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VILLAGE OF WOODBURY

**VILLAGE OF WOODBURY
PLANNING BOARD MEETING**

JUNE 6, 2012

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**VILLAGE OF WOODBURY
PLANNING BOARD MEETING**

JUNE 6, 2012

PRESENT:	M. Hunter, Chairperson	D. Lindsay
	M. Christman	S. Turner, K. O'Donnell
	R. Anzalone	K. Naughton
	R. Cataggio	P. Greeley
ABSENT:	C. Correia	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 throughout the world.

MINUTES

R. Anzalone made a motion to accept the minutes from the meeting of May 16, 2012.
R. Cataggio seconded the motion. The vote was as follows:

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

REGULAR AGENDA

MENNA BUILDERS – TAX MAP 207-3-64.2

Chairperson Hunter explained that this was to be a discussion and scheduling of a public hearing for ARB approval of a single family home and materials for lot 7 located within West Point Farms subdivision. The dwelling is located in an area designated as a critical environmental area and is subject to Village regulations for ridge preservation. The property is located at 17 Montessi Drive in Highland Mills. Chairperson Hunter then asked the applicant to give the Board a brief overview so they could schedule a public hearing.

Mr. Menna then presented a rendering of the house he was proposing to build. He also provided color samples. Chairperson Hunter read from his application that the manufacturer for the siding will be CertainTeed and the color will be Natural Clay. There will also be a shake style siding that will be Natural Clay as well. The windows will be Silverline double hung in white. The trim will be white also. The shingles will be Timberline, Weathered Wood. The house is called a Country Cottage style and is 2500 square feet in size.

Mr. Menna said that they will also be using some cultured stone on the home.

MENNA BUILDERS - TAX MAP 207-3-64.2 (cont.)

Mr. Menna also pointed out that, although the rendering shows the garage entrance in the front of the house, the garage on the proposed house will be entered from the side. D. Lindsay said that this should be shown. Mr. Menna said that it is shown on the plan.

Chairperson Hunter asked D. Lindsay for his comments. He said that he had given the Board a memo with photo renderings of the properties that are adjacent to this one. He was not sure if the change in the garage would require a site plan, or if it could be handled as a field change between the Building Inspector and the Village Engineer. K. Naughton said that, since this is something that would be in line with what the Planning Board has approved in the past, it could be handled as a field change. The Board agreed that this could be handled as a field change. D. Lindsay explained to Mr. Menna that he would need to submit something to the Building Department showing the location of the garage. He also noted that there would need to be some kind of notation regarding the height of the structure. D. Lindsay also pointed out that the applicant should submit a short form EAF, and the Board could classify this as a Type Two action under SEQRA.

S. Turner agreed that this would be a Type Two action, with no significant impact.

R. Anzalone then made a motion to schedule a public hearing for this application for June 20, 2012, and authorize the attorney to prepare a resolution of approval. M. Christman seconded the motion. The vote was as follows:

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

CORE STATES GROUP/CHILIS - TAX MAP 225-1-16.13

Chairperson Hunter explained that this was to be a public hearing for ARB of exterior reimage to include painting, signage and new awnings. The structure is located on a pad site within the shopping center known as Harriman Commons, and is located at 320 Larkin Drive. She then read the Notice of Public Hearing that appeared in the newspaper. Chairperson Hunter noted, for the record, that a letter was received from the Orange County DPW on May 22nd, and the Orange County Department of Planning on May 30th. A short EAF was received on May 14th.

At this point Laurel Walyga, or Core States Group, appeared on behalf of Chili's and explained that they are revamping all their stores and bringing in some brighter colors. They are also changing the signage and the awnings.

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

Chairperson Hunter asked D. Lindsay for his comments. He said that he had given the Board a table in his report listing what the existing signage is and what the proposed signage will be. He said they will be enlarging the chili pepper on the sign, but are also taking out the pylon sign.

Ms. Walyga then showed the Board samples of the proposed colors.

K. O'Donnell said that the applicant submitted a revised rendering because the renderings that were previously submitted were not consistent. The EAF was submitted at the last meeting.

K. Naughton noted that a draft resolution had been submitted for the Board's review.

Chairperson Hunter then opened the floor for public comments and questions. There being none, M. Christman made a motion to close the public hearing. R. Anzalone seconded the motion. The vote was as follows:

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

R. Anzalone then made a motion to reaffirm the SEQRA findings of the prior approval for Chili's. Chairperson Hunter seconded the motion. The vote was as follows:

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

Chairperson Hunter then read the resolution of approval, beginning with the Specific Conditions. When she had finished, R. Cataggio made a motion to accept the resolution. M. Christman seconded the motion. The vote was as follows:

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

WOODBURY COMMON - TAX MAP 225-1-70.2

NOTE: A court stenographer was in attendance for this portion of the meeting.

Chairperson Hunter explained that this was to be an overview of proposed renovations and site plan including architectural elements, landscaping, traffic, etc. Property is located on Route 32 in Central Valley. She also noted that all the Board members should have a presentation package that was in their mailboxes.

At this point Lou D'Arminio, an attorney with Price, Meese, Shulman and D'Arminio explained that he would be turning the meeting over to Danielle De Vita, who is the Vice President of Development for Simon Property Group. She will be giving the Board an overview of what is in their presentation packets. He also introduced Andrew Atkinson, who is the director of architecture for Simon, as well as Dave Mistretta, the manager of Woodbury Commons. He will also be asking Patricia Ruskin, the engineer and designer of the project, to give an overview of the engineering aspects of the project and to respond to the technical memos that they received.

Chairperson Hunter then noted, for the record, that revised notices were sent out to the Orange County DPW and the Orange County Department of Planning.

At this point Danielle De Vita appeared before the Board and gave them an extended overview of the information packet, on a page-by-page basis. She explained that the renovations could be broken down into four categories. The first is the road system and the new parking deck. The second is the new tower building and main entrance. The third is the other new buildings throughout the site, and the fourth is the renovation and architecture component. In this order she gave the Board a general overview of each component.

The traffic component will consist of a new outer and inner ring road, and the parking garage. She said with the construction of the parking deck the parking ratio will go from 6.7 per thousand to 7.3 per thousand. Chairperson Hunter pointed out that this was approximately one thousand additional parking spaces that will be added.

Ms. De Vita then showed the Board photos of the proposed new tower building or Market Hall. She explained that the architecture that is being proposed for the center is reflected in the renderings that are included in the information packet. These will be the colors and designs that will be used throughout the center.

Ms. De Vita said that the food court presently has about 500 seats. The new food court will have 700 seats on the first floor and 300 on the second floor. The building will also utilize sliding doors. There will also be a customer service information booth and two brand new restrooms.

WOODBURY COMMON – TAX MAP 225-1-70.2 (cont.)

Ms. De Vita then showed the Board the location for the proposed new 4,000 square foot Welcome Center. This is where people will wait for the buses. Here is where they will find information, coupon books, maps, etc. There will also be bus laybys which will get the buses off the road while loading and unloading passengers. S. Turner asked where the tour buses would be parking. Ms. De Vita said the tour buses will park in the same location that they use now.

Ms. De Vita then showed the Board something called Madison Avenue. She said this is where they will construct smaller, boutique type shops. They will be constructed in the area where the current food court exists, after it is demolished. New restrooms will be built in this location as well. She noted at this point that when the center renovations are done there will be double the bathroom fixtures that exist today.

The overview continued. Ms. De Vita said that with this new renovation they will be focusing on outdoor seating and providing a more park-like environment. She then asked if there were any questions. R. Cataggio noted that one portion of the site near Marigold has a lot of trash cans in the rear of the building, and the road is also against the building. Ms. De Vita noted that there are two options proposed for this location. One is right up against the building to show that it can still work. One is farther away from the building, but is predicated on an agreement with the DOT and connected to the off-site improvements they are making

At this point Ms. De Vita addressed the "districting" that is proposed for the center. She noted that the Board had approved new roofing which she said would be consistent with the overall theming and architecture. These roof colors were depicted on the rendering she presented to the Board. She said that the districting took into consideration various areas of New York State and the architecture that was indicative of those areas. The areas that they felt were worthwhile to bring into the center are: The Hamptons, Adirondack, Saratoga, Hudson Valley and Niagara. These areas will not have signage depicting these names, but will utilize the architecture of each area. She then reviewed each one of these districts with the Board, utilizing the information packet. It was noted that there will be a lot more landscaping associated with the renovations.

Chairperson Hunter asked about the parking deck. Ms. De Vita said that one of the things they heard from the beginning was that the parking deck should look nice. There were renderings to show the parking deck. She said that a lot of attention is being given to the way the deck is going to look and the materials that will be used. She said it will be a very nice looking deck.

Mr. D'Arminio noted that there was some mention of the phasing of the project. Ms. De Vita said that the center will not be closed during any of the phases of construction. She said there is a logical order in which to do things to achieve this goal. She went on to say that the parking deck and the outer ring road would need to be constructed prior to any new buildings going in.

WOODBURY COMMON - TAX MAP 225-1-70.2 (cont.)

Ms. De Vita said that one of the next phases would be the Marigold building because there are tenants in the current tower building that would need to be relocated. The Market Hall building would need to be constructed before the current food court gets demolished so that the day it is finished, all the food tenants move over and the next day the existing food court will get demolished. She said the parking fields would be done one at a time also. She said there will be a full phasing plan that will be discussed with the Board at a later date.

R. Cataggio asked what the rationale was behind locating the parking deck in its current proposed location. Ms. De Vita said that this parking area right now is the most problematic one for the center because it fills up last and exits last. She said that putting the deck in this location makes sense because people will go there first. She felt that it would help with the traffic flow around the whole center. R. Cataggio said that when he shops there he parks closest to the stores that he will be going to. Ms. De Vita said that it is reliable and that people will go right to it because they know they will get a parking space there. Also, it is covered and protected from the elements. She said that they looked at other areas, but there was either too much walking, or it would have been the first thing you see when you enter the center. She also said that the proposed location is closer to the stores. There is a designated crosswalk for pedestrians. There will also be customer services here as well. Patricia Ruskin said that the location which R. Cataggio had pointed out had been considered. However, there are overhead power lines that have already been relocated once. The cost to relocate these lines at that time was a quarter of a million dollars, and that was fifteen years ago. She said the cost would be much higher now.

Chairperson Hunter began a discussion regarding the DOT plans for the new exit 131 project. She said that they are pretty far along with this project and should be ready to start soon. There is some issue with land acquisition. Phase two of this project involves Woodbury Common.

At this point Mr. D'Arminio introduced Patricia Ruskin. He said that her exhibit was not in the information packet in this form, but was a compilation of the site plan set which was on four or five sheets in the packet. Ms. Ruskin had put them together as one exhibit. Ms. Ruskin informed the Board that she had worked on the north expansion of Woodbury Common, and was quite familiar with the center. She then gave the Board an overview of the technical aspects of the renovations, such as the location of detention basins and sub-surface detention basins that would be part of the project as well. Ms. Ruskin said there is a whole infrastructure program that will be done in conjunction with the renovation project. Some new water lines will be installed because there are issues with the existing water lines. She said there is also a storm water pollution and prevention plan (SWPPP) that needs to be submitted and they are working on that. She further explained that the SWPPP is a plan that goes into effect during construction to minimize the amount of silt and runoff on and off the property.

WOODBURY COMMON - TAX MAP 225-1-70.2 (cont.)

Chairperson Hunter then asked D. Lindsay to review his memo of June 1, 2012. He said that there was a question as to whether there would be variances required for the height of some of the structures, as there are a number of structures that exceed the 35' requirement. D. Lindsay noted that there had been a variance granted that allowed the construction of two tower structures for Woodbury Common. However, only one was ever built. He went on to say that the requirement is that the average from the peak of the roof to the eave on a hip roof or gable roof should be 35' or less. He said the applicant is averaging a number of roofs. He felt that there would need to be an interpretation from the Building Inspector for the reconstructed tower building.

D. Lindsay said there is also an issue with the parking garage. He said the roof is less than 35' and there are bulkheads, which are allowed. However, there are also towers associated with the structure to house elevators and stairwells which are above 35'. He added that these are part of the architecture, and did not feel that the Board would want them to be removed. He felt that the roof structure of the parking deck would also be subject to interpretation by the Building Inspector. Mr. D'Arminio and Mr. Atkinson explained that the corner structures were where the stairs and elevators are located and need to be protected from the elements. D. Lindsay said that the Planning Board still does not have the jurisdiction to approve this because it is outside of their purview. He said the Zoning Board of Appeals would be interested in the information that they had just given as justification for the added height. He added that he had a discussion with R. Golden and K. Naughton and it was their opinion that this could not be decided upon a plain reading of the code. Therefore, it would need to be interpreted by the Building Inspector. If he believes that it needs a variance it would then go to the ZBA.

D. Lindsay then began a discussion regarding circulation within the center and pedestrian/vehicle conflicts. He said that one of the problem areas he was concerned about looks like it has been mitigated. However, he was concerned about the entrance to the parking garage. He noted that there are access points on the parking garage on all four sides. He said this is a good thing because he is recommending that the activity taking place in front of the main pedestrian walkway be limited. He suggested that there be either a finding or a condition of the site plan that the site be managed properly. He said during heavy periods when the center is very busy they may want to close this area to vehicle traffic, as vehicles can easily go around the ring road and enter the parking garage another way.

D. Lindsay also had a concern about the service areas, to try to minimize pedestrian conflicts with trucks or other delivery vehicles. He noted that the applicant has already decided to limit the hours of delivery to the new Market Hall building to night hours.

WOODBURY COMMON – TAX MAP 225-1-70.2 (cont.)

Chairperson Hunter asked S. Turner for his comments. S. Turner said that one of his concerns had to do with phasing. He suggested that the Board have an interim signage plan during construction to show traffic direction and so on. He also suggested that a detailed identification signage plan be submitted at some point during the process.

S. Turner also noted that the issue of coverage should be addressed. He said that the impervious surfaces could not exceed 65%. Ms. Ruskin said that they went through a calculation back in 2008 and the coverage at that time was 62.7%. In this particular project there is a slight increase of impervious coverage, bringing the total to 63.2%.

S. Turner also explained that the applicant is dealing with the internal function of the center. He said that, as a planner, he is concerned about the external impacts and external appearance. He cited some HVAC units that were to be mounted on the roof. Ms. Ruskin said that these units were behind the building on Marigold, and would be relocated to the roof to be out of the way of the service area. S. Turner said the Board would be concerned about the appearance of these units.

At this point P. Greeley gave his comments regarding traffic. He cited the improvements that were going to be made to Route 32 and said this plan is set up to coincide and work cohesively with those improvements. He said the plan before the Board will improve the on-site circulation and will eliminate pedestrian/vehicle conflicts by creating the outer ring road. He referred to the alternate plan for the back of the building in Marigold and said that this was the preferred plan, and added that the applicant has begun discussions with the DOT in this regard.

P. Greeley mentioned a "maintenance and protection of traffic" plan which was requested in the scoping document. This will be a plan for controlling traffic while construction is being done in different areas. The Commons already has a traffic management plan. A description of this plan was requested as part of the SDEIS. He said that the applicant has also proposed speed tables and raised cross walks to calm traffic. There also may be an on-site location that may require a traffic control device. P. Greeley said that, in general, he thinks the plan goes a long way to work with the future 32 improvements. He urged everyone, including the applicant, to keep pressure on the DOT to get these improvements done. He said that he is still waiting for a traffic analysis from the applicant's traffic consultant. Once that is received he recommends having a meeting with the DOT representatives, representatives from the Town and the applicant to coordinate to make sure that the project stays on its current track.

After P. Greeley concluded his comments, Mr. D'Arminio asked how the process would proceed with regard to their project approval. D. Lindsay explained that, after the applicant submits their material, there will have to be a determination of completeness by the Planning Board. The Board will review the materials and give the applicant a list of items that need to be added if the scope is not deemed complete. Once the document is deemed complete the Board can schedule a public hearing.

WOODBURY COMMON - TAX MAP 225-1-70.2 (cont.)

There was some discussion about when this item could next appear on the agenda. It was decided that it would be placed on the agenda for the July 18th meeting.

At this point M. Christman made a motion to cancel the Planning Board meeting for July 4, 2012. R. Anzalone seconded the motion. The vote was as follows:

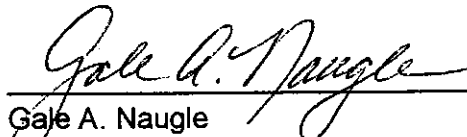
- M. Hunter – In Favor
- M. Christman – In Favor
- C. Correia – Absent
- R. Anzalone – In Favor
- R. Cataggio – In Favor

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

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

The meeting was adjourned at 10:13 p.m.

Respectfully submitted,



Gale A. Naugle
Planning Board Secretary