substation that has power lines that come from Rockland County and connect to Monroe. West Point is also served from this facility with power lines that run up Route 293. There are two transformers in this location which feed the Village of Woodbury. He said that the proposed addition is very small. It is a capacitor bank that will be located in the rear of the parcel. He showed the Board, on the plan, an open

**ORANGE & ROCKLAND UTILITIES - TAX MAP 225-1-13 (cont.)**

rectangular portion of the station in the rear where the circuit breaker and capacitor bank will reside. He further explained that the capacitor bank is needed to support the voltage in the system, especially during the summer when electric usage is very high. Capacitor banks are being added to increase efficiency as well. Mr. Coffee said the capacitor bank is about 14 and a half feet high. With its foundation it would be about 15'. It is about 18' wide and 7' deep. The capacitor is an oil-filled device with 54 rectangular pans on a rack. There are no moving parts, and no noise. He said that it is a common feature that is more commonly found on poles in the street. Mr. Coffee then introduced Mike Hominick, one of the senior civil engineers, and Diego Morales who is also a member of the project management team.

Chairperson Hunter then asked D. Lindsay for his comments. D. Lindsay said that, as far as zoning goes, this is permitted under the code. Public utility structures and rights-of-way are permitted as a special site plan approval by the Planning Board. The only criteria is that they not exceed 35'. They are not changing any of the existing poles, so this is within the height limit and in accordance with the zoning.

D. Lindsay was concerned about the hours of construction. Mr. Hominick said that most of the construction would take place between 7 a.m. and 3:30 p.m. He said that the suggestion was that they work between the hours of 7 a.m. and 6 p.m., but they would like to reserve the right to work outside of these hours in the event there are weather issues. He said the civil portion of the project will be completed in one month. There is a secondary portion of the project where the electric trucks would come in and place the equipment. Typically a boom truck is used to place the equipment, which is smaller than a crane. D. Lindsay was also concerned about the soils in the area, which Mr. Hominick said would be removed to an approved landfill. D. Lindsay also suggested that the ESO's be consulted to see if they have any comments. Since this is an unmanned station, only the Fire Department would need to be consulted.

Chairperson Hunter asked S. Turner for his comments. He said that this is a Type Two action, so no further SEQRA action is required. He said he submitted a part one of the short environmental form.

R. Golden's comment was that this application would need a public hearing once the Board deems the application to be complete.

Chairperson Hunter asked the Board members for their comments. R. Anzalone asked about screening and landscaping on the side of the facility facing Harriman Commons. Chairperson Hunter explained that the substation was in existence before Harriman Commons was built and no landscaping was required, as it was a wooded area at that time. R. Golden pointed out that if landscaping was deemed appropriate it should have been the obligation of Harriman Commons to provide it when the center was being built.

**ORANGE & ROCKLAND UTILITIES - TAX MAP 225-1-13 (cont.)**

Chairperson Hunter asked the applicant to be sure that his maps were updated as the residences in the area are not shown, and some of the road names are incorrect. Mr. Coffee said it will be updated.

At this point C. Correia made a motion to schedule this application for a public hearing on June 20, 2012, and authorize the attorney to prepare a draft resolution of approval. R. Anzalone seconded the motion. The vote was as follows:

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

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**CORE STATES GROUP/CHLIS - TAX MAP 225-1-16.13**

Chairperson Hunter explained that this was to be a discussion of an ARB submission for exterior re-image to include painting, signage and new awnings. The structure is located on a pad site within the shopping center known as Harriman Commons. The property is located at 320 Larkin Drive. Laurel Walyga appeared on behalf of Core States Group, who is representing Chilis in their national re-image. She said they are trying to get warmer, more inviting colors so they will be painting the building and installing new awnings and signage.

Chairperson Hunter then asked D. Lindsay for his comments. He said that the Board had previously spent quite a bit of time on all the pad sites and approved a series of signs. He said that this is listed for ARB for the Board to approve colors and that sort of thing. The Building Department will be reviewing the signs for compliance with the code. For the Board's information he had provided a summary of the existing Chilis signs. He said they totaled 146 square feet. The signs have been revised and they are now at 170 square feet. This is due to the new chili pepper on the building which is 55 square feet. The chili pepper is still flat, and does not bump out of the building. The other signs will remain as per the original approval on four sides of the building with three sides being illuminated. D. Lindsay said there had also been a pylon sign approved. Ms. Walyga said she drove to the site and could not locate the pylon sign, but that they had no plans to build one.

S. Turner noted that there is an inconsistency with two of the sheets for the front elevation. This will be clarified. A short EAF was received for this application, however, it is a Type Two action under SEQRA.

**CORE STATES GROUP/CHILIS - TAX MAP 225-1-16.13 (cont.)**

R. Anzalone then made a motion to schedule this application for a public hearing on June 6, 2012 and authorize the attorney to draft a resolution of approval. C. Correia seconded the motion. The vote was as follows:

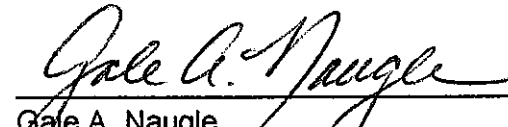
M. Hunter – In Favor  
M. Christman – Absent  
C. Correia – In Favor  
R. Anzalone – In Favor  
R. Cataggio – Absent

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

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

The meeting was adjourned at 8:45 p.m.

Respectfully submitted,

  
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Gale A. Naugle  
Planning Board Secretary