

VILLAGE OF HARRIMAN PLANNING BOARD MEETING

Public Hearing

March 17, 2014

Page 1

Chairman Don Danzeisen opened the Village of Harriman Planning Board Public Hearing of March 17, 2014 at 7:30p.m.

ROLL CALL:

Present: Board Members: Don Danzeisen; Chairperson, Frank Borowski, Juan Quinones and; John Russo, Engineer; Kevin Dowd, Attorney; Ron Walker, Building Inspector and Jane Leake, Deputy Clerk/Recording Secretary

Absent: Irma Escallier and Martin Stanise

**TRI-STAR MANAGEMENT – Public Hearing
102-4-1-1.221**

Mr. Anthony Trochiano, Engineer of Pietrzak & Pfau addressed the Board on behalf of Tri-Star Management stating we have here the amended site plan for the existing Commercial property and the property is located at the intersection of NYS Route 17M and Lexington Hill Road. The Existing conditions we have an existing commercial garage with parking lot. The properties currently certified to existing dry well pipe sewerage devises and water to the building is serviced by a connection to the existing water main that runs along the NYS right-a-way. The purpose of the site plan amendment and the application with the Village is there is a problem with parking on this property. There isn't enough for the tenant that was there and the use that is there so what we are proposing with the site plan is to try to alleviate that problem by more than doubling the amount of parking that is there. Right now there are cars parked all over, they are not organized, there is no discipline to the property and what we are trying to do is give the property some discipline and order. Our proposal you can see on the proposed conditions map, the dark shading is where we are proposing additional parking spaces. Mostly in the back and we are going to sort of square off the top of the parking lot on the top, which is on the northerly side of the property. There is existing parking in the front. No stripping, right now the surface is just paved. So we are proposing to do stripping in the existing areas too in order to organize the parking and limit it where it is not allowed. There is a little bit of pavement removal that we are proposing. Some of the pavement is located in the NYS right-a-way. We are going to be removing that and there is some pavement here that won't be utilized so we will be removing that as well. There are two parts of the proposal, 1) we are going to be updating our sewer service. We have some out dated technology here, there are these drywells that are located behind the building and they are going to be located where the proposed parking lot is going to go. So what we are going to propose is to tie into the Orange County Sewer District Central Sewer that is located in the State right-a-way by means of service connection. Part 2) of the project will be to update and clean up the property as a whole; we will be doing some landscape to help screen it and try to elevate the visual impact the property has right now, which will benefit the residents and the community. We are going to be doing a stockade fence along Lexington Hill Road. With evergreen screening around the entire back of the property.

Mr. Danzeisen asked anyone from the Public have any comments?

Mr. Sarajian replied I am here for Michael Hagopian who own property south, two lots over on Route 17M. Is there going to be a fenced in impound lot?

Mr. Russo replied no.

VILLAGE OF HARRIMAN PLANNING BOARD MEETING

Public Hearing

March 17, 2014

Page 2

Mr. Sarajian responded it looks like from the tax map, this is improving the parking, so we are in favor of that and connecting to the sewer we are in favor of. The other question we have is, how are the cars getting in and out of the back because it appears to me that this proposed parking space here (pointing to the map). I don't see how there is room to circulate.

Mr. Russo replied they don't circle around. They actually go around back, pull in, back out and come back out around.

Mr. Sarajian asked are these going to be just storage cars or cars that are waiting for repair or employees or are these going to be members of the Public that have to drive around behind there? Are they going to be designated in any way?

Mr. Trochiano replied they are not designated in any way.

Mr. Danzeisen asked are you going to strip that back area?

Mr. Trochiano replied absolutely.

Mr. Sarajian responded it calls to be striped and 10x20. I checked all that. I just was trying to figure out the circulation.

Mr. Danzeisen asked what happened to the dumpster?

Mr. Sarajian asked what is the aisle here between the parking spaces and the building?

Mr. Trochiano replied it 24 feet.

Mr. Sarajian asked how many different tenants are there going to be in this property?

Mr. Trochiano replied I am not the owner so I don't know the answer to that.

Mr. Sarajian asked the last time this plan was before you there was an issue over the right-a-way.

Mr. Russo replied the County owns that.

Mr. Sarajian stated the County owns the right-a-way up to Lexington Hills and the applicant was supposed to confirm that they had a right to use that right-a-way, it might have been that they were using it informally, but they were supposed to confirm a legal right to use that, did they do that?

Mr. Russo replied we believe they did because there was something in regards to legal language or easement for that access.

Mr. Sarajian responded was that easement cut off by the County or did the County reaffirm that?

Mr. Dowd replied it was not cut off by the County taking ownership.

Mr. Sarajian responded it was not cut off by the County and they confirmed that.

Mr. Dowd replied I had spoken to the County real property tax manager and he said, no it was not cut-off.

VILLAGE OF HARRIMAN PLANNING BOARD MEETING

Public Hearing

March 17, 2014

Page 3

Mr. Sarajian replied but they didn't do it. They could have but they didn't cut it off.

Mr. Dowd responded they didn't cut it off.

Mr. Danzeisen asked any more questions.

Mr. Sarajian responded subject to anything I here from John. We didn't have a lot of issues last time and we certainly don't have a lot this time. It certainly looks like they are improving this property, going onto sewer.

Mr. Russo stated the County came back with local determination and their concern is to ensure proper precautions are taken with regards to on site erosion sediment control throughout the construction phase. We recommend that measures to enhance the quality and quantity of storm water be incorporated throughout the site, due to the increase pavement. I met with Anthony last week to discuss a few items: (1) the plans should be revised to include a Line & Symbol legend. (2) The proposed sewer lateral should include clean-outs at all directional changes along the line. The clean-outs should be called out on the plans. (3) The utility profile should be provided on the plans for the entire run of the sewer lateral. (4) The Village Mayor had submitted a letter to the Planning Board and recommended that the trees be Giant Thujas another type of arborvitae which seem to be a little more deer resistant. (5) Based upon the as built plans for Concord Park the catch basin that they are proposing to tie there storm drainage into is actually in NYSDOT right-a-way, so they will need a work permit. So first they will need approval from DOT for the work and a permit from them for that. In conjunction with that where they are removing the pavement in the State right-a-way that will also require a permit to be done. Have you spoken with Kim Henken at all in regards to this?

Mr. Trochiano replied yes, I spoke to her before we met so I was aware of it, but from that point I was trying to get a copy of the asphalt plan, in which I did. So we are going to be resubmitting to her and any correspondence will copy the Village on.

Mr. Russo stated I also (6) recommended that the existing pavement at the north corner of the parking lot, currently proposed to be stripped, be removed and the area top soiled and seeded. That would be the area near the catch basin where they are going to be proposing to tie in, which Anthony now is saying that is going to be removed out of there. Previously that was shown to be paved out on the plans we have and stripped. You know what is going to happen if they pave it they are just going to put cars there even though it is stripped, so let's just eliminate that. (7) At the entrance way to the site I am recommending that curbing be installed on both sides of the entrance to control that entrance way and to eliminate the parking that is occurring out there right now. I know you have it shown as hatched, but according to the Building Inspector, there are cars through there and right out to the road.

Mr. Trochiano replied I will try to address this a little bit right now, I spoke to the owner of the property and this is something we are not going to be able to accommodate the request on. These are the reasons why: when we took over the site plan (the developer's site plan) there was one that was previously prepared. The major reason why there is a new site plan in front of you today is because of costs and the cost associated with this. As amending the site plan, and I am sure everyone in the room here can appreciate this, is that one of the major items you have considered while we were doing this is the cost of doing it and making sure everything we are doing is warranted and makes sense and right now the purpose of this site plan is to increase parking to alleviate the problem we have. There is an existing egress to the property that is functioning. We understand that there is parking happening in an area it should not, but currently as it exists there is no stripping. There is nothing to indicate to anybody that it is not supposed to be there. I'm not saying that is why they are parking there, but I just know from a

VILLAGE OF HARRIMAN PLANNING BOARD MEETING

Public Hearing

March 17, 2014

Page 4

personal experience, I would park there not knowing without stripping or anything indicating they are not supposed to. It is hard for me or anyone to convey to an owner or piece of property that a solution of stripping, which is a simple in expensive way to get discipline to a property should be replaced with curbing, removal of pavement, so basically reconstructing the entire entrance to the site that is there already.

Mr. Danzeisen stated the problem is I think that piece is on the County right-a-way.

Mr. Russo responded regardless County or not and what work is being done, there is work being done. They will still need to go to the County to get approval and permitting for the work that is proposed. The other thing stripping is not going to guarantee the Village that no one is going to park there. They continue to do it now. They have 10 approved spots and they are out in to the road and that has been the biggest contention with the Building Inspector. Tell me how you are going to, besides stripping; insure that no one is going to be parking in that area?

Mr. Trochiano replied I can't, but right now if we propose stripping here, there is no guess, and it is a violation of the site plan.

Mr. Borowski stated from prior meetings one of the concerns was the amount of room and access in and out of the lot specifically. I think where there is a real concern is if you curb that, are you going to be able to get vehicles in and out, k turns, any type of emergency access if needed, if a car is parked right there?

Mr. Russo replied that access is actually large enough to turn vehicles in and out, but they can also enlarge the entrance way but get rid of some of that pavement that is there. The problem is, they got two cars maybe three cars out encroaching into the road and that is a hazard to emergency vehicles.

Mr. Trochiano responded something I can approach the owner with is, curbing is a hard sale, I mean as you said removing pavement here, maybe I can see, if do-able, say we don't remove the entire thing we keep it wide enough to where we don't have to worry about the radius of turning in. Still it is obviously it is not a place you can park.

Mr. Russo replied that might work.

Mr. Trochiano responded they wouldn't have to pull into the grass.

Mr. Russo stated regardless of what you do, you want to limit the amount of parking that is occurring in there that is becoming an unsafe condition for vehicles leaving and entering the site and for those turning off the main road. As soon as you make a right turn off of that road you come around and there is part of a car sticking out, that is a concern. Like I said, you are going to have to go to the County no matter what.

Mr. Trochiano replied yeah I understand that. I sympathize with what is happening here.

Mr. Russo responded I know no matter what you do, after the fact, they can still wind up parking there.

Mr. Walker stated they park right out on the State right-a-way now. Not now in the winter, but in the summer.

Mr. Trochiano replied I can't see the future but the whole idea here is that we are doubling the parking.

VILLAGE OF HARRIMAN PLANNING BOARD MEETING

Public Hearing

March 17, 2014

Page 5

Mr. Russo asked what about putting bollard after the last parking space there. If you put bollard there then at least they know the limits of where they shouldn't be parking beyond. If they do after this is approved you can start issuing violations on it.

Mr. Walker replied on State property?

Mr. Russo stated if they violate the business, it-self.

Mr. Walker responded for violating the site plan.

Mr. Russo replied parking for the site plan.

Mr. Walker responded I can try.

Mr. Russo asked Kevin will he be able to even though it is on County property?

Mr. Dowd replied yes.

Mr. Russo stated you will be able to according to the attorney.

Mr. Dowd replied I don't see why not, it is a violation of the plan. You have a set up plan and they are not following it, it is a violation. That is why we suggested a bollard. It might be an easier re-fix. To stop them put a chain up between bollard and they can't park there.

Mr. Sarajian stated maybe they can put a small fence and fence that area in. If they are going to have a fence on the north side maybe they can have a small fence along that boundary there. A low split rail fence or something because that is one of our concerns, I showed you the picture. If that area is not protected from parking people will park in it and that will make the intersection dangerous and it negatively affects everything they are trying to do. We are in favor of this plan, but I think John's recommendation is correct. Either, a curbing or a fence, making the curbing come up and plantings, but something has to be done in that area. It would be our position that something should be done in that area.

Mr. Russo replied I understand that you will have to go to the County and get there approval and they are going to want very little in the right-a-way because that puts them at liability.

Mr. Walker stated I think the tenant needs to be aware that there is not supposed to be any parking there. That is where the problem is.

Mr. Russo replied we have made the tenant, or at least the owner, aware a couple of times when he has been here. (8) The proposed limits and /or areas where new pavement is to be installed on site, should be clearly defined and labeled on the plans, including a separate paving plan to show existing pavement, areas of new pavement and areas of pavement to be removed. (9) Although you have oil/water separator snouts being provided in the catch basins, we would recommend the applicant using bio-filtration swale lines. You have swale lines going around, but it would be nice to infiltrate some of that ground water to more or less percolate some of that water into the ground if possible along with doing some water quality while infiltration is occurring.

Mr. Trochiano responded we are going to try to incorporate that into the swale in the back and try to solve that.

VILLAGE OF HARRIMAN PLANNING BOARD MEETING

Public Hearing

March 17, 2014

Page 6

Mr. Russo stated and that would go along further with what the County is also recommending.

Mr. Trochiano replied I think all the interested Agencies involved will be happy to see that.

Mr. Danzeisen asked can you point out where the trash enclosures are?

Mr. Trochiano responded it is going to be located here (pointing to the map) but we are going to propose pavement in line with the screening and the disposal is going to be located kind of at the edge of pavement in the corner.

Mr. Russo replied more or less like turning it 45 degrees, from what they had previously.

Mr. Danzeisen stated alright. Are you going to be able to put fence and screening?

Mr. Russo replied that area is not going to be fenced and screened. They actually have a whole wooden enclosure that is going around it.

Mr. Danzeisen responded that is what I was talking about.

Mr. Russo stated (10) Erosion and sediment control plan on sheet 3 should be revised to show the location of the proposed silt fence. It calls out to a silt fence but there is no silt fence shown on the plan. (11) We recommend that the sizing of the trash enclosure be further looked at, so that the trash hauler can easily remove the dumpsters. The detail appears pretty tight and it appears that it is going to get destroyed.

Mr. Trochiano replied okay.

Mr. Russo stated and (12) copies of all correspondences to and from OCSD No.1 and NYSDOT, since they are going to be heavily involved in this, along with Orange County DPW or whoever you are going to need to contact in the County be provided to the Village Planning Board.

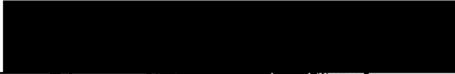
Mr. Walker suggested maybe a note on the plan would be good regarding no parking in that area.

Mr. Russo replied we can have a note added saying no parking within the County parcel/right-of-way/property.

Mr. Danzeisen stated being there is no further input from the Public, I will entertain a motion to close the Public Hearing.

There being no further business, MOTION was made by Juan Quinones to adjourn the Public Hearing at 7:52pm. Seconded by Frank Borowski. All in favor.

Respectfully Submitted:


Jané Leake, Recording Secretary