

"Minutes are not official until approved by their respective board."

TOWN OF FALLSBURG ARCHITECTURAL REVIEW BOARD MEETING

November 2nd, 2017

Joe Lucchese, Chairman, Scott Lederman, Brian Manown, Board Members, Gregg Pitula, Code Enforcement

- Joe Lucchese called the meeting to order.
- September minutes approved

OLD BUSINESS:

1. RACHVES – SBL# 14-1-31/21-1-2.1 – Requests approval for elevations and colors for a proposed duplex development. Zone: R-1. Acres: 45.5. Location: 6279 SR 42, Woodbourne.
 - Applicant was not present at the beginning of the meeting. Applicant was heard after Woodbourne Grocery.
 - Yitzi Brezel represented.
 - Yitzi Brezel: I think Joe is the only one who knows what work went in since yesterday. He had a meeting yesterday with the Town Board, and Joe took off to have that meeting. It is on the recommendation from Mollie and the other consultants from the Town.
 - Joe Lucchese: What we talked about yesterday was getting rid of this.
 - Yitzi Brezel: Getting rid of the windows on the basement.
 - Joe Lucchese: We also talked about getting rid of this, making it a tan color. We also talked about getting rid of this.
 - Yitzi Brezel: That's what I had him do on the one side of the house with the door, and the one side of the house without the door. The only thing they didn't get the chance to finish was the third option. That's like this, different color shutters and different color sidings. That is on the record as far as the coloring and the effect. We did get a sample of the board and baton. This is the look.
 - Joe Lucchese: Did you bring the landscaping plan?
 - Yitzi Brezel: I wasn't told to bring that.
 - Joe Lucchese: Yes, Mollie suggested that.
 - Yitzi Brezel: Mollie suggested that I would show that we were going to put the

bushes in the back and that it would be incorporated into the landscaping plan.

- Marc Hurwitz: One door or no doors in the back?
- Joe Lucchese: I personally think it would be better with no door in the back, and no deck.
- Yitzi Brezel: I agree with Joe. If we have a door, that will create a lot of activity in the back.
- Joe Lucchese: I think that this looks much better, facing the road, than that does. God knows what will be left on there.
- Brian Manown: It looks like a back door to me. Not like a front door. It doesn't create any sense that this is the front of the house, which is what we're trying to do. I agree with you, I'd rather see it just blank. More than that, I'd rather see the front of the house face the street.
- Yitzi Brezel: I wish we could incorporate that.
- Brian Manown: We'd have to rewrite the whole zoning regulations to do that.
- Yitzi Brezel: It's a safety kind of thing.
- Brian Manown: I understand but it is perplexing because for 100 years, everyone else in America has put their front door on the street and no one considered it a safety thing.
- Yitzi Brezel: We're talking about 200 feet away from the road. It's not really the front toward the house. If this was like a typical subdivision, with 50 foot setbacks, of course the right place to put it would be in the front.
- Brian Manown: That's just the difference of interpreting the difference between the highway being the front or the internal street.
- Yitzi Brezel: Like Joe mentioned as far as the landscaping plan, there will be a lot of buffering going on here. You won't be able to see into the project.
- Scott Lederman: I don't care for the idea of seeing the back of the house as we drive by it. My approval was dependent on seeing the landscaping plan and how it gets covered. Honestly, I think one of the major issues that this Board faces and is part of the mission of the Board, is to make the area more welcoming. When I look at the back end of the building, as many as of these duplexes are shown as we go along the roadway, it is not very welcoming.
- Yitzi Brezel: We're talking about 7 buildings that are facing the road.
- Scott Lederman: That we agreed upon back in December. I understand the changes and I understand what that is. We've had other projects where they did accommodate that position. Even turning the building completely around. This concept was the idea of trying to meet that need. We could have the discussion on how to further make this look like the front. As far as putting something over that so it does look like the front. If that's not going to occur, then I would like to see the landscaping plan.
- Yitzi Brezel: That's the idea. Like we spoke at the meeting yesterday, the owner has committed to at least 7 to 8 bushes behind every single one of those units to block off as much of the foundation as possible.
- Joe Lucchese: That would mean there would be 14 to 16 total? 7 to 8 per unit or per duplex?
- Yitzi Brezel: Per duplex.

- Joe Lucchese: Okay, I want to be clear. This is showing 11.
- Yitzi Brezel: If you want it to be 10, we will commit to 10 for those units facing the road. We also added the eye brows. If you don't want them, count them out.
- Joe Lucchese: I just think that will be a headache.
- Yitzi Brezel: It's going to be a headache, but if you think it breaks it up a little bit more.
- Joe Lucchese: Which is the front elevation of this house?
- Yitzi Brezel: That's the front elevation. The idea is that people park in the back of the house.
- Marc Hurwitz: It's a side entrance, not a front.
- Joe Lucchese: Right.
- Brian Manown: As far as renderings, with the number of risers coming up out of this, you better be more than 5 feet above grade.
- Yitzi Brezel: A rendering is a rendering.
- Brian Manown: I may have brought that same point up the last time you were here. These windows will probably be closer to grade too.
- Yitzi Brezel: The idea more was to show that they are not the windows they showed last time that would have required window wells. If you guys would like to see a landscaping plan on the general thing, let's take a vote that contingent to that landscaping plan, you guys are okay with this idea. You guys have to be satisfied with the landscaping plan.
- Joe Lucchese: Here you are just showing the one window in the center. You've eliminated. He is going to try to shift the parking?
- Yitzi Brezel: Yes. We took those out.
- Scott Lederman: These windows are finished?
- Yitzi Brezel: They're sliding, egress windows. They meet all the requirements.
- Scott Lederman: In terms of any kind of...
- Yitzi Brezel: Yes they do get the same idea. Basically the same ideas of the lineals around these windows.
- Scott Lederman: So there will be a 4 inch lineal around it.
- Brian Manown: It's just not shown?
- Scott Lederman: This is just now shown. I'm not sure what that is, it's just not shown.
- Brian Manown: So that lineal will just be applied to the concrete?
- Yitzi Brezel: The window has place to attach to the frame.
- Brian Manown: You know maybe more than anyone else.
- Yitzi Brezel: This is basically what that window looks like.
- Scott Lederman: Good.
- Brian Manown: That doesn't look good to me. That looks like a phalange. You know more than anyone who has appeared before us, I have a problem with how the concrete looks. On top of that, how the windows get finished. In the past, the windows don't get finished.
- Yitzi Brezel: That's the idea. This is the trim.
- Brian Manown: That picture you just showed me looks more like a construction

phalange than a true trim board. The window frame itself protrudes away from it. I can see nails or screws attaching it. That's the purpose of a phalange. If you covered that with an actual trim board, then you can say it is trimmed. I've been making an issue out of this for several years. I have to draw the line somewhere.

- Scott Lederman: A trim just like this right here? That's a trimmed window.
- Brian Manown: Yeah. I could go on about it and explain why it makes a difference.
- Joe Lucchese: Isn't it the same trim being used on these windows?
- Brian Manown: Yeah
- Yitzi Brezel: This is technically a construction site so that's why maybe you see the nails. But then they get corked.
- Gregg Pitula: There is one that goes around it.
- Brian Manown: You know what I am saying Joe.
- Joe Lucchese: I see what you are saying but I didn't see this yesterday. Is it the synagogue?
- Yitzi Brezel: Yes. Same idea.
- Brian Manown: So it doesn't look like that?
- Yitzi Brezel: No it is a finished product. Brian what you brought up, Joe will attest to this, we both stood from a house 20 feet away, then we looked at a house at 175 feet away. 20 feet away you will see the imperfections in the concrete. Look at the same house 175 feet away and you will never see the imperfections. That's the idea of the zoning.
- Brian Manown: Let me give you my interpretation and don't take it personal.
- Yitzi Brezel: I don't.
- Brian Manown: That's a function of the zoning regulations acknowledging that they are just trying to hide something. That's the people idea when they wrote that regulation.
- Yitzi Brezel: I'll explain to you what the Town has explained to us being that these kind of developments have higher density than your single family house. The people driving by, we want to keep it away from their eyes. At 175 feet, it was their decision that this keeps it away from the passerby. We could tell the contractor that he has to be more careful on those seams. As far as being able to see it at that distance...
- Brian Manown: Let me make one more comment. I accept what you've just said, it's a rational explanation. The conflict to my fellow Board members, the conflict exists within the Town. Between the regulations and our mandate to insure a certain quality of construction. It's unresolved and has been for many years. It's the Town's problem because every developer can offer a perfect explanation and rationale for why the 175 setback alleviates all of these aesthetic imperfection and otherwise substandard conditions. I just want you guys to consider that and I want it on record that I think there is a conflict within the Town regulations and the Town's intention. Someday I hope it gets resolved. It's not up to us to reject his design because of this 175 foot setback.
- Joe Lucchese: Just because you can't see it, doesn't mean it shouldn't be done properly. I agree with you.
- Scott Lederman: That really is the issue here. We are turning around and saying

that it is okay to have that amount of concrete exposed without it being treated. Painting is not aesthetically pleasing. Especially since now we're not even showing any kind of front door to it. I would think, at least, the siding down to at least grade.

- Yitzi Brezel: Joe was at the meeting yesterday, the supervisor that has been in this industry said it would be a nightmare to demand siding going down. You will never have foundation on a house sit correct.
- Scott Lederman: We understand that, but we also understand that you can go up 12 inches and square that off. Just like you would square anything else off in a poorly graded area.
- Yitzi Brezel: What I am saying is that the house comes as a house, and then there is foundation. You'll almost never get the house and the foundation to line up correct.
- Brian Manown: I don't think it is up to the Town supervisor or the Code Enforcement officer to determine what is and isn't possible in that situation.
- Joe Lucchese: That wasn't the case, it was a recommendation.
- Brian Manown: It was a recommendation based on his opinion that it is too difficult.
- Yitzi Brezel: His knowledge of the industry.
- Brian Manown: I know construction too, and I know it is difficult. I've brought it up with the developers every time it is presented to us because I know it is a difficult position. Joel Kohn said no problem on one of his projects, and that he would make it work. There are many ways to make it work. None of them are simple. I just don't think it is up to the Town supervisor to determine that.
- Yitzi Brezel: That's a recommendation from his experience. I do want to say, believe you me, the landscaping and putting in 10 trees behind these houses is going to cost the developer double on what they would pay for siding.
- Brian Manown: This is not directed at you. The Town supervisor, the head of the Planning Department has told every single one of us because we met with them before that cost is not to be taken into consideration.
- Yitzi Brezel: I'm saying the opposite, I think landscaping is going to cost double what the siding would cost.
- Brian Manown: We've always been sympathetic to that.
- Yitzi Brezel: We all think that this accomplishes more. Greenery will accomplish more than bringing down siding.
- Scott Lederman: That's an interesting point. I drive by there all the time and will drive by there all the time. When I see Lakeview Estates, I see 4 feet of blue concrete which I think is an eye sore. I think I'd rather see the siding going down to grade, as best as you can make it. It gives better continuity instead of it looking like somehow this building has risen up from the ground 4 feet. Not to mention the air conditioning and the gas that is also facing the road.
- Yitzi Brezel: We always put it on the side of the house.
- Scott Lederman: Thank you. I would rather see the siding come down to grade and save some money on the landscaping. Do something smaller so you don't have to cover as much.
- Yitzi Brezel: I think Joe felt the same way until he came to visit the site. We have incorporated into our Tribeca project is that we alternate the colors of the paint to

match the siding of the house versus one color across the whole thing. It adds a lot to the character. You don't see just blue all over. There will be alternating color on every house. The same thing with the color of the paint as well.

- Scott Lederman: I'm sure the paint does a good part. Let's take the idea at 175 feet going 55 miles an hour, that it does look good. What looks better is the continuity of the building being from the top to the bottom as is most houses I know. I'll be honest with you, in the back of my house I am showing 4 feet of concrete. But in the front, it is down to grade. And the side.
- Yitzi Brezel: I will tell you as far as what the engineer told us yesterday. At the houses facing the road, the amount of concrete you will see will be under 2 feet. If it is under 2 feet, it is silly to do siding. I think it will improve the aesthetics and the look to the passerby to add more landscaping versus trying to push down more siding.
- Brian Manown: He said the grade is going to be?
- Yitzi Brezel: Those units facing the road?
- Joe Lucchese: 4 or 6.
- Brian Manown: Only 2 feet exposed? You'll have to have area ways.
- Scott Lederman: Those windows will not be on those buildings?
- Yitzi Brezel: They will be higher up.
- Brian Manown: You'll have to have window wells.
- Yitzi Brezel: If we have to have window wells, we'll have them. As far as the look, the landscaping is definitely an improvement as per the engineer's opinion.
- Joe Lucchese: I would still like to see landscaping whether the siding goes. I think the landscaping is going to soften it.
- Yitzi Brezel: Landscaping grows.
- Joe Lucchese: A lot of these homes aren't landscaped, that I have seen.
- Yitzi Brezel: You guys have to understand, from the customer's point of view this is their summer home. If we don't put it in now, the chances are very low that they will put it in. Especially in the back. We should do the landscaping.
- Joe Lucchese: The stuff will grow and you won't see that foundation.
- Marc Hurwitz: The point is it is only 2 feet above, compared to what this shows. This is 8 feet.
- Joe Lucchese: Don't forget, there are 7 homes. I don't know how the ground slopes. You may have 3 houses with 3 feet, and you may have 3 houses with 4 feet.
- Yitzi Brezel: The alternating colors I think Joe was pleasantly surprised.
- Joe Lucchese: It looked a lot better than I thought.
- Brian Manown: Does the landscaping plan and the site plan show any fencing? Is there fencing on the project?
- Yitzi Brezel: There is definitely going to be fencing as a safety kind of thing closer to the road.
- Brian Manown: At the property line?
- Yitzi Brezel: Probably yeah.
- Brian Manown: Internally?

- Yitzi Brezel: Internally it is between the units as well.
- Brian Manown: This project was waived from the new zoning regulations. I think the new zoning regulations prohibit chain link.
- Yitzi Brezel: Really?
- Brian Manown: I'm not sure. They haven't been posted yet.
- Yitzi Brezel: Interesting. They always told us they didn't want something where you couldn't look into the project.
- Brian Manown: I'm talking about between the properties. Those are limited to 4 feet.
- Yitzi Brezel: Correct. Anything above 6 feet has to come back to the ZBA for approval. I think at the front, over 4 feet has to go back to the ZBA.
- Joe Lucchese: Gregg, pull out the landscaping plan you have please.
- Scott Lederman: That'd have to be additional landscaping especially to the front.
- Yitzi Brezel: This addition is not going to show on that yet. They are going to get Mari those 2 plans. We are going to put on the record that those plants are going to be a minimum of 3 feet.
- Joe Lucchese: No it's over.
- Brian Manown: Your neighbors to the south requested additional landscaping as well, didn't they?
- Yitzi Brezel: These big trees over here past the parking area, then we are adding this plus around the entrance ways.
- Joe Lucchese: None of these trees are going to be here if the parking shifts. Those trees are gone.
- Yitzi Brezel: It is that amount of trees at least.
- Brian Manown: Anything out in this area?
- Joe Lucchese: There are 2 buildings here I don't know...
- Yitzi Brezel: This one is coming down.
- Joe Lucchese: It looks to me unless they are not showing existing...
- Yitzi Brezel: They show just what we are obligated to add.
- Joe Lucchese: What is there, I don't know. They're not adding anything to the road.
- Brian Manown: A buffer would be created with depth. It wouldn't just be a line of trees, there might be 3 lines of trees and they might be staggered to create the buffer. But there is no buffer. I was just wondering if the Planning Board required a new vegetative buffer of any kind?
- Yitzi Brezel: That's to leave the existing 175 as is, not to touch it.
- Brian Manown: That's what they asked you to do?
- Yitzi Brezel: That is the zoning regulations. The 175 feet you cannot touch, except to put in an access road.
- Brian Manown: No the first 50.
- Yitzi Brezel: The 175 feet of a duplex cannot be touched.
- Brian Manown: You cannot building within the first 175 feet. The first 50 feet cannot be touched. Anything beyond 50 feet is touchable. But I am not sure.
- Gregg Pitula: What's the clarification you need?

- Yitzi Brezel: The 175 foot setback in the front means you can't knock down trees?
- Gregg Pitula: You can't do anything like that.
- Yitzi Brezel: You can add more but you can't take down.
- Brian Manown: I'm surprised they didn't ask that something be added.
- Yitzi Brezel: You could put into your motion that the ARB would like to see some more trees in the buffer area as well.
- Scott Lederman: I think that's a good idea because there is no vegetation there. It is very flat. One barn is going to be taken down and the other converted. Then basically it's nothing.
- Yitzi Brezel: You might even want to add that you want to see what the plan will look like, to your satisfaction.
- Brian Manown: You're thinking of doing that?
- Joe Lucchese: Yeah.
- Brian Manown: That isn't the actual planting or landscaping plan.
- Joe Lucchese: This may be but I don't know. I would assume that this is the newest.
- Yitzi Brezel: Let's have a vote. Do we want to have this 2 tone?
- Joe Lucchese: If it's difficult and it will be bastardized, I don't want to see that. If it will be sloppy.
- Yitzi Brezel: Like you said, it is technically siding material.
- Joe Lucchese: To me I like this without this.
- Yitzi Brezel: Just to have the shutters there?
- Marc Hurwitz: You want it like this?
- Brian Manown: Change that.
- Marc Hurwitz: You want it to be one color?
- Joe Lucchese: There are 3 different.
- Marc Hurwitz: You're saying you like the shutters, not the blue underneath.
- Joe Lucchese; Not that I don't like it, just that if it will be sloppy.
- Marc Hurwitz: Why would it?
- Joe Lucchese: They seem to think it is difficult to do in the field.
- Yitzi Brezel: The sloppiness is on the foundation.
- Joe Lucchese: I do like that, but I like it if it is done properly.
- Brian Manown: It's sloppy because you can't butt those 2 styles without some kind of jay channel. Each one of those may require different kinds of jay channels. Now you're butting 2 different jay channels together to accept 2 different styles.
- Joe Lucchese: I just don't want to see a mess.
- Yitzi Brezel: When we're ready to side the first unit, somebody will come to see what it looks like. If you guys like it we will continue, if not we will scrap it.
- Brian Manown: I agree with Joe it needs to look right. It's only being done on 7 right?
- Yitzi Brezel: Correct.
- Marc Hurwitz: I do like the color.
- Joe Lucchese: I do also. What's your opinion?
- Scott Lederman: If in fact we can get a densely forested landscape within the 175

foot, I don't care what you put there. You don't have to do have the door. You can go 8 feet in the air. As long as I don't have to see it.

- Yitzi Brezel: When you build a project, you can't make your forest in 5 minutes.
- Scott Lederman: I get it. At least I want to see enough trees. I'll live long enough for when I drive by it I won't see it. I don't like it to be honest.
- Menachem Fruchter: I like it without it.
- Joe Lucchese: Okay. We're good with that. So the conditions. Rear outside to have contrast on right and left only. All windows across rear with shutters. 10 plantings per unit.
- Yitzi Brezel: I think you should put in what height they should be.
- Scott Lederman: At least 4 feet.
- Yitzi Brezel: These units are only going to be 2 or 3 feet maximum out of the ground. We spoke yesterday about them starting at 3 feet and then growing.
- Joe Lucchese: So a minimum of 4 feet. 4 foot minimum plantings. Okay. Buffering.
- Scott Lederman: You just talked about buffering?
- Joe Lucchese: This is against the foundation. Now we are talking about buffering.
- Scott Lederman: Within 175. There be at least...
- Discussion.
- Yitzi Brezel: We don't know the number but maybe you should look at the final landscaping plan.
- Brian Manown: We're making a recommendation.
- Scott Lederman: We recommend a landscape buffer.
- Joe Lucchese: We recommend a landscape buffer within the 175 foot setback.
- Menachem Fruchter: Just to clarify, if they go ahead and everything else is approved, that is still approved? That's a recommendation
- Joe Lucchese: Everything is a recommendation.
- Yitzi Brezel: It is a recommendation to the Planning Board.
- Brian Manown: Some are conditions, others are recommendations.
- Joe Lucchese: Against the house are conditions. We are recommending a buffer. We would like to see final landscape plan. Should I put that as one of the conditions?
- Scott Lederman: Yeah, contingent.
- Yitzi Brezel: Is somebody on the Board here enough of a maven to know when they are looking at a landscaping plan?
- Joe Lucchese: I think Brian knows.
- Yitzi Brezel: The question is if that should be something that you guys are recommending that Ken should make a strong point to okay the landscaping plan.
- Scott Lederman: Right and he would show it on the site plan.
- Yitzi Brezel: Ken is the Town's eyes and consultant for the project. You are guys are recommending that he should be specifically observing and checking on the landscaping and the buffer.
- Joe Lucchese: ARB would like to review the final landscaping plan.
- Scott Lederman: I think we should add to this landscaping, both tree and bush, deciduous and conifer.

- Yitzi Brezel: There is in the landscaping plan, trees between every unit.
- Scott Lederman: We are talking about that 175 foot buffer that doesn't show anything yet. You have already chosen trees and bushes. There would be continuity to do that. You might get a better price if you buy in bulk. We don't want redwoods.
- Joe Lucchese: The conditions are. Rear of house to have contrast siding on right and left only. All windows across rear with shutters to have 10 plantings per unit. 4 foot minimum deciduous.
- Yitzi Brezel: Joe, you wrote all the backs of housing will have shutters. We are going to alternate that some will have lineals.
- Joe Lucchese: Yes, but I don't know which houses have and which houses don't have.
- Yitzi Brezel: In the plan it is either shutters or lineals.
- Joe Lucchese: Okay so I will put shutters or lineals. ARB would like to review final landscape plan. We recommend a landscape buffer within the 175 foot setback, both deciduous and conifer.
- Scott Lederman: Do you have anything about the basement windows? About a true finish?
- Joe Lucchese: No because we don't even know if some of these are going to have basement windows until we see the final plan. If he can't shift the parking, there won't be any basement windows. We don't know that until that happens. Put a note in there that all basement egress windows to have finished trim.
- Brian Manown: If it turns out that way it means you can't have any bedrooms in there.
- Yitzi Brezel: It will just be a big play room.
- Joe Lucchese: Okay so we are all good with that. Motion?
 - MOTION:
 - Marc Hurwitz motions for conditional approval with recommendations. Scott Lederman seconds. All in favor.
- Brian Manown: One thing before we close the meeting. If we could scan the decision sheets and send them out with the minutes, that would be helpful to me. I don't want to make more work but it doesn't seem like it would be a lot.
- Gregg Pitula: I'll mention that suggestion.

NEW BUSINESS:

1. WOODBOURNE GROCERY (ZELIG GOLDSTEIN) – SBL# 24-3-7 – Requests approval for a new grocery store. Zone: MX. Location: SR 42, Woodbourne.
 - Joel Kohn, Rachel Goldstein, and Asher Goldstein represented.

- Applicant heard first.
- Joe Lucchese: Anything outstanding?
- Gregg Pitula: No just some agreement that I heard they were going to take down the little picket fence.
- Asher Goldstein: I thought it was nice.
- Gregg Pitula: We will talk about it.
- Joe Lucchese; This is your building yes? Will you tell us about it? Or are you waiting for someone too?
- Rachel Goldstein: He should be here within 2 minutes.
- Joe Lucchese: So we are at a standstill.
- Recorder was paused. Meeting restarted at 7:09.
- Joel Kohn: This was in front of the Planning Board 2 or 3 times. There were public hearings. It is a vacant parcel. There will be parking behind the building. I had a blown up but some of the colors didn't come out right. That's the right color. He finished it the day we had to submit it. I just printed it out and submitted it.
- Scott Lederman: You said parking behind it?
- Joel Kohn: Yes. If you look at the site plan.
- Brian Manown: That's a zoning requirement.
- Joel Kohn: Correct. You have the front side of the building and the left side of the building that will be visible to people passing by. The left side would be coming from Woodbourne toward Fallsburg. This is the front of the building. It will be a metal building, prefabricated. Most of these components are coming from metal. This is a trim board. There is going to be some cultured stone on the bottom. I was supposed to get some samples from the metal building, but I did not get them in time. Lighting will be gooseneck in the front and on the side. The back of the building will have shielded front light.
- Marc Hurwitz: Just to illuminate the parking lot.
- Joel Kohn: Yes.
- Joe Lucchese: Is there any mechanical equipment?
- Joel Kohn: It won't be visible from the front or the side.
- Joe Lucchese: Where will it be?
- Joel Kohn: Behind the building.
- Brian Manown: There won't be any condensers hung on the side of the building?
- Asher Goldstein: All the outside units will be in the back.
- Scott Lederman: All refrigeration?
- Asher Goldstein: All refrigeration.
- Scott Lederman: The parking is for trucks? Loading and unloading? Is it for both?
- Asher Goldstein: Both.
- Scott Lederman: So customers will be parking there?
- Asher Goldstein: Right.
- Joel Kohn: There will be a walkway that will be an ADA compliant walkway on the side of the building going to the front of the building.
- Brian Manown: On grade?
- Joel Kohn: Yes on grade.

- Scott Lederman: Since you are going to have parking behind there, you're not showing anything in back. Customers are going to come around to the front of the store. In order to move groceries to the back, will you have carts? Or they carry by hand?
- Asher Goldstein: Right now, the way I do service, I don't let them take out the wagons. Either they come up with the car or they take them to the car. The wagons will be in the store, they won't be able to take them out. The parking is an extra service I give.
- Scott Lederman: You're going to create it so they cannot take carts outside?
- Asher Goldstein: Right. This is a sidewalk, if someone comes up with a handicap...
- Scott Lederman: I'm talking about the store carts.
- Asher Goldstein: You're not supposed to.
- Scott Lederman: The refrigeration in the back, how will that separate from the parking?
- Joel Kohn: Some of them will run around the building, with some on the side of the building on the ground.
- Gregg Pitula: They want to make sure the units don't hang off the side of the building like Skopps.
- Scott Lederman: Even if they are in back of the building, and you have customers coming through there, you don't want them to have access or their children to have access. Is it on the floor? Enclosed?
- Asher Goldstein: Enclosed.
- Joel Kohn: I think it's a little premature because he doesn't have mechanical designs for the building. He's not sure of how and where it will be located. Essentially, no equipment will be located on the side of the building.
- Brian Manown: We should stipulate that if there is any change to that plan, it should be brought to our attention, the Planning Board, and the Town Board.
- Scott Lederman: A stipulation should be such that the HVC or other refrigeration are enclosed so that children and other adults cannot get to it. As well as people off season who may want to steal things.
- Rachel Goldstein: For beauty also.
- Scott Lederman: Yes.
- Brian Manown: There's a sidewalk at the back of the building, shown along with parking. In this site plan, I realize it is rudimentary. It doesn't appear to be any space in the back of the building to accommodate ground mounted units of any kind. It is suggested that all of the refrigeration equipment should be inside.
- Joel Kohn: Some of the equipment have to be outside.
- Asher Goldstein: The compressors have to be outside.
- Brian Manown: It doesn't appear to be any space for them.
- Joel Kohn: This can be utilized as sidewalk as well. We don't necessarily need this as sidewalk. All the people who will park here will use this as sidewalk. If it is done, it will be modified as sidewalk.
- Brian Manown: This is a loading area?
- Joel Kohn: Yes.

- Brian Manown: Is the loading dock inside?
- Joel Kohn: It's not a loading dock, it's a loading area.
- Brian Manown: It's your plan, that's not up to us. We just want to look at it to understand where that equipment will go.
- Joe Lucchese: The center of the building projects out.
- Brian Manown: The zoning code requires the face of the building to be aligned with existing buildings. It appears as though that it is set back a bit.
- Joel Kohn: The reason for that set back is because if you look at the property line, you see the bump in. The property line bumps in.
- Brian Manown: They don't have a setback requirement.
- Joel Kohn: There is not setback requirement. They kept it straight with this property line.
- Brian Manown: This thing will bump out like that?
- Joel Kohn: It's not going to be all the way, but probably.
- Brian Manown: So you have a couple of columns out here?
- Joel Kohn: Right. There's 12 feet here. It's going to come out 6 or 8 feet?
- Asher Goldstein: 8 feet.
- Joel Kohn: You're still have room for a sidewalk.
- Brian Manown: That's basically a cover for what? It's not above the doors.
- Asher Goldstein: It's protecting the people.
- Joel Kohn: And decorative.
- Asher Goldstein: You come out and you aren't right in the street.
- Brian Manown: Usually there is protection over the entrance. You chose not to do that.
- Joel Kohn: This is above the door. These.
- Brian Manown: Oh okay, a small amount of protection. The doors are on the same plain? They're not recessed?
- Asher Goldstein: Sliding doors.
- Joe Lucchese: The doors are not set back?
- Brian Manown: The doors are not recessed in the door. They're in the wall plain. This little thing is a little awning that projects out. That's what this line is.
- Joe Lucchese: If that's about 6 feet, that's about 18 inches?
- Joel Kohn: It might be 24 inches.
- Brian Manown: The doors are sliding?
- Joe Lucchese: Automatic?
- Asher Goldstein: Not the big ones. One goes that way.
- Brian Manown: So one is active and one is fixed. Okay.
- Asher Goldstein: It will be too crowded to make one in the middle. It's better in and out.
- Brian Manown: Your interior designs wants the doors on the side. I think it is a nice looking metal building.
- Joe Lucchese: Would there be any way to put plantings around the building in pots?
- Asher Goldstein: That's why we put nice stone on the bottom. It makes a nice look.

- Joel Kohn: 36 inches.
- Joe Lucchese: A 3 foot skirt.
- Asher Goldstein: I was thinking about it. Then the railway and the sidewalk going down doesn't leave room for trees.
- Joe Lucchese: Here possibly?
- Rachel Goldstein: Possibly.
- Joe Lucchese: Just to soften it up.
- Asher Goldstein: Even hang it on that pole. Something, yeah.
- Joe Lucchese: You can't do anything on the side where the ramp is, but it would be nice to have something.
- Gregg Pitula: This is all done with the Planning Board?
- Joel Kohn: It needs final Planning Board approval. We had a work session, they wanted us to come before the ARB and then go back.
- Gregg Pitula: My only question is has the projection of the sidewalk been approved by state and all that? I don't know where the property lines are on this picture. I just want to be sure. Those poles on that roof are within the property line?
- Joel Kohn: Yes.
- Gregg Pitula: I just know that the 239 review comes back with comments from the state. The DOT. DOT is aware of the elevation of the front of the building you are proposing tonight?
- Joel Kohn: I'm not sure the DOT saw that.
- Gregg Pitula: You are proposing it to us and for some reason it may not end up looking like that because of DOT restrictions.
- Joel Kohn: If there is DOT restrictions we will come back with a different face of the building. I don't think it will be an issue.
- Gregg Pitula: I know now that the building face comes out with projection because of the columns. They may ask you to eliminate those columns. You never know what the state will do with a 239 review.
- Joe Lucchese: Is the lettering illuminated from behind or just white with the black border?
- Joel Kohn: It will be illuminated from behind or from inside. You're not going to see the light, just the letter.
- Brian Manown: It's individual letters? It's not on a panel of any kind? Right on the metal.
- Asher Goldstein: Yes.
- Scott Lederman: You're going to be illuminating both signs? The one on the side and the front?
- Asher Goldstein: The side?
- Joel Kohn: Are you illuminating this one and this one too? Or just this one?
- Scott Lederman: I would not want you to illuminate on the side.
- Asher Goldstein: I don't think so.
- Brian Manown: They shouldn't have 2 signs. That part we should waive. There is no other street. No public street.
- Marc Hurwitz: There's a street down to the park.

- Brian Manown: That's not a public street. It's private. Technically we need to waive the regulation that you can only have one sign. You can have 2 signs if you are on the corner of public streets. You are not on the corner of public streets.
- Gregg Pitula: Does it say public street exactly in the code?
- Brian Manown: That's our interpretation and we go by that.
- Menachem Fruchter: Is the property behind him a commercial piece of property?
- Brian Manown: It doesn't depend on that, it depends on whether it is public access. If it is a public street.
- Menachem Fruchter: That's how you get down the park.
- Brian Manown: I have no problem granting the waiver. I think technically it should be for the integrity of our decision making process.
- Menachem Fruchter: I don't think it is a public waiver. I think the Town takes care of that.
- Brian Manown: That doesn't mean it is a public street.
- Rachel Goldstein: It's not private, it is a public thing.
- Discussion.
- Joel Kohn: They are going to give the waiver. It doesn't matter. There will never be a building next to it.
- Scott Lederman: As long as you don't light it.
- Brian Manown: You don't want to wait to have that interpreted by 9 other people. We'll just give you the waiver, as long as everyone in agreement.
- Gregg Pitula: I am considering it a street to the park.
- Brian Manown: You don't have to ask anymore. I've talked to several attorneys about that. They don't even agree. We're making our own rules here.
- Joe Lucchese: Where is this picket fence?
- Menachem Fruchter: He has an existing grocery store.
- Joe Lucchese: I'm thinking of something else.
- Menachem Fruchter: If everyone is done asking questions, I will make a motion to approve as we are seeing with the condition that there are no condensers or refrigeration equipment seen from the front or the side of the building.
- Joe Lucchese: And that it is enclosed. I'd also like to see at least 2 stone planters in the front that are planted with something.
 - MOTION:
 - Menachem Fruchter motions for conditional approval. Marc Hurwitz seconds. All in favor.

Scott Lederman motions to adjourn. Marc Hurwitz seconds. All in favor.