

**Village of Woodbury
Planning Board Meeting
March 1, 2023**

Minutes of the Planning Board Meeting held on March 1, 2023, at 7:30 PM.

Board Members Present: Christopher Gerver, Chairman
Richard Cataggio
Thomas DeLuca
Michael Pastel
Evan Yan

Village of Woodbury Planning Board Consultants:
Kelly Naughton, Attorney
Natalie D. Barber, Engineer
Philip Grealy, Traffic Consultant

Board Member(s) Absent: None

Chairman Gerver opened the meeting with the Pledge of Allegiance.

1. **Executive Session:** No Executive Session was necessary.
2. **Public Comment:** No member of the public had comments.
3. **Approval and Acceptance of Previous Minutes:**

A motion was offered by Chairman Gerver, seconded by M. Pastel, to approve and accept the minutes of the meeting held on February 1, 2023. Chairman Gerver conducted a roll call of the Board which resulted in the motion being:

ADOPTED

AYES 5 Chairman Gerver, R. Cataggio, T. DeLuca, M. Pastel, E. Yan
NOES 0

4. Regular Agenda:

- A. **Shops at Woodbury** – Review documents submitted for the proposed Amended Site plan for a previously approved mixed-use commercial center. Said property is located at the intersection of Locey Lane and Route 32 Melody Lane in Central Valley and is known on the Village of Woodbury Tax Maps as Section 225 Block 1 Lots 34.1, 34.22 & 75.

Attorney Anthony Moranda spoke of the overall site and referred to the lengthy report that was submitted to the Planning Board in preparation for this meeting. This project has been before the Board for several years, therefore he briefly spoke of what the report consisted of and introduced Engineer Kevin VanHise who presented the site plan, briefly explaining adjustments and steps that were taken in updating the buildings under Shops of Woodbury; to then discuss the following individual applications placed in this agenda.

Engineer VanHise spoke of Building #1 (McDonald's). The concerns are about the entrance to the drive-thru, the space for customers waiting on their orders, and pick-up orders. He also pointed out the update on the pedestrian walkway, parking, and the processing of online orders. He also made a comparison to the McDonald's in New Windsor, pointing out the similarities. Building #2 was approved at 2,170 sq. ft. and it's difficult to lease due to its size. It's small. They propose to enlarge it by reducing the square footage of Building #5 in hopes that it be attractive. In doing such changes, it involved changes to parking as well as moving Building #7 and Building #8 to accommodate the bigger building. Behind those two buildings, the parking was shifted towards the south side. Engineer VanHise mentioned conversations regarding Building #7 (Starbucks) drive-thru and the loading space. Building #3 and Building #4 footprints remain the same just slight changes to the pick-up lane. Engineer VanHise noted that Building #9 (Marriott Courtyard) parking was pushed back towards the west losing a few spaces in parking. For it to be compliant they will be reconfiguring the loading spaces and still provide snow storage (a requirement). No changes to Building #6, and at this time no tenant. All these changes were due to requests from tenants.

Attorney Moranda noted that on the overall site plan for each site, significant changes were made affecting parking, as well as water and sewer. He said everything has been documented in their submissions. He addressed some of the consul's comments and made it known that the Applicant will not be seeking variances for them to not appear before the Zoning Board of Appeals.

Engineer Natalie Barber noted that once tenants were specified there would be an amended site plan, a discussion on shared parking, sprinkler locations, technical comments, signage, and ESO access to the buildings to name a few. She also noted comments that were raised, and minor discrepancies that can be resolved in future submissions though proceeded to go over a few mentioned in her memo dated February 24, 2023.

The Chairman raised questions regarding the hydrant, concerns of the Board. A hydrant plan was presented. Engineer VanHise stated that once plans were changed due to tenant requirements it would impact the location of the hydrants. He proceeded to show the plans and details of those changes in those hydrant locations. There was further discussion on the distance and other updates due to the relocation of the hydrants on the plan. Chairman Gerver asked that a copy of this plan be sent for the Fire Chief's review since the Fire Chief needs to weigh in on those changes.

Traffic Consultant Phillip Grealy proceeded to go over his comments from his letter dated February 24, 2023.

Collier's Engineering & Design Memo:

1. The overall site plan (sheet EX1.0) reflects the intersection improvements for the intersection of Averill Avenue/NYS Route 17 and Locey Lane including the dual left turn lane northbound on Route 17. If it hasn't already, a copy of the New York State Department of Transportation (NYSDOT) Highway Work Permit should be provided to the Village.

2. Drawing Exhibit EX1.2 shows the fire vehicle access to the various portions of the site including using the emergency access near Building 2 and traveling between that building and Buildings 4 & 5. This plan should be reviewed by Emergency Services Organizations (ESO) for acceptability. During the construction of the individual phases, there may have to be alternate paths indicated depending on the areas that are closed off to general traffic and/or emergency vehicle traffic. This should be clarified by the Applicant and continue to be coordinated with the ESO.

A motion was offered by Chairman Gerver, seconded by T. DeLuca, to reaffirm SEQRA. Chairman Gerver conducted a roll call of the Board which resulted in the motion being:

ADOPTED

AYES 5 Chairman Gerver, R. Cataggio, T. DeLuca, M. Pastel, E. Yan
NOES 0

A motion was offered by Chairman Gerver, seconded by M. Pastel, to schedule a public hearing regarding site plan modifications for Shops of Woodbury on April 5, 2023. Chairman Gerver conducted a roll call of the Board which resulted in the motion being:

ADOPTED

AYES 5 Chairman Gerver, R. Cataggio, T. DeLuca, M. Pastel, E. Yan
NOES 0

- B. Shops At Woodbury ARB Bldg. 1** – Review ARB documents submitted for Building 1 (McDonald's) to be located in within the previously approved mixed-use commercial center. Said property is located at the intersection of Locey Lane and Route 32 in Central Valley and is known on the Village of Woodbury Tax Maps as Section 225 Block 1 Lots 34.1, 34.22 & 75.

Architect Steve Esposito began giving an overview of the site plan for Building #1 (McDonald's). Architect Esposito spoke of the materials and colors that will be incorporated into the interior and exterior of the building. T. DeLuca had questions regarding signage. Architect Esposito said there will be only one mounted sign and logo. A discussion they are looking forward to with the Building Inspector. An updated plan will reflect some changes as discussed in this meeting. R. Cataggio asked about scheduled deliveries. He expressed his concern about big trucks blocking vehicles. Architect Esposito said he will confirm with McDonald's regarding deliveries, though he believes deliveries would most likely take place during off-peak hours. They will confirm with the tenant.

Engineer Barber referred to her memo dated February 24, 2023, where she discussed the ARB requirements. She went over her memo listing items that will need to be addressed for instance the confirmation of the dumpster enclosure, the use of non-reflective windows on the plan, and signage. She pointed out that the ARB criteria look for similarity and dissimilarity among buildings within a neighborhood 300 ft. and regarding Buildings #1, #3, #4, #7, #8, and #9; asking the Board to take into consideration all the materials and colors. The Board discussed how the tenants in tonight’s meeting are national tenants, having their requirements based on their designs, materials, and colors. They agreed not to have a site-wide signage plan placed upon these national brands. Though any other tenants that are not national brands are to look similar to the rest of the sites. A brief discussion came about regarding the public hearings for all the current ARB applications under Shops Of Woodbury. It was agreed that all should be held under one date.

A motion was offered by Chairman Gerver, seconded by T. DeLuca, to schedule a public hearing for Shops of Woodbury ARB Bldg. 1 (McDonald’s) on April 5, 2023. Chairman Gerver conducted a roll call of the Board which resulted in the motion being:

ADOPTED
AYES 5 Chairman Gerver, R. Cataggio, T. DeLuca, M. Pastel, E. Yan
NOES 0

C. Shops At Woodbury ARB Bldg. 3 - Review ARB documents submitted for Building 3 (Chipotle) to be located in within the previously approved mixed-use commercial center. Said property is located at the intersection of Locey Lane and Route 32 in Central Valley and is known on the Village of Woodbury Tax Maps as Section 225 Block 1 Lots 34.1, 34.22 & 75.fds

Architect Charles Dietz presented the tenant’s layout on both the exterior and interior of Building site #3 (Chipotle). They prefer a pick-up window instead of a drive-thru. They will have online ordering only and there won’t be any currency exchange, and no menu board to order from. He noted that there are a lot of businesses that are now having pick-up windows due to the pandemic. There will be an app where the customer will place their order(s) letting the customer know when it’s ready for pick-up. There won’t be any in-person ordering. Architect Dietz spoke briefly about the adjustments Engineer VanHise spoke of at the beginning of this meeting. Architect Dietz pointed out a utility room on the plans consisting of a sprinkler system, roof ladder, and panel located outside the building, not within their actual space. He noted that there was a request for outdoor seating and proceeded to go over the location and materials that will be used. Regarding materials the tenant had some requirements, they wanted a neutral background, less wood, less stone, and his architectural theme was kept with some adjustments per the tenant’s identity. Architect Dietz said there will be some cultured stone, stucco, brick, and hardy panel among the materials and colors. Since the site will be visible from all four sides so they are trying to bring the materials to reflect all four sides. Regarding signage, this applicant is set to meet the criteria set in the code; therefore, no variances will be needed.

There will be some landscaping and the seating area was discussed. The Board discussed safety surrounding the outdoor seating area and ideas for certain materials that can be used. Some examples and ideas were given, and Architect Dietz agreed that they can come up with something to make it work. R. Cataggio questioned the trash dumpsters, whether they are closed bins, or have a chain link. Architect Dietz mentioned having the dumpsters enclosed, something decorative to hide them. The Chairman also reminded all present that due to new construction, all buildings are required to have Knox boxes.

Engineer Barber went over her memo dated February 24, 2023. She noted that Architect Dietz had already addressed and spoken of comments in her memo, though the applicant is proposing a white flat roof, and as per the criteria in Ridge Preservation white is prohibited as a roof color. Architect Dietz believes there was a misunderstanding he stated the roof color will be black. The non-reflective windows were confirmed. Engineer Barber briefly mentioned items like SEQRA and other items that were already addressed with the Board and Architect Dietz. There was talk about fencing in the loading dock areas and the Board agreed that the fencing shall not be a requirement. Though Engineer Barber noted she will look at previous applications to see what was decided regarding fencing loading dock areas. Traffic Consultant questioned the maneuvering of trucks and Engineer VanHise assured all will be clarified in their next submission.

A motion was offered by Chairman Gerver, seconded by T. DeLuca, to schedule a public hearing for Shops of Woodbury ARB Bldg. 3 (Chipotle) on April 5, 2023. Chairman Gerver conducted a roll call of the Board which resulted in the motion being:

ADOPTED

AYES 5 Chairman Gerver, R. Cataggio, T. DeLuca, M. Pastel, E. Yan
NOES 0

- D. **Shops At Woodbury ARB Bldg. 4** - Review ARB documents submitted for Building 4 (Aspen Dental) to be located within the previously approved mixed-use commercial center. Said property is located at the intersection of Locey Lane and Route 32 in Central Valley and is known on the Village of Woodbury Tax Maps as Section 225 Block 1 Lots 34.1, 34.22 & 75.

Architect Dietz began by saying they mimicked the company's standard entrance, tower, colors, materials, and signage. There will be two rooftop mechanical units to service the building. They discussed with their client the resizing and reworking of the pilasters and awnings which will be black instead of blue as the client's preference. This will be consistent with the other awnings. He mentioned the materials that are carried out throughout the exterior of the building. This tenant is proposing just one sign with three colors. E. Yan asked if the glass windows will have coverings and Architect Dietz answered they may have coverings such as blinds/shades. R. Cataggio asked questions regarding vehicles parking along the loading area(s) and he was told there will be signage, it wasn't currently on the plan shown although Engineer VanHise assured it would be on the signing and striping plan.

Engineer Barber did not want to reiterate what has been said so she briefly went over some key points from her memo dated February 24, 2023. After clarifying the uses it will not be approved until the amended site plan is approved. She asked that the Applicant clarify her comment regarding the brick veneer in her memo under ARB. With no further comments from Traffic Consultant Grealy, the Board proceeded with a motion.

A motion was offered by Chairman Gerver, seconded by T. DeLuca, to schedule a public hearing ng for Shops of Woodbury ARB Bldg. 4 (Aspen Dental) on April 5, 2023. Chairman Gerver conducted a roll call of the Board which resulted in the motion being:

ADOPTED

AYES 5 Chairman Gerver, R. Cataggio, T. DeLuca, M. Pastel, E. Yan
NOES 0

- E. **Shops At Woodbury ARB Bldg. 7** - Review ARB documents submitted for Building 7 (Starbucks) to be located in within the previously approved mixed-use commercial center. Said property is located at the intersection of Locey Lane and Route 32 in Central Valley and is known on the Village of Woodbury Tax Maps as Section 225 Block 1 Lots 34.1, 34.22 & 75.

Architect Dietz mentions the last appearance before the Board. There were several comments then and he stated he has addressed them. He proceeded to mention the materials and colors for the exterior of the building. As well as Starbucks prototype railing and stainless-steel balusters. A few changes on the plan since their last appearance, there's the removal of the walk-up window, the backdoor has been relocated, and the loading dock area being adjusted as well to name a few. Starbucks is now trying to simplify its designs worldwide by eliminating some stones and applying stucco, the placement of wood in different areas, the vertical siding will be placed on the tower, and the directional signs for the drive-thru. Architect Dietz added the Applicant is proposing logo signage, though if there is a need for variances due to the proposed signage then they will have to eliminate the additional signs to be compliant. To differentiate themselves from the other tenants there will be a type of cultured stone just for Starbucks, the other tenants will have a second type of cultured stone material. As per the Board's previous request, the topography was done, noting it reached the highway. There was further discussion on the HVAC and chiller units and Architect Dietz admitted the roof will look busier than what he is currently showing. The Board requested the addition of rooftop units to the plans, showing their specifications.

Pointing to a section on the plan, R. Cataggio expressed his concerns about vehicles being backed up. He used a Starbucks at a different location as an example where eight to ten cars have blocked the intersection. Engineer VanHise said he will talk with the Applicant about the location of the signs. Traffic Consultant Grealy confirmed that in their studies they usually project using eight to ten cars in their study since the pandemic. Other restaurants like Dunkin Donuts and Chick-fil-a were used as examples.

Engineer Barber noted that from their last appearance before the Board, there were a lot of comments in her memo due to the Applicant's ARB submission, but most were addressed. There were a lot of inconsistencies with the colors and materials that were to be used. Regarding the cultured stones, she asks that the two different materials be submitted since Architect Dietz noted that two different kinds will be used. Regarding signage, she feels all will come together once the Building Inspector opines regarding the size and colors of the signs in the other related applications.

Traffic Consultant Grealy questioned the exit from Starbucks pickup, he asks that they take a look at the bypass lane and suggest adding a stop sign. Engineer VanHise admitted to previously discussing those issues and agreed a stop sign would be a good option. The Chairman expressed how the ARB application must be filled out accurately. Any mistakes will delay this application from moving forward.

A motion was offered by Chairman Gerver, seconded by T. DeLuca, to schedule a public hearing for Shops of Woodbury ARB Bldg. 7 (Starbucks) on April 5, 2023. Chairman Gerver conducted a roll call of the Board which resulted in the motion being:

ADOPTED

AYES 5 Chairman Gerver, R. Cataggio, T. DeLuca, M. Pastel, E. Yan
NOES 0

Noting all that has to be done, Attorney Morando asks if a meeting can be arranged with Engineer Barber and the Building Inspector regarding signage and other details. They would like to avoid making any mistakes along the way for these applications to move forward effortlessly. He added that all questions and comments will be responded to in writing. The Chairman did not object to this meeting and thought the decision to meet will be left to the discretion of the Building Inspector, Engineer Barber, and Attorney Naughton. The Chairman reminded and advised that the hydrant plan be submitted for the Fire Chief to opine.

A motion was offered by Chairman Gerver, seconded by T. DeLuca for counsel to draft a Resolution of Approval for Shops At Woodbury ARB Bldg. 1 (McDonald's), Shops At Woodbury ARB Bldg. 3 (Chipotle), Shops At Woodbury ARB Bldg. 4 (Aspen Dental), and Shops At Woodbury ARB Bldg. 7 (Starbucks). Chairman Gerver conducted a roll call of the Board which resulted in the motion being:

ADOPTED

AYES 5 Chairman Gerver, R. Cataggio, T. DeLuca, M. Pastel, E. Yan
NOES 0

Adjournment:

With no further business to discuss, a motion was offered by Chairman Gerver, seconded by M. Pastel, to adjourn the meeting at 9:30 PM.

ADOPTED

AYES 5 Chairman Gerver, R. Cataggio, T. DeLuca, M. Pastel, E. Yan
NOES 0

Claudia Valoy-Romanisin, Planning Board Secretary