

**VILLAGE OF CORNWALL-ON-HUDSON
PLANNING BOARD
TUESDAY, MARCH 24, 2015 - 7:00 P.M.**

Present Were:

Jeffrey Small, Chairperson
Vishwa Chaudry
Wynn Klosky
Lee Murphy
MaryAnne O'Dell

Also Present:

Andrew Fetherston, Village Engineer
John Furst, Attorney
Roberta Hastey, Recording Secretary
John Carpenter, applicant for Shore Road
Jackie Murphy, applicant for M&D Duncan Ave
John Till, Jessica Danahy and Ken Fishell, architect and applicants for 28 Andrews Street
Other Members of the public were in attendance but it was not a public hearing.

The meeting was called to order by Chairperson Small at 7 pm.

Renewals

John and Susan Carpenter- Shore Road - Applicants are requesting a six-month extension of their existing site plan.

Discussion ensued as to whether an extension grandfathered the existing plan under current or prior code to which it was stated that it was not always the case and every situation would need to be determined on an individual basis.

*A motion was made by Ms. O'Dell to grant a six-month extension to this site plan.
This was seconded by Mr. Chaudry and all voted in favor.*

Old Business

M&D Duncan Ave LLC/ Lee Murphy- 269 Hudson Street- Applicant is requesting a use variance to have retail/office space in an existing two family residence in the CBS district.

Mr. Murphy recused himself from the discussion as he is the applicant.

Mr. Small read a reply from the county but they seem to be related to other conditions and did not correspond to the current request. Since the business would not be a public accommodation (i.e. a store or restaurant) and the garage area could be used for parking, it would meet the parking and ADA requirement.

Ms. O'Dell wanted to note for the record that the reply from the county was not applicable to the current request.

Atty Furst's submitted resolution was read by all. The Board formally stated they were waiving the site plan requirements and public hearing because although technically it is considered a change of

use because it has been vacant for a while, it is in practical terms a continuation of use of an existing property as well as due to the fact it is a very small space.

It was further resolved that it met general and special conditions and standards set forth in the CBS.

A motion was made by Mr. Chaudry to approve the resolution. It was seconded by Ms. Klosky and all voted in favor (with Mr. Murphy abstaining as previously stated).

New Business

Jessica Danahy-28 Andrews Street- Applicant is seeking variances from the Zoning Board to construct a second-story addition and other improvements to an existing single-family home. **Zoning Board has requested a review by the Planning Board of the updated drainage plans that have recently been submitted.**

Atty Furst noted the Zoning Board was referring the matter to the Planning Board for recommendations and guidance regarding community character and environmental aspects (including drainage).

Mr. Small stated that as the purpose was to advise and as there was not enough time to review all the documentation, the Board will not be making any resolutions but offering advice/recommendations.

Mr. Small also explained that this was not a public hearing and there will be no public comment.

John Till, architect for applicants, presented a brief summary of where the request stood and why it was before the Planning Board. The main thrust is to present and get advice on the drainage issue. There is no view obstruction so that is not at issue.

Village Engineer, Andrew Fetherston, did some research and gathered soil information on the internet. The soil is well drained and similar to the soil that was part of the Bull Run properties. Since slope is 100ft high it was not to be taken lightly. Mr. Fetherston determined from his research that the soil was very well drained but the addition plans show that all the downspouts would be going into two very small drywells. The drywells could actually cause more problems by being too small and felt it was better without the drywells.

Mr. Till stated the original plan was to leave drainage as is but changes were made to make accommodations in answer to an objection by a neighbor.

Mr. Fetherston was not sure if it is prudent to saturate the grounds near where the drywells are to be located.

Mary Davidian, neighbor, requested permission to view and hear the information being presented and was granted that permission by Mr. Small.

Mr. Fetherston made recommendations for protection of slope/cliff during construction.

Many aspects of the drainage, current and possible changes needed, were discussed. One of the possible issues appeared to be current run off from the garage. It was felt this could be addressed at this time although the garage will not be altered with the renovation/addition.

Two letters were presented. One letter sent by Haig Sarkissian, 11 Braden Place was read into record. The second letter brought forward by Ms. Davidian was not read into the record as it was addressed to the chairperson of the Zoning Board.

Mr. Small addressed some of the items brought up by the first letter. Lot coverage requirements are based on buildings and structures, not impervious areas. In terms of whether the requirements are 25, 30 or 35% lot coverage, 35% is applicable in this situation. As to the statement that "it is the responsibility of architect and Planning Board to clarify if an additional area coverage variance is required" is not correct, it is the Building Inspector who makes this determination.

Atty Furst had brought this question to the building inspector's attention. who agreed with Mr. Small's statement and will put it in writing and forward to the Zoning Board.

Ms. O'Dell pointed out that the Board had already discussed the first part of the letter regarding drainage and drainage off the garage.

The character of the neighborhood was brought up for discussion with the Planning Board and the members were asked if they felt it was in keeping the character. Heights were compared and there was no stated disagreement.

Mr. Fetherston was asked for further comment, he suggested picking up just the surfaces/downspouts that are closest to the nuisance spots and diverting them to a suitably sized drywell. Protection of Slope: Construction barrier should be put up and contractor should be clearly aware of need of caution/protection of the slope.

Mr. Till noted the addition of a silt fence to the site plans for protection of the slope had been added to the site plan.

Mr. Murphy stated that if we are only dealing with drainage it might be best for the village engineer to craft an opinion to given to the Zoning Board
Mr. Fetherston felt Board input would be helpful in crafting that opinion.

After much discussion, Mr. Fetherston will write an opinion with the input of the Planning Board recommending to split the run off; leave part of it to drain as it is currently and the nuisance spots drain into appropriately sized dry wells. The opinion will be forwarded to the Zoning Board for their meeting on Thursday, March 26.

Informal Business

An administrative meeting was held earlier in the month to help perfect the application process, to better organize and improve the overall flow. It was productive and it is hoped to be a yearly review.

One of the ideas was a monthly status of projects including:

- Status of escrow accounts
- Status of referrals
- Extensions

W&B Realty

W&B Realty plans were on hold as their engineer told them they needed some additional modifications specifically to meet ADA requirements. Recent consultation with an ADA expert and then later the building inspector led to the conclusion that special handicap parking and curb cut as well as other changes were not needed. Therefore an amended site plan will be submitted to the Planning Board.

Storm King School

Several Board members went to view the spot where the school is looking to place a fence. Some ideas were put forth regarding changing driveway and adding some natural elements rather than putting a fence. Or a possible change in color of fencing as the mahogany would not be as attractive as something more in line with the colors of the school but the conversation would need to continue when Ray Hecht is able to attend.

With no further business to come before the board the meeting was adjourned at 8:45pm with a motion by Mr. Murphy and a second by Ms. Klosky and all voted in favor.

Respectfully submitted,
Roberta Hastey
Recording Secretary