

Members Present:

Peter Klose (Chairman)
Daniel Jean-Gilles
Alan Englander Alternate
Don Hammond

Also Present:

Walter Sevastian, Village Attorney
Don Yacopino, Building Inspector

Absent: Glenn E. Keene, Peter Voletsky

Called the meeting to order at approximately 7:35 p.m.

1. 231 Main Street. Barry Terach for Travis Monuments.

Property is in DMU Zoning District. Site plan application to install a fence greater in height than 42 inches permitted by Article IV VON§3604.9B(a)[1]. Variance and recommendation to Zoning Board of Appeals required. ARB offered positive recommendation at its meeting of January 18, 2012.

Motion to close public hearing. Klose and Englander second. Vote 4-0.

Recommend variance to 48 inches based on plans submitted dated July 2011, subject to reasonable recommendation by ZBA and ARB. Motion by Klose, second Englander. Passed by vote 4-0.

2. 87 Main Street. Sam Pfeffer for Barsam Realty Corp.

Property is in DMU Zoning District. Application to reduce size of ground floor retail space to 44 feet deep and create two ground floor dwelling units and an office space behind retail space. Variances are required from Article IV VON§360-4.3 Table 4-1 for maximum density of 30 Dwelling Units Per Acre (3.75) where 70 DU/Acre (8) exist and 87 DU/Acre (10) are proposed. Both proposed units of 484 sq.ft. and 536 sq.ft. as well as existing units of 448, 460, 405 and 410 sq.ft. are less than the required 600 sq.ft.. Applicant is seeking recommendation to Zoning Board of Appeals.

Discussion for variances. the first for density the second for size of units.

Question about entrance into the back/side of the building, concerned about safety, loitering, planning aspects of the entrance from the rear side of this property with no access to Main Street. Applicant pointed out that there is an existing entrance on Burd, which is used primarily from the side entry. Residential entry will be on the side of the building near Burd Street. Concern for safety of potential residents. Parking is grandfathered and is not an issue contiguous lots owned. Should this lot be developed, the owner would leave a driveway and parking behind, continue the access for this building.

Density calculations are difficult for this board, but it appears that given the two story nature of the construction, the addition of 2 units is appropriate for the size of the building and adjoining lots.

Adding additional units is positive for the neighborhood. Brings positive atmosphere and appropriate size commercial space and appropriate size residential units.

Move to close public hearing. Motion Klose second Daniel Jean Gilles

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Motion to make a positive recommendation for both variances to ZBA for density based on upgrade of neighborhood and smaller size units in this zone. Motion from Klose, second Daniel. Passed by vote 4-0.

3. 55 Route 59. Howard Geneslaw of Gibbons P.C. for McDonald's Real Estate Company.

Site plan application to demolish and rebuild existing McDonald's restaurant. Awaiting response from Town of Clarksstown, NYS Thruway Authority, Rockland County Department of Planning and NYS Department of Transportation. Included is preliminary report from Village Engineer dated February 28, 2012. Applicant appeared before Architectural Review Board at a workshop meeting of 2/29/2012. A complete plan review has not been completed but applicant is interested in beginning SEQR process and has submitted a Full Environmental Assessment Form-enclosed.

Village Engineer Letter Dated 2/28/12 McDonald's USA, LLC", prepared by Bohler Engineering, dated 2/15/12, sheets 1 through 14 of 14. Boundary and Topographic Survey prepared by Control Point Associates Inc., last revised 9/12/11, 1 sheet. Architectural Plans prepared by Core States Architecture entitled "McDonald's USA, LLC", dated 2/14/12, sheets A2.0, A2.1 and R1.3. The scope of work for the project includes the demolition of an existing McDonald's Restaurant with one drive-thru lane (3540 SF) and re-construction of a new McDonald's Restaurant of a larger size (3911 SF) with two drive-thru lanes.

- The full limit of disturbance shall be indicated including the parking area along Waldron Terrace which is noted to be milled and resurfaced, the landscaped area north of the parking where the new lighting and conduit for the same will be constructed and including the landscaped area to the east of the structure where the proposed landscaping bed is shown.
- A Stormwater management report shall be submitted.-- Member Klose questioned the Applicant about Stormwater maintenance, collection and rain water ponds for green infrastructure. Applicant to re-consider drawings.
- The water line appears to encroach upon adjoining lot 2 Block 1 Section 65.35. This shall be confirmed and re-located if necessary.
- The trash enclosure indicates a water line and hose bib. It appears the intent of the water line is to provide the ability to wash down and sanitize the trash enclosure area. If this is true, Applicant is to provide a drain connection to the sanitary system to intercept this flow.
- An access aisle is proposed in the front of the structure to provide on-site circulation around the structure as well as allow for access from the Waldron Terrace access drive to the drive-thru windows. Members of the Planning Board urged the Applicant to reconsider the traffic flows off of Route 59 and strongly advised the Applicant that the flow of traffic on this site be improved to eliminate pinch points, re-circulation problems, etc.

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- The proposed on-site circulation appears to have points of conflict. Those utilizing the access aisle noted above will conflict with those vehicles entering, those wishing to utilize the drive-thru windows and those wishing to utilize the handicapped stalls.-- Applicant to address these issues.
- Depressed curb at the toe of the handicapped ramp shall be indicated. Spot elevations should be added along the handicapped accessible route to ensure compliance.
- The queue length for those vehicles waiting to place an order appears to be very limited.
- The Board expressed concerns regarding the potential for traffic backing up onto Route 59 due to the congestion and conflicts on the west side of the building.
- The queuing of vehicles wishing to utilize the drive-thru is such that patrons wishing to park and walk into the restaurant will have to walk between the parked cars that are waiting to place an order.
- We recommend a traffic study be performed and the Village retain a traffic consultant to review the increase in the traffic due to the second drive- thru and increase in the building size as well as review the on- site circulation. Chairman Klose to produce a Scoping Document.
- The SEQR Part I notes no trees are to be removed. The plan indicates four (4) trees are to be removed. This inconsistency should be addressed.
- Replacement trees should be proposed in addition to the landscaping currently provided. Board actively engaged the Applicant to consider green alternatives to the site, to improve the location and site, to clean this site up.
- New lighting is proposed for the site. The levels of lighting appear to provide sufficient illumination. The applicant should provide information demonstrating the fixtures have the ability to be shielded so there is no overflow of light over the property lines of the subject parcel.
- A NYSDOT permit is required.
- The full limit of disturbance shall be indicated including the parking area along Waldron Terrace which is noted to be milled and resurfaced, the landscaped area north of the parking where the new lighting and conduit for the same will be constructed and including the landscaped area to the east of the structure where the proposed landscaping bed is shown.

Applicant visited the ARB-- Last Wednesday, Feb. 29, 2012. The ARB members met with representatives from McDonald's Corp. for an informal review of their proposal to demolish and rebuild the local McDonalds. The Planning Board intends to vigorously support the improvement of this location through the suggestions of the ARB. For example, the concerns must be addressed:

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1. East side of the building. That side houses most of the parking and the drive-thru. It is the least welcoming of all the elevations, lacking color, appearing the most industrial.
2. West View-- most inviting and aesthetically desirable elevation faces west- it is obscured by the steep incline to the west and is not highly visible when rising over the crest of the hill when driving eastwards.
3. Reconsider the entrances-- There does not seem to be any clear visual indication of where to enter the building on the east side and the Board was concerned that those parking and any pedestrians on that side will not easily identify the entry. The visual cues are lacking. The Board asked if the colors and materials that identify entry could be carried around to that side of the building. The Board assumed that many pedestrians may be walking down from Waldron terrace. There is no welcoming, visible, pedestrian access.
4. Green Infrastructure-- The Board was also concerned about the aesthetics of the amount of blacktop on the east side required for parking (as planned/exists now). A hope that green buffers could be provided between the fast moving traffic and any pedestrians. We understand this is a planning issue but it is also a visual and perception issue. Concern for pedestrian access from Waldron. Green infrastructure to remove water into permeable parking areas and pavement. Diverting storm water is a key concern.
5. Parking--Concern for traffic patterns. Scope for traffic study is traffic circulation and efficiency of traffic flow concerning entry, exit and on sight traffic.

Applicant requested that the Planning Board declare its intent to be lead agency, and the Board entertained a motion by Chairman Klose that the Planning Board declare as the lead agency status for the SEQR process. Seconded by Jean-Gilles and Voted 4-0. Public hearing in two or so months. Planning Board will circulate intent to declare as lead agency for SEQR. Motion to publish our intent to become lead agency on SEQR process. Motion by Klose second by Hammond. Vote 4-0.

Public Hearing Remains Open.

Other Business:

A motion was made by Chairman Klose, seconded by Member Jean-Gilles, to accept the February 6, 2012 Minutes. Passed by vote of 4-0.

The meeting was adjourned 9:00 PM.