

Pleasantville Planning Commission  
September 27, 2017

The Pleasantville Planning Commission meeting was called to order by Russell Klein, Chairman, at 8 P.M. on Wednesday, September 27, 2017. Attending the meeting were: Russell Klein, Chairman; David Keller, Philip Myrick and Anjali Sauthoff, Commissioners; Sarah Brown, Planning Consultant; Robert Hughes, Building Inspector; and Mary Sernatinger, Secretary. Absent: Scott Blasdel and Stephen Harrigan, Commissioners. There is one vacancy on the Commission.

- (1) **Washington Avenue Lofts – 39-51 Washington Avenue** – Proposal for a lot line modification at the northern end of Lot 39, along with the merging of Lot 38 and 39. *Public Hearing*. Present: Todd Albright.

Mr. Albright described the proposal:

- The lot line between this property and the Fire Department property is at a 3-degree angle with a spread of about 3.5 feet from back to front. The proposal is to straighten the lot line to square it off and make it perpendicular to the street. The size and placement of the building would not change at all. The straightened lot line results in the building having a larger setback from the line, so they will be able to add windows on that side of the building, making it more attractive and adding better emergency access.
- Technically, the building is currently on two separate tax lots (Lots 38 and 39), so it is preferable to combine them into one tax lot (Lot 39).

On a motion by Mr. Myrick, seconded by Mr. Keller and unanimously carried, the Public Hearing was opened.

Referring to the increased setback that allowed windows to be installed, Bill Rountree, 24 Grove Street, asked if the location of the building would be changed. Mr. Hughes explained that according to New York State Building Code, there must be a minimum 3-foot setback in order for windows to be installed. In this case, the building is not moving – the lot line is being pushed further away from the building. He said the “stone wall” that Mr. Rountree asked about has already been poured and is the foundation for the ramp. The lot line change will not have any effect on that foundation.

Mr. Rountree referred to submissions for the 4<sup>th</sup> item on this evening’s agenda (Pleasantville Fire District), which showed trees along the lot line. He said that recently, most of those trees were cut

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down and he wanted to know if they would be replaced. Ms. Brown explained that the applicant's submission for this evening was a plat for a subdivision, so it did not show any landscaping other than what was indicated on the original survey. The land where the trees were located seems to be Fire Department property, but no one was sure that that was the case, and it was not known who was responsible for having the trees removed. Mr. Hughes said he would check on this matter tomorrow.

Mr. Rountree asked if the Commission could condition its approval on the trees being replanted, either by the Fire Department or the project applicant.

Roger Pollak said he believed there was one tree that was still standing, at the back of the row, and he asked if it could be saved. Mr. Hughes noted that the Village doesn't have a tree ordinance that prevents trees from being taken down (although clearing a site is frowned upon). He said that permission from the Village is not needed for the Fire Department to remove trees.

Mr. Klein said the site plans for both properties should show which trees are to be removed and which will remain.

Ms. Brown said the Fire Department is a "co-applicant" on this application from a legal standpoint.

Mr. Pollak encouraged the Commission not to slow the construction process down due to the tree matter. Mr. Albright said he was not concerned about anything being delayed.

Mr. Rountree said he has a lot of pine trees in the back of his property and was told by an arborist that the trees were turning brown because of root damage caused by the construction, so they might have to be replaced. Therefore, he did not think it was unreasonable to ask the trees that were removed on the Fire Department property to be replaced as well.

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Mr. Hughes commented that if anyone ever has questions about activities on any project site, he/she should call or visit the Building Department right away, and Mr. Hughes will make sure that everything being done is consistent with the site plan.

- (2) **Donald Carey, 69 Bedford Road.** Proposed re-subdivision/reconfiguration of previously approved three-lot subdivision. *Continued review and Public Hearing.* Present: Donald Carey, and Steve Dimovski of Dimovski Architecture.

Mr. Hughes said that even though a Public Hearing for this matter was opened last April, Village counsel recommended it be re-noticed since so much time had passed. In the future, Mr. Hughes said he will keep track of applications for which Public Hearings have begun and make a note on agendas about their status, so the public can be kept informed of delays and re-noticing would not be necessary.

Mr. Dimovski said he had met with Jeff Econom, and his comments have been addressed on the drawings. Mr. Hughes said the new drawings had not been reviewed yet by Mr. Econom or by Ms. Brown. Ms. Brown added that she brought up issues at the previous meeting about street improvements such as sidewalks, lighting, etc., that still need to be addressed. She said the application wasn't really ready for review tonight, but since it had been noticed for a public hearing, it was kept on the agenda. Mr. Dimovski said they needed Mr. Econom's comments and then weren't able to submit revised plans until Monday night.

Mr. Dimovski said a lot of Mr. Econom's comments were construction-related details such as water line and hydrant sizes. These types of items are usually on the engineering drawings that are prepared later and would be submitted to Mr. Econom at that time.

Mr. Dimovski said they had addressed the comments Ms. Brown referred to.

Mr. Dimovski said the comment regarding storm water management and the infiltrator that was less than 10 feet from the property line has been addressed and shown to be working.

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Mr. Dimovski had prepared a drawing that showed photometrics. He said there is very little spillage of light over the property line.

Even though the road would be private, Ms. Brown said it has to be constructed to Village standards. Mr. Dimovski said this is a technical question, but they have asked Mr. Econom for a section of a Village-approved road, and they intent to build their private road to Village standards.

Mr. Econom indicated that a full storm water prevention plan was not needed. The drainage needs to handle a 100-year storm. Mr. Dimovski said the design has not been done, but ultimately there will be plenty of room on the property for it to work. They are fairly certain that the size they are showing will work. He said the house size might change, and that might cause the drainage to change.

Mr. Klein said that sight distances from the driveways should be addressed now. Mr. Dimovski said that was discussed previously and F P Clark said the sight distances were acceptable. Ms. Brown said Mr. Econom also wants to review sight distances, and he would be the one to issue approval.

Ms. Brown said Mr. Econom also reviewed the Village Wetlands Map and it appears that the property to the north might be in the wetlands buffer. If a wetlands approval is needed, Mr. Dimovski requested that it be a condition of the subdivision approval.

Ms. Brown said she understood that some of Mr. Econom's comments would be addressed later, but she said the applicant's responses to his comments have not been reviewed yet.

A motion to open the Public Hearing was made by Mr. Myrick, seconded by Mr. Keller and unanimously carried.

There were no comments from the public.

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The Public Hearing will remain open until the October 11 meeting or the October 25, meeting if the applicant doesn't return until then.

Ms. Brown said that if any changes are necessary after Mr. Dimovski meets with Mr. Econom, new plans should be submitted right away.

- (3) **Solomon M. Skolnick & Linda Biagi – 27 Bedford Road**, Proposed two-lot subdivision involving the creation of Lot 2 for the future construction of a new single-family residence where the existing one-family residence will remain on Lot 1. Proposed survey/subdivision plan and existing survey drawing by MNTM Engineering, updated September 11, 2017. *Amended application*. Present: Steven Lopez.

Mr. Lopez noted that with a previous subdivision proposal for this property, there were issues regarding encroachment into a wetlands buffer. They reexamined the property and realized there is room to put a second lot on the other side of the Bedford Road frontage.

Mr. Econom has expressed concern about sight distance for a driveway at the proposed lot location. But Mr. Lopez said they could share the existing driveway if necessary. The drawing submitted did not include the driveway to the south. Mr. Lopez said that when standing on the existing stone staircase that is approximately in the middle of the proposed lot line, there is good sight distance and, therefore, he thinks that would be a fine location for a driveway – especially once vegetation in the area is removed. If this is not acceptable, they will use a shared driveway, but the applicant would prefer separate driveways.

Mr. Lopez said they proposed to remove the garage, and the new driveway and walkway could be pulled back. Or, on the west side, between the house and driveway, they could put in a garage. These ideas are not on the plans that were submitted.

Mr. Econom said the driveway/sight distance would have to be reviewed by the DOT. Mr. Hughes agreed that a new curb cut and driveway would have to be reviewed by the State, and he recommended the applicant request that review soon.

Mr. Lopez is aware that the Village might want an easement on the property to construct a sidewalk.

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Mr. Lopez said there is plenty of room for storm water management. He said the applicant would be happy to provide an easement so that the Village could have access to clean the discharge drain/culvert.

The existing driveway is in the wetlands. As long as the driveway isn't widened, Ms. Brown said that wasn't a problem, since it is already there.

Mr. Klein suggested that a new shared driveway could be created outside of the wetlands, and the existing driveway could be removed.

Mr. Keller thought the existing small shed back in the northwest corner might have to be removed. Taking out the garage and shed would improve the wetlands issue.

Mr. Lopez said one 15-foot variance for lot width would be needed for Lot 2.

Mr. Hughes noted that down spouts on the north side of the new lot have lines that lead to a sewer easement. He asked whose easement it was. Mr. Lopez said he assumed it was an easement for the Village.

Mr. Hughes said that the applicant should resolve the issue about the driveway with the DOT before going to the Zoning Board, because if the DOT denies the driveway, the plan would have to be changed. The Zoning Board would want to know where cars would be coming out and what the impact would be. Mr. Lopez said sometimes the DOT doesn't want to give approval until there is a preliminary site plan approval. Ms. Brown said that if the DOT doesn't give an answer, F P Clark traffic engineers could go out to the site and measure sight distance. Mr. Hughes said that Mr. Econom's comment about the proposed driveway on Lot 2 was that it is "very dangerous," and he strongly recommended the application be reviewed by the DOT.

- (4) **Pleasantville Fire District – 75 Washington Avenue.** Proposal for a permanent stand-by generator on site at the rear of the property. Overview letter from James Coleman, AIA; Site Plan Permit application dated September 13, 2017; Building Permit application dated

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September 13, 2017; Short Environmental Assessment Form dated September 13, 2017; Escrow Policy Affidavit dated September 13, 2017; Drawing A-001 dated September 12, 2017 by James Coleman, AIA. *New application*. Present: James Coleman, AIA.

Mr. Coleman said the Fire Department's old generator failed and they want to install a permanent stand-alone generator at the rear of its property in a location that is about 70-75 feet from a residence and 100 feet away from a second residence. He said they would schedule the regular testings of the generator at convenient times. There is a temporary diesel generator on-site now, which is quite loud.

The generator is required for communications and charging equipment for the trucks.

To meet zoning, which requires a setback of 0 or 6 feet, they would set it 6 feet from the property line in the back corner. Mr. Klein asked why it couldn't be located closer to the fire house and further from residences. Mr. Cole reasoned that if the generator were located in the proposed location, the sound would bounce back toward the fire department building. Mr. Keller said they could create a bounce-back by building a wall.

Mr. Klein noted that sound doesn't all travel horizontally and some sound would go up. There is going to be a new apartment building right next to the Fire Department's property to consider as well.

Mr. Coleman said they have decided to get a diesel-run generator instead of a gas generator and would be placing the generator up on top of the fuel tank. Mr. Hughes explained that for a gas generator, there would be a gas line running to the generator; but for a diesel generator, the fuel is self-contained. Mr. Coleman said the decibels generated by the diesel generator would be 70 – which is 5 decibels more than what a gas generator would generate.

Mr. Klein said the diesel generator would be higher, louder and produce more fumes, which didn't seem good. Mr. Hughes said people usually prefer gas generators, since fuel deliveries are not required. He believes there was a need for the Fire Department to upgrade the existing gas line into their building.

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Mr. Klein said it was important to consider the impact on the residential community, and he thought a gas-fired generator located closer to the Fire House would be preferable. Mr. Coleman said he would go back to the Fire Department and relay the suggestion that the generator be gas and closer to the building. He said the current generator is right next to the building under the eave.

Mr. Keller said the wall at the back corner of the property would not block sound from a generator located there, and he thought the Fire Department might have chosen that location to save money.

Mr. Hughes said generator testing generally is done once a week for about 20 minutes. He said he was not aware of any complaints in the past about the current or previous generators.

Mr. Klein asked Mr. Coleman if he had any objection to the Commission inviting the public to comment, and Mr. Coleman said that would be fine.

Roger Pollak, Grove Street commented that the proposed generator is 100,000 kW, which he said was huge. Mr. Hughes said a typical home generator is 20,000 kW, and he did not think 100,000 kW for the Fire Department was too much. Mr. Coleman said he would find out how many kW the existing generator is and he would provide a breakdown of what systems would rely on power from the generator.

Mr. Pollak said that the level of sound depends on the location and distance. The further away it can be, the quieter it will be. Adding a wall would be even better.

Mr. Pollak said that the Fire Department's exhaust fan is noisy and asked if they could muffle it (if it is not already muffled).

Joe O'Neill said he lives right next to the proposed generator location. He said he wants to be a good neighbor, but he would appreciate it if the generator could be placed closer to the Fire Department building. He hoped they would put it back in the old location. He also was not in favor of have a diesel tank right next to his house.



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Mr. Myrick asked Mr. Coleman to find out what the decibel level was for the old generator.

(5) **Minutes**

On a motion by Ms. Sauthoff, seconded by Mr. Keller and unanimously carried, the minutes of the September 13, 2017 meeting were approved as submitted.

On a motion by Mr. Myrick, seconded by Ms. Sauthoff and unanimously carried, the meeting was adjourned at 9:50 pm.

Respectfully submitted,

Mary Sernatinger  
Secretary