

**Planning Board  
January 10, 2017**

The Planning Board meeting was held on Tuesday, January 10, 2017 in the Municipal Center Courtroom. The meeting commenced at 7:00 p.m. with Chairman Jay Sheers, Members Rick Muscat, Patrick Lambert, Gary Barrack, Jill Reynolds, David Burke, and Randall Williams (in at 7:30 p.m.). Also in attendance were City Attorney Jennifer Gray, City Engineer Art Tully, City Planner John Clarke, and Building Inspector Tim Dexter.

**Training Session**

John Clarke presented information to assist members in creating architectural standards to provide a better guide for developers when designing new structures in the Central Main Street, Fishkill Creek, Linkage and proposed Waterfront Development zoning districts. He provided a comparison of historic to modern architecture and outlined four approaches that are applied to new buildings in historic settings – Replication, Traditional, Abstract and Modern. A lengthy discussion took place and members felt consideration should be given to allowing the use of new sustainable materials, some favored allowing abstract features in certain areas other than Main Street, and most felt glass facades would be inappropriate for Main Street. Overall members agreed that each development should be considered on a case by case basis. Discussion of this topic will continue at the next training session.

**Regular Meeting**

Mr. Sheers called for corrections/additions or a motion to approve minutes of the December 13, 2016 meeting. City Attorney Jennifer Gray asked that the Last paragraph on Page 1 be changed to “Ms. Reynolds made a motion to open the public hearing for *subdivision and* amended Site Plan Approval . . .” Mr. Barrack made a motion to approve the minutes of the December 13, 2016 meeting as amended, seconded by Mr. Lambert. All voted in favor. Motion carried.

**ITEM NO. 1 CONTINUE PUBLIC HEARING FOR APPLICATIONS FOR  
SUBDIVISION AND SITE PLAN APPROVAL FOR TWO COMMERCIAL LOTS,  
SUBMITTED BY CERVONE REALTY, 332-334 FISHKILL AVENUE**

Ms. Reynolds made a motion to reopen the public hearing for the project at 332-334 Fishkill Avenue, seconded by Mr. Lambert. All voted in favor. Motion carried. Engineer Steve Burns outlined updates made to the Site Plan which include the addition of a grassy area along the front of the property and a widened grassy area between the parcels. Mr. Burns said the City Planner asked for a street tree in front of the residential building however due to the location of overhead wires along Fishkill Avenue they are proposing a planter at the building’s foundation. Mr. Burns reported he would have the survey by the end of the week.

Mr. Clarke explained the City Code calls for low level plantings and more substantial shrubs, and advised a small street tree should be provided in front of the residential use. He recommended pavement striping be added to delineate the used car sales parking area so they don’t extend beyond the property. Lastly a landscaping plan with a detailed plant list must be provided.

Mr. Russo asked the applicant to provide a certified survey of the property, and that details showing the location of screened refuse disposal, and snow storage areas be added to the plan.

Mr. Sheers opened the floor to the public however no one from the public wished to speak. Members discussed the residential building layout and all agreed that in addition to grassy areas, additional shrubbery and a street tree is needed. Mr. Muscat made a motion to continue the public hearing at the February meeting, seconded by Mr. Williams. All voted in favor. Motion carried.

**ITEM NO. 2 REVIEW APPLICATIONS FOR SUBDIVISION APPROVAL (2 LOTS) AND SITE PLAN APPROVAL TO CONVERT AN EXISTING FOUR-FAMILY DWELLING INTO A TWO-FAMILY DWELLING, SUBMITTED BY BEACON RESIDENTIAL, LLC, 40 NORTH STREET**

Engineer Steve Burns described his client's proposal to subdivide a 20,000 sq. ft. property that has an existing four-family house located between North and South Streets in the R1-5 Zoning District into three separate parcels. The existing 4-family house will be reduced to a less non-conforming 2-family dwelling and the property on South Street will be divided into two 5,000 sq. ft. parcels. The existing sewer line will be disconnected and replaced with a new sewer line connected to the main on South Street. A new driveway will access a four-car parking area to the side of the existing house. Refuse containers will be located to the rear of the building and enclosed with a small fence. Two single family houses similar to those recently constructed near Howland Avenue on Duncan Street will be constructed on the new lots.

Mr. Clarke asked for a certified survey and that any trees over 8-inches in diameter be shown on the plans. The Full EAF must be completed as there are several unanswered questions. He advised that a Special Use Permit is not needed since the pre-existing, non-conforming four-family house is being reduced to a less non-conforming use. A Certificate of Appropriateness will be needed because the property lies in the Historical Overlay District. He asked that additional screening be provided for the parking area.

Mr. Russo advised that a Site Plan is needed for the two-family residence and remaining comments addressed utilities, grading, landscaping, sight distance, and construction details. City Attorney Jennifer Gray asked that they submit a copy of the recorded deed because Dutchess County Parcel Access does not list the current owner.

Principal owner Tim Owen explained the roof is in disrepair and leaking therefore respectfully asked members to consider approving new shingles so the roof can be repaired. A lengthy discussion took place about exterior building renovations which will include restoration of the gingerbread, replacing copper and repointing the chimney. After careful consideration, Mr. Williams made a motion to approve new black shingles for the roof, seconded by Mr. Muscat. All voted in favor. Motion carried.

## **Miscellaneous Business**

### **Zoning Board of Appeals – January Agenda**

Members reviewed the Zoning Board of Appeals' January agenda. Discussion took place with regard to the request to rehear the case for 36 North Cedar Street. Members discussed the determination that was made and understood that in order for the case to be reheard, a unanimous vote of the Zoning Board members would be needed. After careful consideration, Mr. Muscat made a motion to strongly encourage members of the Zoning Board of Appeals to rehear the case with the hope of changing their decision, seconded by David Burke. All voted in favor. Motion carried.

## **Architectural Review**

### **Certificate of Appropriateness – One East Main Street – Sign**

Charlotte Guernsey presented her proposal for signage over a new storefront on the recently renovated building at One East Main Street. Members reviewed the proposed signage and understood that more applications would be forthcoming as the spaces are sold. After a lengthy discussion Mr. Burke made a motion to approve the sign as presented, black background with silver reflective three dimensional raised lettering, seconded by Mr. Muscat. All voted in favor with the exception of Ms. Reynolds who abstained. Motion carried.

### **Certificate of Appropriateness – 192 Main Street; sign**

The applicant was not in attendance however members reviewed the proposed signage and application before the Zoning Board of Appeals seeking relief from the code to exceed the maximum square footage permitted. Members reviewed the sign and questions arose about its placement on the side of the building. Mr. Dexter explained zoning permits the location of the sign is permitted but not the proposed size. After some discussion, Mr. Burke made a motion that a negative recommendation for the variance be sent to the Zoning Board of Appeals, seconded by Mr. Williams. On roll call Mr. Burke, Mr. Williams, Mr. Barrack and Mr. Lambert voted in favor of the motion; Ms. Reynolds, Mr. Sheers, and Mr. Muscat voted against the motion. Motion carried; 4-3. Members took no action on the Certificate of Appropriateness and the item will be added to the February agenda.

Mr. Dexter reminded the Architectural Review Subcommittee of the meeting scheduled for Tuesday, January 17, 2017 at 3:30 p.m. to review the West End Lofts project. There was no further business to discuss and Ms. Reynolds made a motion to adjourn the meeting, seconded by Mr. Williams. All voted in favor. Motion carried. The meeting adjourned at 8:25 p.m. After realizing that one item under Miscellaneous Business item had been overlooked, Ms. Reynolds made a motion to reopen the meeting, seconded by Mr. Lambert. All voted in favor. Motion carried.

## **Miscellaneous Business**

### **Change Meeting Date from Tuesday, February 14, 2017 to Wednesday, February 15, 2017**

Due to Lincoln's Birthday on Monday, February 13, 2017, City offices will be closed therefore Mr. Lambert made a motion to change the next Planning Board meeting from Tuesday, February 14, 2017 to Wednesday, February 15, 2017. Mr. Barrack seconded the motion. All voted in favor. Motion carried. Mr. Barrack made a motion to adjourn the meeting, seconded by Mr. Muscat. All voted in favor. Motion carried. The meeting adjourned at 8:27 p.m.