

**VILLAGE DEVELOPMENT REVIEW BOARD
DRAFT MINUTES
October 11, 2017**

MEMBERS PRESENT: Jane Soule, Keri Cole, Wendy Spector, Randy Mayhew, Elizabeth Daniels

MEMBERS ABSENT: None

OTHERS PRESENT: John King, Chris Lloyd, Vassie Sinopoulos, Jill Davies, Daniel Notargiacomo, Mary Houghton, Naomi Malik, Michael Malik, Janet Spangler, John Carlyle, Janet Carlyle, David Darakjy, Kevin Clark, Laurie Marshall, Max Kelly, Michael Brands

I. CALL TO ORDER

Vice-Chair Jane Soule called the meeting to order at 7:30 p.m.

II. PUBLIC HEARINGS

A. Old Business:

1. V-3327-17 John and Karen King

The application is for Site Plan and Conditional Use Approval to construct 4 additional residential units in 2 duplex buildings. The property is located at 25 Lincoln Street and is zoned Residential High Density.

The application was continued from the September 13th meeting to allow the engineer time to improve and correct the site plan, and to address stormwater issues.

After considering his options, Mr. King resubmitted the site plan removing the building to the east. This will reduce both traffic and the impact to the neighborhood issues.

The driveway cannot be built to the 10% grade standard required for new driveways. The driveway would be widened to 20' from the intersection with the street up to the owner's garage. Thereafter, it becomes a 12' wide drive.

The driveway would be sloped towards the west to shed stormwater into a proposed stone lined swale to be placed along the west edge of the driveway. The swale would keep stormwater to the west side of the driveway and into the drainage ditch along Lincoln Street. The street edge has been cleared of vegetation and would be cleaned and reworked to improve stormwater flow.

A 24" long, 8" high berm would be placed at the bottom of the driveway to help guide stormwater to the west and to stop it from flowing into the street.

All driveway and parking areas have an asphalt surface. The grade of the driveway would be lowered slightly, as the excavator would carve into the hill side to create the desired westward slope across the driveway surface.

The proposed building would be placed slightly lower on the west side hill than the original proposal. There would be no change in building size or elevations. The parking area would be the same on the north side of the building. A change in condominium rules would allow one car per unit to park outside the unit.

The building's location may change slightly if ledge is encountered. An amended site plan would be presented for approval should this occur.

A 4' tall stone retaining wall would be placed just north of the parking area. This would taper in from the owner's stone patio and wrap around the west elevation of the proposed building to taper back into the hill. An additional 4' tall stone retaining wall would be placed on the south elevation to create a patio space for the two units.

Two rain gardens are proposed. A schematic of each was presented. The larger rain garden, +/- 50' long would be placed directly north of the proposed retaining wall. A second shorter +/- 30' long one would be placed just south of the proposed driveway and current garage.

The south rain garden is somewhat centered on the lot and is meant to accept stormwater from the southeast portion of the property. The intent is to keep stormwater from entering the driveway and to have it percolate through the rain garden on the west lawn area.

The south rain garden would be connected via underground piping to a 1000 gallon concrete tank which would then enter the larger rain garden. Just north of the larger rain garden, a large flat lawn area would serve as the overflow area.

Mr. King felt the rain garden stormwater system is over designed and should be able to handle potential storm events. The rain barrel concept was removed as they would not be needed with the new system.

Mr. King addressed screening.

The submitted site plan did not include the 6 apple trees to be planted on the hill side just north of the west lawn area. They had been included in the 9/8/17 site plan. The trees would screen views from the street.

Twelve trees are proposed along the eastern property line. They would help screen views from the neighbors to the east.

Eleven trees are proposed on the western property line. Eight trees are proposed due east of the proposed patio and east elevation of the proposed building.

A list of trees to be planted was noted on the site plan. The majority are evergreens with a few birch trees added for diversity.

Mr. King would retain the condominium concept, whereby future owners would adhere to the association rules. Per rules, the driveway and parking areas would be cleared of snow with a snow blower to avoid snow storage areas.

Gooseneck light fixtures similar to those located on the owner's garage would be placed above the proposed garage doors, one per unit centered above the garage doors. Downlit lighting fixtures would be placed on the patio areas on the south side of the building. There would be no spotlights. All lighting would comply with Section 512 Exterior Lighting standards.

All trash and recycling containers would be kept in the garages. On trash pickup day, Casella trucks would back up the driveway to collect trash from the totes to be placed near the applicant's garage.

The questions were opened to the public.

Ms. Spangler, abutter directly across the street, was still concerned with additional vehicles exiting at night. The car lights would shine directly on her home.

Mr. King noted he could plant additional trees but they would not block the lights of cars exiting the driveway.

Mr. Carlyle, 16 Lincoln Street, was concerned with stormwater. Stormwater currently crosses the street and enters his property. He asked what the impervious coverage percentage of the new plan is, the old plan was 32% and the existing situation is 15%.

Mr. King did not have an exact number but the one building proposal would have much less impervious coverage than the two building plan did. The rain garden size was increased and a building was removed, therefore stormwater overflow should be minimized.

Mr. Carlyle stated that an engineer friend felt the previous two building plan's stormwater containment system would not work in a 10 year storm event. All stormwater should be kept on the north side of street. He encouraged the Village to hire an engineer to look into Lincoln Street stormwater issues.

Ms. Davies, North Street resident, stated the Village needs more housing. The general intent of the plan is good.

Ms. Malick, Stanton Street resident, feels the current Village infrastructure would not support additional housing. Should the Village desire more housing then appropriate infrastructure needs to be developed.

Testimony was voted close.

B. New Business:

1. V-3342-17 Max Kelly

The application is for Conditional Use & Subdivision Approval to subdivide parcel 21.53.35. (0.47 acres) into three parcels of 0.13 acres, 0.15 acres and 0.19 acres. The property is located on Atwood Avenue and is zoned Residential High Density.

Mr. Kelly presented the application.

The hearing had been continued from the September 27th meeting to allow time for a site visit. All five VDRB members attended the October 4th site visit. At the site visit it was agreed that the applicant should adjust the lot lines east to improve the location of parcel "A"'s access of off Atwood Avenue.

Mr. Kelly submitted a new 10/10/17 survey with the requested lot line adjustments. The lot sizes change as follows west to east: 5,610 square feet, 6,670 square feet, and 8,110 square feet.

The street frontages (west to east) are changed as follows: +/- 150' (includes Charles Street and Atwood Avenue), 50.5' and 50.2'.

The parking area for each lot was changed. Parking for lots "B" and "C" would be allowed anywhere along the 50' road frontage. Parking for lot "C" is restricted to 38.6' of frontage which is closest to the proposed east lot line.

During the site visit the VDRB recommended that parking for lot "C" be placed as close as possible to the eastern property line to avoid conflict with the sharp and steep corner where Charles Street meets Atwood Avenue.

Each driveway will require a "curb cut" approval from the Village Board of Trustees before a building permit can be issued.

The home sites are sketched on the survey map as potential sites to demonstrate the lot is buildable. The location of each house will be finalized before the administrative building permit can be issued.

The land is very steep. Stormwater is a major concern.

The Town Manager recommended placing a stone-lined swale to divert water into each lot and away from the street. The swale should be constructed to spread water across the property and not to create a narrow stream like flow. This would help reduce stormwater flow along the street. The Town Planner showed the applicant and the VDRB a photograph of a model stone lined swale taken from College Hill Street.

Ms. Daniels noted that there is a culvert under Charles Street midway down the hill that currently handles stormwater.

A sewer right-of-way for the neighboring lot to the east passes through the lower northern portion of the land.

A 1948 30' right of way denoted as a red line on the survey runs through all three lots. Mr. Kelly felt it was an old driveway access to the neighboring lot. The access has not been used in a very long time. Mr. Kelly hopes to have the right of way removed. The proposed house site for lot "A" as currently drawn is within the right of way area. Mr. Kelly noted there is enough room on-site to move the house further north out of the right-of-way area should that be required.

The VDRB reviewed Section 612 Subdivision and Section 810 Conditional Use with the applicant.

Testimony was voted close.

III. OTHER BUSINESS

A. Zoning Officer's Report

The report was issued.

IV. DELIBERATIONS

A. V-3327-17 John & Karen King

After discussion, the following findings of fact were established:

1. The VDRB reviewed numerous renderings, floor plans and site plans of the proposed development. The site plan was changed numerous times, resulting in a final plan submitted on October 11, 2017.
2. The original request was for two multi-family buildings, each of which would contain two 1500 square foot residences. Multi-family applications require a Conditional Use and Site Plan Review.
3. The applicant's property has a 2300 square foot single family house and a 600 square foot apartment above a two-car garage.
4. The parcel contains 1.01 acres. The property is zoned Residential High Density which requires 5445 square feet of land per unit. A 1.01 acre lot could allow up to 8 units on-site.
5. At the October 11th meeting, the applicant reduced his request to one building with two residential units. The building would be built on the west side of the property. This would reduce both traffic and the impact to the neighborhood.
6. A 28' x 56' barn like building with two 1500 square foot residential units would be built into the side hill. The basement level would have a stone veneer. The upper floors would have clapboard siding. The north elevation would be 38' tall, the south elevation would be 28' tall. Each unit would have an unlit 5.5' tall cupola placed above.
7. Each unit would have a 2-car garage in the basement level. An elevator shaft would be built in to access all three floors. The elevator would be the option of the buyer.
8. On October 11, the owner noted the driveway cannot be built to the 10% grade standard required for new driveways. The current driveway grade per Piermont

- Geometrics is 14% for the first 150' of length.
9. Due to the Fire Chief's request, the driveway would be widened to 20' from the intersection with the street up to the owner's garage. Thereafter, it becomes a 12' wide drive.
 10. The driveway would be sloped towards the west to shed stormwater into a proposed stone lined swale to be placed along the west edge of the driveway. The swale would keep stormwater to the west side of the driveway and guide into the drainage ditch along Lincoln Street. The street edge has been cleared of vegetation. It would be cleaned and reworked to improve stormwater flow.
 11. A 24" long, 8" high asphalt berm would be placed at the bottom of the driveway to help guide stormwater towards the west and to stop it from flowing into the street.
 12. All driveway and parking areas would have an asphalt surface. The grade of the driveway would be lowered slightly, as the excavator has to carve into the hillside to create the desired westward slope across the driveway surface.
 13. The proposed building would be placed slightly lower on the west side hill than the original proposal. There would be no change in building size or elevations.
 14. The parking area on the north side of the building would measure 34' x 58' 7". Condominium rules would allow one car to be parked outside each unit.
 15. The building's location may change slightly if ledge is encountered. An amended site plan would be presented for approval should this occur.
 16. A 4' tall stone retaining wall would be placed just north of the parking area. This would taper in from the owner's stone patio and taper back into the hill along the west elevation. An additional 4' tall stone retaining wall would be placed on the south elevation to create a patio space for the two units.
 17. A french drain would be placed along the south elevation and along the south patio retaining wall to carry storm water to the main rain garden.
 18. Two rain gardens are proposed. A schematic of each was presented. The larger rain garden, +/- 50' long would be placed directly north of the proposed retaining wall. A second shorter +/- 30' long one would be placed just south of the proposed driveway and current garage.
 19. The south rain garden is somewhat centered on the lot and is meant to accept stormwater from the southeast portion of the property. The intent is to keep stormwater from entering the driveway and to have it percolate through the rain garden on the west lawn area.
 20. The south rain garden would be connected via underground piping to a 1000 gallon concrete tank which would then enter the larger rain garden. Just north of the larger rain garden, a large flat lawn area would serve as the overflow area.
 21. Screening would be as follows. Six apple trees would be planted on the hillside just north of the west lawn area to screen views from the street. Twelve trees are proposed along the eastern property line to screen views for the neighbors to the east. Eleven trees are proposed on the western property line and eight trees are proposed due east of the proposed building and patio area. A list of trees to be planted is noted on the site plan. The majority are evergreens with a few birch trees added for diversity.
 22. The units would be sold as condominiums. Association rules would be written.
 23. The driveway and parking areas would be cleared of snow with a snow blower. This will avoid the need for snow storage areas.

24. Sewer and water lines would exit the property along the western boundary. Current sewer and water lines run just west of the existing driveway.
25. Gooseneck light fixtures similar to those located on the owner's garage would be placed centered over the proposed garage doors. There would be one light per unit. The lights would be on a timer to turn off by 9:00 - 10:00 p.m. Downlit lighting fixtures would be placed on the patio areas on the south side of the building. There would be no spotlights. All lighting would comply with Section 512 Exterior Lighting standards.
26. All trash and recycling containers would be kept in the respective garage. On trash pickup day, Casella trucks would back up the driveway to collect trash from the totes which would be placed near the applicant's garage.
27. The VDRB held three hearings on August 9, September 13 and October 11. In addition, a site visit was held on August 17.
28. Numerous neighbors noted concerns including stormwater, traffic and character of the area issues.
29. The VDRB reviewed the following sections with the applicant #512 Exterior Lighting, #611 Required Frontage or Access to Public Roads, #809 Site Plan Approval and #810 Conditional Use.

After further discussion, Mr. Mayhew moved with a second by Ms. Cole to approve the application as presented on October 11, 2017.

The motion was approved with a 5-0 vote.

B. V-3342-17 Max Kelly

After discussion, the following findings of fact were established:

1. The owner proposes a three lot subdivision on which to build moderately priced single family homes. Once subdivided the homes would be constructed via an administrative permit.
2. One well would be drilled for the 3 homes. Upgrading the Woodstock Aqueduct's lines, which are old and too narrow (2" diameter), would be too expensive.
3. The homes would be connected to the Town sewer. The sewer line passes through the lower northern portion of the land via a right-of-way to the neighboring lot to the east.
4. During the September 27, 2017 hearing, the VDRB noted concerns with the corner lot traffic conflicts due to a blind and steep corner. The driveway for the corner lot was located near the corner of Charles Street and Atwood Avenue. Charles Street is one of the steepest streets in the Village.
5. A site visit was conducted by the VDRB on October 4, 2017 where it was agreed the lot lines should be relocated east as much as possible. This would improve the location of parcel "A"'s access of off Atwood Avenue. All five members attended.
6. On October 11, 2017 a new survey was presented with the requested lot line adjustments. The lot sizes and frontages changed as follows (west to east): 5,610 square feet / +/- 150' (includes Charles Street and Atwood Avenue), 6,670 square feet / 50.5', and 8,110 square feet / 50.2'.
7. The parking area for each lot was changed and are noted as a yellow overlay on the

survey. Parking for lots “B” and “C” would be allowed anywhere along their 50' of road frontage. Parking for lot “C” is restricted to the 38.6' of frontage which is closest to the proposed east lot line. An area measuring 18' x 18' for two cars, is required for each home.

8. Each driveway would require a “curb cut” approval from the Village Board of Trustees via the Town Manager before a building permit can be issued.
9. The home sites are sketched on the survey map as potential sites to demonstrate each lot is buildable. The location of each house would be finalized before an administrative building permit could be issued.
10. The land is very steep. Stormwater is a major concern.
11. The Town Manager recommended placing a stone-lined swale to divert water into each lot and away from the street. The swale should be constructed to spread water across the property and not to create a narrow stream like flow. This would help reduce stormwater flow along the street. The Town Planner showed the applicant and the VDRB a photograph of a model stone lined swale taken from College Hill Street.
12. A 1948 30' right-of-way denoted as a red line on the survey runs through all three lots. This may have been a driveway access to the neighboring lot. The applicant hopes to have the right-of-way removed. The proposed home site for lot “A” as currently drawn is within the right-of-way area. Mr. Kelly noted there is enough room on-site to move the house further north out of the right-of-way area should that be required.
13. The VDRB reviewed Section 612 Subdivision and Section 810 Conditional Use with the applicant.

After further discussion, Ms. Cole moved with a second by Ms. Spector to approve the application with the following condition:

1. **A stone-lined swale shall be placed just east of each lot line to drain stormwater away from the street in a sheet flow across the proposed lot.**

The motion was approved with a 5-0 vote.

V. APPROVAL OF MINUTES

The minutes of the September 27, 2017 meeting were approved as submitted.

VI. ADJOURNMENT

The Board adjourned at 8:35 p.m.

Respectfully submitted,

Michael Brands, AICP
Town Planner