

MEMBERS PRESENT

Peg Birney
Tom Chang
Mary Hendricks, Alternate
Thomas J. Knips, Chairman
Sheila Lahey, Vice Chair

MEMBERS ABSENT

Brian Callahan
Kevin Cromer, Alternate
Robert Rahemba
David Stenger

OTHER PRESENT

John V. Andrews, Jr., P.E., Town Engineer
Christopher J. Colsey, Town Municipal Development Director
John A. Morabito, Town Planning Consultant
Scott L. Volkman, Esq., Town Planning Board Attorney
Demetreus Moustakas, Quality Inn Hotel
Joseph White, Applicant for 10 Old Route 9 Retail/Restaurant Signage

The meeting was called to order by Thomas J. Knips, Chairman at 7:00 p.m. Mr. Knips appointed Mrs. Hendricks to the Board to fill in for one of the absent members this evening.

Mr. Knips stated that item number 2 under "reviews" Van Wyck Mews - Site Development Plan has been deferred this evening and rescheduled for the October 27, 2007 Planning Board meeting at the applicant's request.

SEPTEMBER 13, 2007 PLANNING BOARD MEETING MINUTES

Mrs. Lahey made a motion to adopt the August 23, 2007 Planning Board Meeting Minutes as amended. Seconded by Mr. Chang. Motion carried.

REVIEW

QUALITY INN HOTEL - SPECIAL USE PERMIT & SITE DEVELOPMENT PLAN

Mr. Moustakas stated that he is before the Board this evening to discuss the lighting plan. Mr. Andrews stated that the lights at the site have been installed in a variety of different positions than what were approved by this Board. Mr. Andrews stated the lights were not supposed to face the highway and obviously I-84 is there and that is why this is before the Board this evening. Mr. Moustakas stated when Morris Associates, his engineers, designed the lighting they did not take into consideration that there was going to be a retaining wall constructed.

Mr. Knips asked if the light fixtures that are on site are the same as those approved by the Board. Mr. Andrews stated that the light wattage is the same but they are not the same light fixtures. Mr. Moustakas stated that they are the same light fixtures, but they were ordered from a different manufacturer, as there was a back order from the original manufacturer. Mr. Knips asked if the mounting heights of the light fixtures changed. Mr. Andrews stated that the heights appear to be the same. Mr. Knips stated that we should have an isometric plan submitted as well.

Mrs. Birney asked if the lights faced out so there is no light shining towards the hotel. Mr. Andrews stated that actually more light appears on the sidewalk before the hotel.

REVIEW
QUALITY INN HOTEL - SPECIAL USE PERMIT & SITE DEVELOPMENT PLAN
(CONTINUED)

Mrs. Birney asked Mr. Moustakas if he had a photograph of the lights from I-84. Mr. Moustakas stated that in reality they brought the lights closer to the hotel. Mr. Andrews stated that he couldn't tell how the lighting patterns change based on the plans that were submitted. Mrs. Birney asked if there were building lights. Mr. Andrews stated no, just a light above the staircase. Mr. Knips stated that this isn't normally what the Board requires for a lighting plan approval the Board usually receives a photometric plan. Mr. Knips stated that it doesn't sound like there are any huge changes. Mr. Knips stated that the Board does have authority to have the lighting adjusted if necessary.

Mrs. Birney asked if photographs could be provided by Mr. Moustakas showing the lights from I-84. Mr. Moustakas stated he can do that but what will these lights will be compared to. Mr. Morabito stated Mrs. Birney is looking to see what they look like not to compare them to anything. Mr. Andrews stated that from his standpoint the lights are simply not, where they were approved. Mr. Andrews stated he does not have enough information as far as what happens at the property line with the lights. Mr. Andrews stated that the only thing different is that the light source is more readily visible on the road-side but whether that creates a glare or not he cannot tell, but the diner does sit down lower than the hotel.

Mrs. Birney asked how things can work better so that we don't end up with this after the fact as it's not good to have this come back to the Board with an As-Built that doesn't match what was approved by the Board. Mr. Andrews stated they actually built this side of building last and they hadn't even finished grading yet when he went for the inspection with Mr. Petrus, Town Building Inspector. Mr. Andrews stated that this was noted back in late July early August with all due respect to Mr. Moustakas. Things happen during construction and there were certain minor adjustments due to rock but when you start changing amenities and site lighting that is a different story. Mr. Andrews stated Mr. Moustakas did come back prior to this for other modifications that occurred in the field.

Mr. Andrews stated he doesn't know how to address Mrs. Birney's question as things do happen in the field during construction. Mrs. Birney stated someone had to know prior to this As-Built being submitted that the lights were going to be installed in a different location. Mr. Moustakas stated that actually the lights were done last and he had them install them as you couldn't put them on top of a retaining wall.

Mr. Andrews stated that Mr. Moustakas is looking to obtain a final C.O. and can't close the project out until he obtains it. Mr. Andrews stated that Mr. Moustakas is under a lot of pressure to close this out from the bank. Mr. Andrews stated that he is trying to figure out the most expeditious way to be able to issue a final C.O. on this project. Mr. Andrews stated that in all reality the lights are not going to change because to physically change their location now is virtually impossible other than putting shields on the lights.

FINAL

REVIEW
QUALITY INN HOTEL - SPECIAL USE PERMIT & SITE DEVELOPMENT PLAN
(CONTINUED)

Mr. Andrews stated that this shouldn't have come to this now as we were discussing changes in July; they should have discussed the lighting at that time, and they didn't.

Mr. Knips stated an isometric plan will need to be submitted and if something needs to be adjusted, it should be and asked that the photographs as requested be provided.

Mr. Morabito suggested that four (4) or five (5) photos be taken along the Quality Inn property line from the inside of the guide rail. Mr. Morabito stated that he wouldn't want to see the Board get into any liability issues regarding the light glare. Mr. Moustakas stated that he would provide the pictures and have his engineer submit the isometric plan.

Mrs. Hendricks suggested to the Board that if they have time after dark to drive by the hotel on I-84. Mrs. Hendricks stated that she does drive by and hasn't seen anything that is offensive or any glare but that she is not a lighting expert.

Mr. Andrews stated the agenda also indicated that Mr. Moustakas is here this evening to discuss the parking - seven (7) parking spaces that are in front of the catering part of the diner. Mr. Moustakas stated that removing these parking spaces looked great on paper as on paper it looked as if the cars would back out into the driveway but this is not the reality of what actually happens on the site. Mr. Moustakas stated that he knows he agreed to remove them but he would like to make them handicap accessible parking or employee parking. Mr. Moustakas stated that when there are meetings, etc. that he uses the catering room for, that these seven (7) parking spaces are flat and go right into the ramp that goes right up into the catering room. Mr. Moustakas stated that it was a mistake on his part to agree to remove them and he would like to make these parking spaces into handicap parking spaces in accordance with whatever the code is for handicap parking spaces. Mr. Andrews stated that you would end up with about five (5) handicap parking spaces so overall the impact is positive. Mr. Andrews stated that he does not have any objection to Mr. Moustakas' request. Mr. Andrews stated that the ramp for the catering area is right in front of the seven (7) parking spaces. Mrs. Birney asked if there is any impact to someone backing out of a handicap parking spot into the a car coming in out of the hotel drive. Mrs. Hendricks stated she went to the site and looked and that she personally doesn't see why handicap parking wouldn't work as during the wintertime having the handicap spots adjacent to the ramp would help facilitate getting a person in a wheelchair into the restaurant and catering room.

Mr. Knips stated that the Chair will entertain a motion that a letter be prepared and signed by the Planning Board Secretary that indicates the Board's acceptance of: the modification of the seven (7) parking spaces being converted into handicap spots and that there is no impact to line of sight, and that the Project Sponsor must submit an Isometric Plan and four (4) to five (5) photographs taken along the Quality Inn property line from the inside of the guide rail. So moved by Mrs. Hendricks. Seconded by Mr. Chang. Motion carried.

FINAL

Mr. Chang made a motion to change the order of the agenda. Seconded by Mrs. Birney. Motion carried.

SIGNAGE
10 OLD ROUTE 9 RETAIL/RESTAURANT

Mr. Colsey reviewed his memorandum to the Board dated September 17, 2007; a copy of this memorandum is attached to the original minutes.

Mrs. Birney stated that the reason for light lettering on a dark background is that it is actually more visible. Mr. White stated if the background should be dark, he could change it. Mr. Morabito stated it would have helped if the architect put the proposed signage actually on the elevation drawings as we could get a better understanding of what the sign would look like on the building.

Mr. Colsey asked if the proposed colors were objectionable to the Board. It was the consensus of Board that the colors as submitted were not objectionable. Mr. White stated he believes the lighter background on the green roof will look better.

Mr. Colsey stated he suggests that the Jungle-Gym sign be with the white background and externally illuminated and placed on the green wall. Mr. White stated that he wants both signs to be uniform so if his choice is a white background that is what he wants the jungle gym to be white - not a blue background.

Mr. Colsey asked how the sign would be externally illuminated. Mr. White asked if they had any suggestions. Mr. Knips suggested the lighting should be from the top of the sign pointing down. Mrs. Hendricks suggested that fluorescent lighting in terms of energy-savings is better. Mr. White agreed with the Board's suggestions and stated that is what agrees to and will limit the glare and that each sign will be 40 s.f. each.

Mr. Chang made a motion that the Board approve the signage for 10 Old Route 9 Retail/Restaurant as presented by Mr. White this evening. Seconded by Mrs. Hendricks. Motion carried.

REVIEW
ZBA REFERRAL - APPLICATION NO.: ZB07-013
HEALEY CHRYSLER-DODGE-JEEP, LLC - 557 ROUTE 52
GB (GENERAL BUSINESS) ZONING DISTRICT

Mr. Colsey stated that the applicant is requesting variances for:

- Four (4) wall-mounted signs where only one (1) is allowed.
- A replacement pole-sign where pole-signs are not allowed.
- Internal illumination on all signs where only external illumination is allowed.

FINAL

REVIEW
ZBA REFERRAL - APPLICATION NO.: ZB07-013
HEALEY CHRYSLER-DODGE-JEEP, LLC - 557 ROUTE 52
GB (GENERAL BUSINESS) ZONING DISTRICT
(CONTINUED)

Mr. Knips stated that the ZBA and the Applicant should be reminded that this Board must make a determination that the signage is a subordinate part of the streetscape. Mr. Knips stated that if the ZBA rules one way or the other that the applicant needs to be informed he still must follow the process through Planning Board Approval.

It was the consensus of the Board that the ZBA not grant any of variances for the signs and that the ZBA allow only the one (1) sign that complies with the Town Code.

Mr. Chang made a motion to close the meeting at 8:00 p.m. Seconded by Mrs. Lahey. Motion carried.

Respectfully submitted,
Debbie Davis
Planning Board Secretary

Attachment

FINAL