

**Inc. Village of Northport
UNAPPROVED Minutes of the Planning Board**

March 25, 2019

There was a regular meeting and a public hearing of the Planning Board held tonight at the Northport American Legion, beginning at 7:00pm. Present were: Chairman Richard Boziwick, Pat DeSimone, Paul Ersboll, Robert Flynn, Lizbeth Thalheimer, Ed Gathman, Planning Board Attorney, and Joy Nygren, Planning Board Secretary. Absent was: Tim Brojer, Village Administrator.

Approval of the Minutes

On the motion of Chairman Boziwick, seconded by Mr. Desimone, with Ms. Thalheimer abstaining as she was not present, and all other members in favor, the Board waived the reading of the minutes of the February 26, 2019 meeting. On the motion of Chairman Boziwick, seconded by Mr. DeSimone, with Ms. Thalheimer abstaining as she wasn't present, the Board unanimously approved the minutes of the February 26, 2019 meeting.

Northport Hotel, 225 Main Street – site plan application – final public hearing

Present were Christopher Modelewski, the attorney, Kevin O'Neill, one of the property owners.

On the motion of Chairman Boziwick, seconded by Mr. Flynn, the Board opened the public hearing.

See the transcript.

On the motion of Chairman Boziwick, seconded by Ms. Thalheimer, the Board closed the public hearing.

There was a brief discussion about amending the resolution, and on the motion of Chairman Boziwick, seconded by Ms. Thalheimer, the Board waived the reading of the resolution. On the motion of Chairman Boziwick, seconded by Mr. Flynn, the Board unanimously adopted the following amended resolution:

The following Resolution was offered by,

And seconded by

WHEREAS, 225 Northport, LLC with offices at 250 Main Street, Northport, NY 11768 ("the Applicant"), submitted a site plan application known as The Proposed Northport

Hotel at 225 Main Street Northport, NY 11768 for property at the intersection of Main Street and Woodside Avenue indicated as parcel: 404-10-1.0-34.001, and

WHEREAS, the site plan application was received on October 25, 2017, and

WHEREAS a Steep Slope application was submitted at the same time, and has been reviewed and is considered acceptable, and

WHEREAS, the subject property is located in the "A" Business district, and

WHEREAS, the Applicant intends to demolish the existing building consisting of approximately 17,831 square feet, and to then construct in its place, a new three story hotel/inn consisting of approximately 24,677 square feet which includes a 5660 square foot accessory use restaurant, and a basement area of approximately 488 square feet, as well as a two-tier parking area for 50 vehicles and associated retaining walls in the northern portion of the property, and

WHEREAS, the Village Board of Trustees of the Village of Northport has previously passed legislation permitting a Hotel and restaurant as an accessory use pursuant to legislation passed on August 22, 2017, and

WHEREAS, THE PLANNING Board of the Village of Northport conducted a preliminary site plan hearing on January 29, 2019 and a Resolution granting preliminary site plan approval was passed by the Planning Board on February 26, 2019, and

WHEREAS, Village Board of Trustees has caused a review of the adopted legislation and proposal to erect a 24-room hotel and restaurant as an accessory use pursuant to the State Environmental Quality Review Act (SEQRA) and determined this project is a Type I action and issued a Negative declaration and the SEQRA review is now complete;

NOW THEREFOR it is hereby Resolved as follows:

RESOLVED, that the Planning Board hereby approves the preliminary site application submitted by the applicant and dated October 25, 2017 and hereby grants final site plan approval to the applicant based upon the following submissions:

<u>SHEET/DWG</u>	<u>Title</u>	<u>Dated</u>	<u>Final Revised</u>
Civil Insites			
C-1	Cover Sheet	6-14-18	11-7-18
C-2	Removal Plans	6-14-18	11-7-18
C-3	Dimensional Site Plan	10-31-18	11-7-18
C-4	Grading Plan	6-14-18	11-7-18
C-5	Storm Drainage Plan	6-14-18	11-7-18
C-6	Utility Plan	6-14-18	11-7-18

C-7	Landscaping Plan	6-14-18	11-5-18
C-8	Lighting Plan	6-14-18	11-7-18
C-9	Construction Details	6-14-18	11-7-18
C-10	Erosion & Sediment Control Plan	6-14-18	11-7-18
C-11	Cut & Fill Plan	8-3-18	11-7-18
C-12	Steep Slope Analysis	6-14-18	11-7-18
C-13	Maintenance & Protection of Traffic Plan	6-14-18	11-7-18
Titan Engineers			
RW-300	Retention Wall Location Plan	8-3-18	11-7-18
RW-500	Typical Wall Sections	8-3-18	11-7-18
Hoffman Grayson Architect, LLP			
A-101	Preliminary Basement Plan	10-27-17	11-1-18
A-102	Preliminary Floor Plan	10-27-17	11-1-18
A-103	Preliminary Roof Plan	10-27-17	11-1-18
A-201	Building Design Elevation	10-27-17	10-18-18
A-202	Parking Deck Design Elevation	10-27-17	11-1-18
A-301	Building Sections	10-27-17	11-1-18

Resolved that as a condition of the approval the applicant shall comply with the following items

1. Retaining walls of various designs are shown at a variety of locations in the applicant's Site Plan package as a conceptual design. It is noted that the retaining walls, including any support of excavation required to safely construct the walls, have to be designed to provide stability for the uphill steep slope, adjacent and nearby properties, the site construction elements, and the nearby roadway infrastructure both during and post construction. Based on the conceptual designs submitted, it is recommended that the Planning Board approve the retaining walls conceptual design with the Conditional Approval that the final design will be submitted to the Village during the building permit process for review and approval. In addition, the Applicant shall include the requirement that inclinometers be installed uphill of the retaining walls and monitored on an ongoing basis with reports submitted to the Village building department to assess possible movement of the soils behind the retaining walls. This will allow the Village to monitor the structural and geotechnical stability of the hillside and retaining walls. Details of the inclinometer installation and monitoring program are to be submitted to the Village as part of building permit program.

2. Traffic and Parking

The number of parking spaces provided by the combination of on-site and grandfathered off-site parking meets the parking requirements of the Village code.

As a Condition of Approval (CA) that: the curbside lane on Main Street in front of the Inn shall be designated a fire lane no parking zone; no parking including no stopping or standing will be allowed on Woodside Avenue; parking in the Inn's parking garage will be allowed in designated spaces only; no parking will be allowed in the other areas of the garage including the aisles and access ways into and out of the garage; no valet parking on Village roadways will be permitted for the Inn; in addition, the applicant has indicated that the traffic and parking related to the use of the Inn and Engeman Theater are linked and that the traffic flow that can result by the operation of the proposed Inn in concert with the Theater will not cause any significant impacts to traffic flow or safety. It should be noted that the Planning Board intends to request that the Village Board of Trustees make the two parking spaces along the north side of Main Street just east of the proposed Inn fire lane be made parking with a ten-minute limit. This is intended to enable a more rapid turnover of these parking spaces which should benefit the commercial operations conducted in this area and people parking to visit the post office and assist the Hotel with patron drop off and pickup and deliveries. It is further noted that the Proposed Inn restaurant will be operated as a Quality Restaurant which, by definition, establishes certain traffic volumes for study consideration.

Based on the traffic study response to comments by Dunn Engineering, dated January 2019, the following conditions should also be made a part of the Traffic and Parking CA:

- For motorists exiting the parking structure, sight distance along Woodside Avenue, particularly for those exiting the upper level, is significantly limited by the right-angle horizontal turn in the roadway alignment just north of the structure. Even though speeds of southbound vehicles will be low due to the turn, the sight distance is only on the order of 70 feet, and as a result, is a traffic safety concern. This should be addressed by the applicant's engineer in the final design drawings submitted during the Village building permit process.
- On the lower parking level, columns will restrict maneuverability of motorists into and out of some of the parking spaces. The applicant indicates that the columns are twelve inches in diameter however there is no information provided to indicate whether the column footings are above grade, or whether any protection from vehicle strikes will be provided around the columns as damage to the columns may damage the overall structure. Accurate

representations of the columns (and the column's footings if they are above grade) including any crash protection for them, should be made in the final design drawings submitted during the Village building permit process.

- Signs should be posted at the entrances to the parking structure indicating that parking within it is restricted and not open to the general public for its intended use e.g. hotel and restaurant employees and patrons, only. This should be addressed by the applicant's engineer in the final design drawings submitted during the Village building permit process.
3. The Applicant is required to provide wastewater discharge information to the Village as part of the building permit process to receive Village approval to connect to the Village sewer system and discharge to the Village wastewater treatment plant.
 4. The applicant has provided information indicating the current site buildings are not on a historic registry and that the Inn will not impact the Historical Museum which is on the National Register of Historic Places.
 5. The Northport Fire Department issued a letter in December 2018 providing a list of items they wanted to have addressed in the design of the Hotel. As a CA, it is recommended: that items 1-4 which the applicant agreed to in July of 2018, and 6-8 which the applicant agreed to in July of 2018 be addressed as part of the applicant's submittals during the building permit process; items 5 and 9 be addressed by item 2 above (regarding the designation of the Main Street curbside area in front of the Inn as a Fire Zone with no parking allowed, no valet service on Main Street in front of the Inn, and concern that further congestion and double parking on Main Street will negatively impact the fire department's ability to safely respond to EMS and fire emergencies). In addition, questions relating to building design and fire safety and code requirements were discussed. These issues will be resolved in the submittals made and approval requirements established during the Village building permit process.
 6. Drawing C-2 mentions that abatement of asbestos containing material (ACM) in the existing building will be performed. The applicant has indicated that this will be performed in accordance with regulatory requirements which is acceptable.
 7. A conceptual demolition and construction schedule has been provided and an updated schedule is to be submitted as part of the building permit process.
 8. A preliminary Maintenance and Protection of Traffic (M&PT) plan, including a truck travel route which restricts truck travel to certain streets, has been submitted by the applicant and found to be satisfactory for Planning Board approval. The applicant is to submit a final M&PT for Village review and approval as part of the Village building permit process.
 9. Clean fill may be brought onsite and used in construction. As a CA, this fill must meet New York State Department of Environmental Conservation (NYSDEC)

unrestricted use requirements unless otherwise approved by the Village. This requirement should be included in the design drawings submitted as part of the building permit process. Certification that this material meets these requirements will need to be provided as required in accordance with Village building permits.

10. The applicant will notify the Village 48-hours before commencing work on the site. Notifications should be made to the Village in accordance with Village requirements. Any notifications between the contractor's geotechnical engineer and the applicant's engineer of record, as indicated on the drawings, must include notifications to the Village in accordance with Village requirements. This will be incorporated into the building permit process.
11. Final design drawings including Titan design information are to be submitted by the applicant as part of the building permit process.
12. Areas of disturbance on the steep slopes are indicated on the conceptual drawings submitted by the applicant, however this may change based on retaining wall and support of excavation (SOE) design and field conditions during construction. Any change which results in an increase in the area of steep slope disturbance will require the applicant to request additional Planning Board approval.
13. The drawings submitted by the applicant indicate that the contractor will be responsible to obtain certain permits. The applicant will ultimately be responsible to the Village for obtaining and meeting all permit requirements.
14. The applicant has submitted a geotechnical report which was used to develop the conceptual design drawings submitted to the Planning Board as part of this application. If the applicant determines that soil conditions and related foundation requirements are different than currently anticipated, then these design changes are to be included in the design drawings submitted as part of the building permit process. If the final design changes materially from the site conceptual drawings currently submitted to the Planning Board, then the revised design must be submitted to the Planning Board for approval before construction.
15. Erosion & Sediment Controls and NYSDEC Permit CA: The final design should include a Stormwater Pollution Prevention Plan (SWPPP) which meets NYS and Village code requirements. The applicant is to also obtain a NYSDEC General Permit for stormwater discharges from construction activities considering the site size and that sediment carried in stormwater possibly leaving the site could discharge onto Main Street where it could flow into the storm sewer or down Main Street which then discharges into Northport Harbor. Furthermore, the drawings should indicate that uphill diversion and runoff controls will be provided in accordance with code requirements.

16. Performance Bond requirements are to be developed by the Village when the final design is submitted as part of the Village permitting process. This bond amount is to be submitted to the Planning Board for approval.
17. Issuance of a certificate of compliance, completion or occupancy will require that the Village Building Inspector verify that all work has been completed in accordance with the Village permit.
18. The final design drawings submitted as part of the building permit process are to provide the proposed location and capacity of the solid waste/refuse storage areas and conditions of its operation.
19. The applicant has indicated that, in accordance with code requirements, they intend to screen exposed storage areas, machinery, garbage dumpsters and utility buildings and structures from abutting properties and streets. Likewise, the applicant indicated that they intend to provide buffer planting as a natural screen for adjacent properties. The screening details are to be provided in the final design drawings submitted as part of the building permit process. This must include installing and operating sprinklers to maintain the site landscaping as needed. In the screening plan the applicant intends to construct as indicated in their final design drawings does not comply with the code, then the applicant's submitted plan is to be brought back for Planning Board review, modification if required, and approval.
20. Applicant has conceptually described how the slopes above the retaining walls will be planted and maintained to promote slope stability in accordance with code section 247.6.H.3. This must include installing and operating sprinklers to maintain the site landscaping as needed. Final design drawings are to be submitted by the applicant for Village review and approval as part of the building permit process.
21. Applicant has provided, on the drawings, calculations of percent of building lot coverage and percentage of paved (impervious) area within the property in accordance with code section 247.3.D.6. Final design drawings presenting calculations based on the final design are to be submitted by the applicant for Village review and approval as part of the building permit process.
22. Applicant has provided elevation views of the lower parking lot and upper parking lot in their conceptual drawing's submittal. Final design drawings showing these updated elevation views, as needed, are to be submitted by the applicant for Village review and approval as part of the building permit process.
23. Applicant has provided information on location, height, size and manner of lighting of proposed signs in accordance with code section 247.3.D.8. Final design drawings showing this information, with updates as needed, are to be submitted by the applicant for Village review and approval as part of the building permit process.

24. Applicant has provided conceptual information indicating where snow storage will occur in the on-site garage, and how that could affect the number of on-site parking spaces. Final design drawings showing this information, with updates as needed, are to be submitted by the applicant for Village review and approval as part of the building permit process.

25. The following comments pertain to the demolition plan narrative:

- a. The conceptual demolition plan submitted by the applicant describes demolition followed immediately by construction. If demolition may occur separately from construction, then a demolition plan needs to be provided that doesn't contain building construction elements e.g. SOE for and construction of foundations for the new building. Final demolition plans are to be submitted by the applicant for Village review and approval as part of the building permit process.
- b. The applicant has indicated in their conceptual design submittal that the demolition work will not affect steeply sloped areas of the site. Final design drawings are to be submitted by the applicant for Village review and approval as part of the building permit process. If steep slope areas are to be affected in the final design, then the applicant will need to bring the revised design plans showing steep slope affects to the Planning Board for review and approval.
- c. The applicant has agreed that an engineer will certify that the proposed demolition plan is properly designed including SOE elements, and vibration monitoring to preserve the site and surrounding areas and structures safety and conditions during and after demolition will be provided. This will be presented on the final design drawings submitted by the applicant for Village review and approval as part of the building permit process.
- d. The applicant has conceptually described the measures that will be taken to protect public safety and provide pedestrian and vehicular access during demolition and up to and through construction. The conceptual plan indicates how the sidewalks will be demolished; what steps will be taken to provide safe pedestrian access including the installation of a pedestrian walkway on the west and north side of Woodside Avenue north of the Highway Garage. Actual design details for this work will be included in the final design drawings submitted by the applicant for Village review and approval as part of the building permit process.
- e. E&SC and stormwater permits must be in place and maintained as describe in the comments above.
- f. The applicant has conceptually described the dust control measures which will be implemented during demolition and construction. Actual dust control will be presented on the final design drawings submitted by the applicant for Village review and approval as part of the building permit process.

- g. The applicant has provided a conceptual schedule for the work which includes the estimated number of trucks arriving and exiting the site over what periods of time and which indicates the truck routes that will be followed as there are roads in the area with weight and use restrictions which require Village approval to use. A conceptual M&PT plan has been provided and the final drawings submitted as part of the building permit process are to provide the design details of the truck movements and schedule.
- h. The applicant has agreed that the two 1,000-gallon on-site storage tanks will be removed in accordance with NYSDEC requirements as applicable.
- i. The applicant has provided information in their conceptual design describing the materials that will be used to backfill the new foundation. These materials must meet the clean fill requirements in item 9, above.

26. The final site plan approval shall contain a condition that the restaurant portion of the building shall contain a total of no more than 175 seats, 124 of which shall be regular restaurant seating and the balance in the bar area.

27. Applicant shall install "No right turn" signs in the upper parking lot, prohibiting right turns onto Woodside Ave.

VOTES:	AYES:	NOES:	ABSTENTIONS:
R. Boziwick, Chair	___√___	_____	_____
R. Flynn	___√___	_____	_____
P. Ersbol	___√___	_____	_____
P. DeSimone	___√___	_____	_____
L. Thalheimer	___√___	_____	_____

This Resolution was thereupon declared duly adopted.

320 Main Street – site plan waiver request

Present was Christopher Modelewski, attorney for the applicant.

Mr. Modelewski stated that the applicant intends to only make internal alterations to this site, and that there will be no change to the existing footprint of the building. The Board briefly discussed the matter, and on the motion of Chairman Boziwick, seconded by Ms. Thalheimer, the Board unanimously adopted the following resolution:

Jon-rob Realty Lewis Road Lot Line Change – lot line change application

There was no representation for this matter.

Chairman Boziwick asked the Board if they had any questions on this application, the Board responded that they did not.

On the motion of Chairman Boziwick, seconded by Mr. DeSimone, the Board waived the reading of the resolution.

The following resolution was offered by Chairman Boziwick and seconded by Mr. Ersboll:

WHEREAS, Jonrob Realty Corp has submitted a Lot line change application to the Village of Northport Planning Board for premises known as Lewis Road, SCTM # 404-01-037,038.1 and 051, and

WHEREAS, the application was received on March 16, 2018, for the lot line change as proposed on a survey by Christopher Henn and dated February 6, 2017, and

WHEREAS, a duly noticed public hearing in accordance with the provisions of the Northport Village code was held before the Northport Village Planning Board on February 28,2019, and

WHEREAS, and all interested persons who wished to be heard were heard; and

WHEREAS, the applicant has prepared and submitted the short Environmental Assessment Form (EAF), Part 1, and

WHEREAS, pursuant to 6 NYCRR 617. 5 (c) 16 a lot line adjustment is a Type II pursuant to SEQRA and no further action is required, and

NOW Therefor it is;

RESOLVED, that the proposed lot line change map is hereby granted approval subject to the following conditions which must be completed prior to the signing of the map:

RESOLVED, that approval of this map does not supersede any other conditions that may be imposed by the Village of Northport or by any other governmental agency; and be it further

RESOLVED, that any proposed development shall be subject to all applicable laws, requirements, and regulations of the Village of Northport and all agencies having jurisdiction; and be it further

RESOLVED, that no certificate of occupancy shall be issued on any structure on any of the lots until it is determined that all applicable standards and requirements have been met; and be it further

RESOLVED, that no lot may be further subdivided or changed at any future date in any manner except by action of the Village of Northport Planning Board.

VOTES:	AYES:	NOES:	ABSTENTIONS:
R. Boziwick, Chair	____√____	_____	_____
R. Flynn	____√____	_____	_____
P. Ersbol	____√____	_____	_____
P. DeSimone	____√____	_____	_____
L. Thalheimer	____√____	_____	_____

The resolution was thereupon declared duly adopted.

McRobb/Lombardi Lot Line Change – lot line change application

There was no representation for this matter.

Mr. Gathman stated that he had visited this site, and he requested that the rest of the Board do the same, that it was necessary to see the site to fully understand. The Board agreed to do so.

Ms. Thalheimer announced that her term on the Board is expiring, and that she has decided to retire. Chairman Boziwick thanked her for her many years of service.

On the motion of Chairman Boziwick, seconded by Mr. Flynn the meeting was adjourned. The next regularly meeting of the Planning Board is Tuesday, April 23, 2019.