

**Town of Southeast
Architectural Review Board
1 Main Street
Brewster, NY 10509**

Minutes – June 26, 2019

PRESENT: ✓ John Goudey, Chairman
Thomas Frasca
✓ Mary Larkin
✓ Katherine Weber
Ashley Ley, Town Planner

ABSENT: Virginia Stephens
Victoria Desidero, Administrative Assistant

CALL TO ORDER: 7 p.m.

AGENDA: Pledge of Allegiance

**1. RRACI RESTAURANT, 3670 Danbury Road, (Tax Map ID 68.-2-13) –
Review of an Application for a Sign**

This was a review of an application for a sign as referred by the Building Department. The application contained the following documents:

1. ARB Application, prepared by Hayden Rraci, dated 5/21/19
2. Project Image, Rraci Restaurant, Page Two, prepared by Signarama, undated
3. Project Image, Rraci Restaurant, Page One, prepared by Signarama, undated

Owner Hayden Rraci appeared before the Board. Mr. Rraci said it is a sign to go on the addition that has already been built that is 4 ft. by 30 in. and it is being done by Sign-O-Rama and he showed the Board the drawings completed by Sign-O-Rama. He said it is going to be 1/4 in. metal and the colors are black and silver done in a matte finish. Chairman Goudey said there are no lights up in the soffit, correct? Mr. Rraci said there are underneath the sign that are about 3 in., which was part of the original... Boardmember Weber said I think it's a good-looking sign and Chairman Goudey said I think it's a great looking sign. Boardmember Frasca said the background is what? Mr. Rraci said the background is a cedar board and it's staying there and is not being painted but we may give it a tint of stain to make it a little darker but we may leave it because it will age by itself. The ARB voted to **approve** the application as submitted.

Motion to Approve: Katherine Weber

Seconded: Thomas Frasca

Voice Vote: 4 to 0 with 1 absent

2. HENRY VAN MOTEL, 40 Sodom Road, (Tax Map ID 57.17-1-1) – Review of an Application for a Sign

This was a review of an application for a sign as referred by the Building Department. The application contained the following documents:

1. ARB Application, prepared by Michael Liguori, dated 5/7/19
2. Freestanding Sign Layout and Pricing, Rev. 2, prepared by Sign Language, dated 3/28/19
3. Rendering of New Sign Location, no preparer, no date

Attorney Michael Liguori appeared before the Board with Tom Walsh from Sign Language, the designers, builder and installer of the proposed sign. Mr. Liguori said you may recollect the billboard sign that was previously there that was about 100 sq. ft. and just said the word "MOTEL" on it, which has been removed. He said the proposal is to install a conforming sized sign, which would be 3 ft. by 8 ft. in the same general location so that no variances would be needed to locate the sign. He showed the Board pictures and explained where the sign had been. Mr. Liguori said they are proposing to clean up the area where the old sign was and install the new sign. He showed samples of what the sign will be with the blue and metal as well as the actual color strips from the Pantone chart. It is proposed to be two-sided and will be internally illuminated with LED lighting. Mr. Liguori said they gave some thought as to where to locate the sign: one of the major areas of view would be in front of the Subaru dealership, which is where you would first view the sign. They thought about moving into the driveway some but apparently if you come from the North to the South GPS takes you down Sodom Road and it's important to have signage coming from that direction, he said. This is why it is proposed to relocate it to that area and have it be two-sided, he said. Mr. Liguori said there is an agreement with the neighbor to do some clearing of the brush that's in that area so you get a better view of the sign. Chairman Goudey said the face of the sign is aluminum? Mr. Walsh said that's the sign cabinet, the structure of the sign, and it's a baked enamel and there will be a retainer that will come off and we would slide the acrylic sign in with the lighting internal. He said the lighting is 160-degree angles so there are no hotspots on the face of the sign so it will have a nice, even lighting. Boardmember Frasca said so the whole sign face would be illuminated? Mr. Walsh said yes, it will be subdued because it's a colored background as opposed to a white background. Boardmember Weber said is it on all night? Mr. Walsh said I think it would be. Chairman Goudey said is it on Route 22? Mr. Liguori said no, there's some history there: before Route 22 was formally Route 22 apparently that was a part of Old Route 22 and so that was the rationale for the reference to that even though Sodom Road has been Sodom Road for a long time. He said that area of Sodom Road was apparently part of the old path; before the installation of Route 684 you would come up 22 from Croton Falls and continue up that way until 684 was built. Boardmember Larkin said do you have to have a 911 number? Mr. Liguori said we do, it's 40 Sodom Road. Boardmember Larkin said it should be on the sign. Ms. Ley said it is supposed to be on the sign or the pole. Mr. Liguori said it is on the small sign but that will have to come down and we will have to relocate that number as there is a very small freestanding sign but if it has to be on the signage, we will put it on the pole. Chairman Goudey said it has to either be on the building if it's close enough to the road or displayed somewhere. Ms. Ley said the Building Department will be able to tell you exactly where it needs to be mounted. Chairman Goudey said it does not need to be integrated into this, it can be separate, but it needs to be displayed and the Building Department can tell you. Boardmember Frasca said the firefighters

need to be able to see it. Mr. Liguori said understood, we have a mailbox with the number on it. Boardmember Larkin said there's a specific Code to it. Mr. Liguori said we will do whatever we have to do. Ms. Ley said I think it could be below the sign like on a separate little piece. Chairman Goudey said it's on the mailbox so it may be good. Mr. Liguori said if we could agree that if the regulations require it to be on the sign we will put it on the sign pole and if it can be somewhere else we will put it on the mailbox or the mailbox pole because I think that's probably more appropriate but whatever the condition is we will do. Boardmember Weber said I think it's an improvement. The ARB voted to **approve** the application with the following condition:

1. Add 911 address, as necessary, per Town Code

Motion to Approve: Thomas Frasca

Seconded: John Goudey

Voice Vote: 4 to 0 with 1 absent

**3. WESTCHESTER TRACTOR, 60 International Blvd., (Tax Map ID 45.-1-27)
– Review of an Application for Solar Panels to be Installed on an Existing Structure**

This was a review of an application for a change to an existing structure as referred by the Building Department. The application contained the following documents:

1. ARB Application, prepared by Roy Fredriksen, P.E., dated 5/31/19
2. Series of photos of 60 International Blvd., no preparer, undated
3. Memorandum to Westchester Tractor from Roy Fredriksen, PE, dated 6/11/19
4. PV-1.0, Cover Sheet, prepared by Roy Fredriksen, PE, dated 6/11/19
5. PV-1.1, Single Line Calculations, prepared by Roy Fredriksen, PE, dated 6/11/19
6. PV-0.2, Labels, prepared by Roy Fredriksen, PE, dated 6/11/19
7. PV-1.0, Single Line Diagram, prepared by Roy Fredriksen, PE, dated 6/11/19
8. PV-2.0, Site Plan, prepared by Roy Fredriksen, PE, dated 3/4/19
9. PV-2.1, Solar Layout, prepared by Roy Fredriksen, PE, dated 6/11/19
10. PV-3.0, Ballast Layout, prepared by Roy Fredriksen, PE, dated 3/4/19
11. PV-3.1, Ballast Report, prepared by Roy Fredriksen, PE, dated 3/4/19
12. PV-3.2, Racking Submittal, prepared by Roy Fredriksen, PE, dated 6/11/19
13. PV-4.0, Submittals, prepared by Roy Fredriksen, PE, dated 6/11/19

James Glover and Alex Glover with Green Hybrid Energy Solutions appeared before the Board. Mr. Glover described the application stating that it is a 366kw AC solar system on the roof only of Westchester Tractor. He said the owner is going to offer the energy from the system to the community through a community solar electrical program where the residents in the NYSEG region, whether it be Brewster, Carmel, or Southeast; any region can buy this electricity at a 10% discount so it's helping the environment, the community, and 60 Industrial Lane. Mr. Glover said with regard to the environment, this system will be able to gear up 40 homes for a year; that's the power that it can generate, and it will offset 200 tons of carbon footprint which is the equivalent of driving two vehicles 500,000 miles a year. It is technology that is very safe, he said, and the fire department likes this because if there are any issues with the grid, the system shuts down within three msec. and shuts down at the panel level

and there are 900 panels. He said it's like having 900 AA batteries on the roof, all isolated. Mr. Glover said if they have to service the building for any fire issues, they can do that safely. Mr. Glover, Jr. said the fire access is shown in orange on the layout. Mr. Glover showed the access layout. Mr. Glover said we received four questions when we submitted from the Building Department. The first one was visibility: he explained that it is being placed on the highest elevation in the complex stating that it is 35 to 45 ft. higher. He said there is not a parapet wall on the building itself but it is the highest point on the hill. He showed on the plans where the building is located with regard to the distance from 84 and showed the street view from 84 looking at the building showing the trees blocking the view. Mr. Glover said the second question was the angle and it's a low-profile Unirack R5 system with a five-degree tilt. He said we are using the same system right now in New Rochelle. It is 9 in. off the ground and set back 3 ft. from the edges of the building so there won't be any place where you could see the tip of a panel. Mr. Glover said the other question was reflection: this is a monocrystalline panel, black and showed what it looks like. He said panels are meant to absorb light and not reflect it and it's at a five-degree tilt so the reflection will be minimal. Chairman Goudey said there is no other equipment that's related to this that's visible above the height of these panels? Mr. Glover said there is a demising wall that's about 60 ft. in giving the structure two levels and the wall would be 3 ft. high but given the topography and the height elevations there would be zero visibility. Boardmember Frasca said is there anything that's going to hang off the building? Mr. Glover said there are zero penetrations to the building and one piece of 2 in. conduit that would come off the roof behind the building. He showed where on the building it would be and where the utility transformer will be located and said that is already existing. Chairman Goudey said there is more equipment though, correct? Mr. Glover said there's an inverter mounted on the roof that's 14 in. wide x 8 in. thick x 1 ft. high. He said the sun hits the panels which have positive and negative layers encapsulated inside and when the electrons get charged, they get excited and create a DC current. He said they go into the wire management system passing through the inverter that converts it from DC to AC power, 60 Hz because NYSEG has very specific rules. All that's there are solar panels, wires all below the 9 in. level, the inverter which is 3 ft. off the ground on the 7 ft. wall that is 60 ft. set back from the edge of the building. Boardmember Frasca said how many will there be? Mr. Glover said maybe nine inverters. Chairman Goudey said how thick are the panels themselves and what are they made of? Mr. Glover, Jr. said they're 6.5 ft. by 3.33 ft. and 40 mm thick, which is just under 2 in. Mr. Glover said they are very safe; there's no bleeding, no electrical current coming out, they're not hazardous to the environment, they can't explode, and there are no moving parts. Chairman Goudey said what's the weight and what do you do about wind getting underneath it and lifting it; how are they attached? Mr. Glover said with the low racking and we put a wind reflector behind it you don't need a lot of ballast behind it so it's about 4.5 to 5 lb. per sq. ft. Mr. Glover, Jr. showed how it is done at the New Rochelle project. Mr. Glover said the panels weigh about 40 lb. Ms. Ley said this is a referral from the Building Department so it's an approval. Mr. Glover said if anyone is interested there will be a press release about the community solar telling people about how they can save 10% off their bill. Chairman Goudey said who is that through? Mr. Glover said it's a private group called Power Market. The ARB voted to **approve** the application with the following condition:

1. Panels at 5° tilt, 9 inches tall, mounted 3 ft. from edge.

Motion to Approve: Mary Larkin

Seconded: John Goudey

Voice Vote: 4 to 0 with 1 absent

4. RED ROOSTER, 1566 Route 22, (Tax Map ID 46.-2-43) – Review of an Application for Changes to a Site Plan

This was a review of an application to add a pergola to the existing structure as referred by the Building Department. The application contained the following documents:

1. Color Renderings **DISREGARDING WALLS/SCREENS**, prepared by Image Amazing, Inc., dated 6/11/19
2. Memorandum to Chairman Goudey from Insite Engineering, dated 6/11/19
3. A101 – A109, Pergola Specs, prepared by StruXture Outdoor, dated 4/15/19
4. SP-1, Layout & Landscape Plan, prepared by Insite Engineering, dated 1/4/17; last revised 6/5/19
5. Historic Sites Commission CoA Application for Red Rooster – Pergola, prepared by L. Danielle Cylich, dated 6/12/19

Jamie LoGiudice of Insite Engineering and Architect Ed Loedy appeared before the Board. Ms. LoGiudice said we are back before this Board after attending a meeting with the Historic Sites Committee for the pergola and they approved it as the white pergola without the valances. She said we had provided to this Board images with the valances and ones without them so the Board would have an idea of what it looked like without them for reference. Mr. Loedy said we are hoping this Board will approve the pergola as well because the owners would like to get on with business. Chairman Goudey said the pergola as you're presenting it has no valance, no sides, only structure? Mr. Loedy said just so you understand, we reviewed and presented a number of different valances and ways to try to visually tie the two together, but it was clear that that Board was split but the Chairperson is very strong and I think she prevailed and it never came to a vote other than just the pergola. Boardmember Weber said I would like to compliment the work that you did to integrate the pergola and it's a great solution in my opinion. Mr. Loedy said just for my own information what would happen if this Board really wanted the valances? Chairman Goudey said we're not able to do that; Historic Sites really sets the pace. Ms. Ley said what this Board could do is approve this pergola subject to approval by the Historic Sites and that way you wouldn't have to come back to this Board. The Board discussed the fans, lights, screens, and walls and what could be approved tonight pending the approval of the Historic Sites Commission. Mr. Loedy said what would you be able to approve tonight? Ms. Ley said basically exactly what the Historic Sites Commission approved and it specifically excludes lighting and the fan. Chairman Goudey said the only thing they approved and that we can approve is the structure without the valance, lights, fans, or sides. However, he said, we may include something that says 'if they do eventually agree to the valance as we're looking at it here without changes to it, we would agree that that is acceptable to us.' Ms. Ley said if you wanted fans, lights, walls or screens you would need to come back to this Board. Mr. Loedy said let me look at this because I thought the manufacturer said something about fans. Ms. Ley said the Historic Site Commission said the fans and lights were specifically excluded because they didn't feel they had sufficient information on the fans or the lights. Chairman Goudey said with regard to the valance, we have sufficient information here with great renderings so that is something that we are willing to include. Boardmember Frasca said so, essentially, you will be able to install the pergola; I'm sure when they manufacture those

pergolas there are provisions for future installation of lighting, lamps and drop shades and that shouldn't dissuade you from applying in the future if you want lights. Ms. Ley said the recommendations are no lights or fans, no walls or screens, the valance is approved subject to approval by the HSC, and the pergola is permitted to be installed without the valance. The ARB voted to **approve** the application with the following conditions:

1. No lights or fans;
2. No wall or screens;
3. Valance is approved subject to approval of Historic Sites Commission;
4. Pergola is permitted to be installed without the valance.

Motion to Approve: Katherine Weber

Seconded: Thomas Frasca

Voice Vote: 4 to 0 with 1 absent

5. NYSEG DINGLE RIDGE SUBSTATION, 17 Branch Road, (Tax Map ID 68.-2-8) – Review of an Application for Site Plan Amendment

This was a review of an application for site plan amendment as referred by the Planning Board. The application contained the following documents:

1. ARB Application, prepared by LaBella Associates, dated 6/11/19
2. Project Statement, prepared by LaBella Associates, dated 6/11/19
3. Building Specifications, prepared by LaBella Associates, undated
4. Elevations, Floor Plan and Roof Plan, prepared by Parkline Inc., dated 6/7/17; last revised 3/7/19
5. C-001, Location Plan, prepared by LaBella Associates, dated October 2018
6. C-201, Site & Utility Plan, prepared by LaBella Associates, dated October 2018
7. D-0002, Landscaping Plan, prepared by LaBella Associates, dated 3/22/17
8. C-501, Fence Details, prepared by LaBella Associates, dated October 2018
9. D-1002, Yard Equipment Section & Elevations, prepared by LaBella Associates, dated 3/5/17
10. D-1002 (B), Yard Equipment Section & Elevations, prepared by LaBella Associates, dated 3/5/19
11. Rendering of Proposed Substation, no preparer, undated

Mary Steblein and Tammy Kelley of LaBella Associates appeared before the Board. Ms. Steblein said I have a few additional items as Ms. Ley said I needed to submit a lighting plan, which wasn't part of the original application and there is also an additional rendering with the landscaping shown. She said we are here tonight because we have a Site Plan application before the Planning Board and were referred to this Board. She said I believe the aspects of this application which might be of interest to the Architectural Review Board would be the landscaping, the building itself that we're proposing, the fence, lighting, and small retaining wall. Ms. Steblein said the project is a substation expansion project where the substation will be modernized with the existing substation expanded to the south and east. It includes a new control house and electrical equipment, she said, and the existing control house and equipment would be decommissioned once the new is up and running. Chairman Goudey said what's the size of the building? Ms. Steblein said it is 43 ft. by 32 ft. and the existing one is 216 sq. ft. Chairman Goudey said is it larger

in footprint as well as height? Ms. Steblein said larger in footprint but the height is a negligible change. Chairman Goudey said these plantings are what you're proposing? Ms. Steblein said we focused specifically on the view from Route 6 because it's in the Special Zoning District. She said the Planning Board asked for a landscape plan to provide screening and no one has commented on it to date but this represents the plan we put together. She said the Planning Board did suggest a colored fence instead of the silver fence and the rendering includes a vinyl coated green fence. Chairman Goudey said it's a standard chain link with the vinyl overlay. Ms. Steblein said yes, it is 8 ft. tall with a 1 ft. outrigger and received a variance from the Zoning Board of Appeals for the height. Boardmember Larkin said do you know the size of the trees that will be planted? Ms. Steblein said 7 to 8 ft. and 5 ft. for the arborvitae. Chairman Goudey said that's only on the Route 6 side? Ms. Steblein said the plantings would also be continued along the east side. Boardmember Frasca said your plantings are going toward Clancy's Moving and Storage? Ms. Steblein said it's a vacant lot on the other side. Ms. Ley said the landscaping plan states the fence would be black vinyl coated. She said are you now proposing green? Ms. Steblein said the Planning Board just suggested we look at that and whether it's black or green doesn't matter. Ms. Ley said so this Board should specify which color. Chairman Goudey said access to this site doesn't change? Ms. Steblein said correct, no it doesn't. Chairman Goudey said the fence is completely new? There's a new access, he said. Ms. Steblein said just the two new signs on the south and east sides. Chairman Goudey said what is the view from Branch Road? It's still a public road, he said, so people can see. Ms. Steblein explained where the trees will go and what will be removed and that there will be a temporary road for access but it will go away after construction is complete. Chairman Goudey said what is the view of the structure from the road; will there be a bright new structure right up alongside the road? He said what is the distance from the structure to Branch? Ms. Steblein showed on the map where the structures will be and where the road is as well as what will be seen. There will be a steel electrical structure, she said, and the control house will be behind that. Boardmember Frasca said the structure is going away from Old Route 6 toward Route 6 where there's a higher-grade change. Ms. Kelley said I have a Google Earth picture to share and gave it to the Board. Chairman Goudey said it won't be close to Branch Road and won't be intrusive to neighbors on the Branch Road side? Ms. Kelley said when we build the new control house and remove the existing equipment; the exterior equipment that the customers and people passing by would see is less than what is there now. She said the switch gear on the lower capacity side is going to be inside the building. Chairman Goudey said do you have any samples of what the building will be made of? Ms. Steblein showed an example of a similar building in another location indicating that she would not characterize it as shiny although it's metal. She said the color proposed is desert tan. Boardmember Weber said would you consider something more deer-resistant than the arborvitae? Ms. Steblein said we certainly will research that. Boardmember Larkin said there is a certain kind of arborvitae that is deer resistant so ask the landscaper what they recommend; something like green emerald. Ms. Ley asked if additional screening could be added to the Route 6 side. Ms. Steblein said the rendering is not exactly XYZ accurate and is meant to be a general idea. She said the complicating issue is that there is a new pole (and showed where it was located) and it's connected to the outside system so those wires must remain clear. Chairman Goudey said what is the condition of the current fence on the side not being changed? Ms. Kelley said I believe I was mistaken when I said that it was staying because we are expanding that side so that fence will be replaced as well. The Board discussed the color of the fence and

building. Boardmember Frasca said Old Route 6 and the shrubbery; it seems to me that pulling some of the landscape from the west side to the southeast side makes more sense instead of adding. Ms. Ley said he is saying move it from the Trembley side to the Route 6 side. Boardmember Larkin said there is very deep topo. Ms. Steblein said there is a very steep drop-off in the back. Chairman Goudey said let's move on to the lighting plan and then back to color scheme. Ms. Steblein said the proposed lighting will include four building mounted lights with three on the east and one on the south side. The other lights are clusters around the equipment, she said. There are perimeter lights for security and will be on at night dusk to dawn and three work lights that will only be used if they are out there working. Chairman Goudey said what is the height of the lights? Ms. Steblein said they will all be on 35 ft. wooden poles and showed examples of what the lights will look like. Chairman Goudey said what is the highest point of the structure? Ms. Steblein said poles are 35 ft. 4 in. and there is a small 15 ft. spiraling top so it's similar in that sense. She said showed the Board their idea for security lighting. Chairman Goudey said what's the distance from the fence to the building approximately? Ms. Steblein said at least 15-20 ft. The Board discussed the color of the building and decided on shell gray with white trim and a galvanized roof. Chairman Goudey said are the lights on a timer? Ms. Killian said the security lighting would be dusk to dawn and the additional would only be as necessary. Ms. Ley said when you submit to the Town Board, update all the plans to reflect these changes. She said I added that the fence should be black vinyl; lighting will be black, shell gray building, white trim, and a galvanized roof as well as replacing the Spruce tree after the temporary road is removed. Chairman Goudey said there is signage on the fence now? Ms. Steblein said there is currently and it will change to the new NYSEG colors. Ms. Ley said that requires a separate Sign Permit. Boardmember Frasca said I went to the site and it seems to me that if the building is being moved putting more screening would be good. Ms. Steblein said we already requested a variance from NYSEG's standards to allow us to be closer to the fence than normal; normally it's a 10 ft. clearance and we've requested a 6 ft. clearance to allow for the plantings proposed. Chairman Goudey said with the black vinyl you won't notice it. ARB voted to **positively recommend the application to the Town Board** with the following conditions:

1. Fence will be black vinyl;
2. Lighting full cut-off in black;
3. Shell gray building, white trim, galvanized roof;
4. Replace Spruce tree to be removed from temporary road.

Motion to Approve: John Goudey

Seconded: Katherine Weber

Voice Vote: 4 to 0 with 1 absent

6. BATISTA SOUTHEAST DUNKIN, 1617 Route 22, (Tax Map ID 46.-1-21) – Review of an Application for Site Plan Amendment

This was a review of an application for site plan amendment as referred by the Planning Board. The application contained the following documents:

1. ARB Application, prepared by The Chazen Companies, dated 6/12/19

2. G001, Title Sheet, prepared by The Chazen Companies, dated 12/21/18; last revised 5/20/19
3. SV-1, Existing Conditions Plan, prepared by The Chazen Companies, dated 5/20/19
4. C-130, Site Plan, prepared by The Chazen Companies, dated 5/20/19
5. C-140, Grading & Drainage Plan, prepared by The Chazen Companies, dated 12/21/18; last revised 5/20/19
6. C-150 & 151, Erosion & Sediment Control Plan, prepared by The Chazen Companies, dated 2/4/19;
7. C-160, Utility Plan, prepared by The Chazen Companies, dated 5/20/19
8. C-180, Landscape & Lighting Plans, prepared by The Chazen Companies, dated 5/20/19
9. C-190, Truck Maneuvering Plan, prepared by The Chazen Companies, dated 2/4/19
10. C-530, Site Details, prepared by The Chazen Companies, dated 5/20/19
11. C-540, Storm Sewer Details, prepared by The Chazen Companies, dated 5/20/19
12. C-550, Erosion & Sediment Control Details, prepared by The Chazen Companies, dated 12/21/18
13. C-560, Water System Details, prepared by The Chazen Companies, dated 12/21/18
14. C-570, Sanitary Sewer System Details, prepared by The Chazen Companies, dated 12/21/18
15. C-580, Landscape & Lighting Details, prepared by The Chazen Companies, dated 12/21/18
16. Elevations, prepared by Aharonian & Associates, Inc., dated 5/3/19; last revised 6/24/19
17. Floor Plan, prepared by Aharonian & Associates, Inc., dated 6/26/19

Eric Medeiros of Aharonian & Associates and Owner Steve Batista appeared before the Board. Mr. Medeiros explained the application to the Board stating it is a 2400 sq. ft. Dunkin' Donuts on the corner of Route 22 and Route 312, which is a standalone Dunkin' Donuts with a drive thru. Three of the sides of the building will be facing the road, he said. He said the proposed building is based on the latest Dunkin' branding, which is called Next-Gen. Mr. Medeiros said this is to change the customer experience in the store and adding the new Tap system as well as changing the color palate to gray tones and I have samples of each. Boardmember Weber said I imagine that the Dunkin' brand offers several kinds of models that you can choose from in your design? Mr. Medeiros said essentially, it's one overarching idea and we basically adjust to fit the needs of the Site Plans. He said we are going with fiber cement materials. Boardmember Weber said are there other prefab packages they work with? He said this is definitely it right now although there are options in terms of the brick. Boardmember Weber said to me, it is visually jarring with the big wing on the building that stands out from everything else and it's actually clever because it's not a sign since it is made out of building materials and you have Dunkin' on the top; have they addressed that anywhere else? She said have they addressed it because it is not very attractive in my opinion. Mr. Medeiros said I have seen this specific design go through a handful of Towns and I find that what is considered a sign is based on what is the in the Town's bylaws. He said overall it has been Dunkin's push to feature these flat-roof character buildings with what they call a mot lithe feature that allows them to get their branding. Ms. Ley said this Code just looks at the letters and not the outline of the letters such as height. He said the

idea behind the parapet wall as being built up higher than the rest of the building are made to hide the HVAC units. Mr. Batista said to maintain the building where it was already approved previously as the gas station, we had a proposed retaining wall going in on that site plan. Ms. Ley said I think the buffer actually got a little bit bigger with this project and it eliminated the need for some of the variances that were previously granted. Mr. Batista said the problem was when we were starting construction of the gas station, the involvement with the DOT (Department of Transportation) was becoming enormous for our small business to be able to absorb all that. Boardmember Weber said what's hiding on the roof and how big are those pieces of equipment? Mr. Medeiros said there would be two to three AC units with a typical roof curb and depending on the size of the units it would be 3-1/2 to 4 ft. back behind the parapet that goes all around the building. Chairman Goudey said are there any noise estimations from the mechanicals on the roof? Mr. Medeiros said I don't have that specific information as it depends on the units, we use but we typically find that the high tech/high efficiency units are quiet and the parapet walls maintain much of the noise. Chairman Goudey said I just want you to keep in mind that there is a residence behind it. Boardmember Weber said I would like to see the monolith dropped down so that you get into one level roof because this building is visible from every side and the side of the monolith is quite unattractive. She said there are ways to incorporate the new design colors and elements into the parapet as opposed to a white wall. Chairman Goudey said you don't think that the white parapet wall would lessen the impact of the colored building going up as I think if the side of it were the matching white it would almost disappear coming down. Mr. Medeiros said as an ongoing maintenance issue I would like to point out that as you go into colors, we are having an issue where we remodel our stores every 10 years and sometimes that color gets bleached by the sun and becomes a maintenance issue. Boardmember Weber said it's not the color as much as the monolith attached to that corner so if you drop it down and blend it in might be another way to incorporate it. Boardmember Frasca said or at least reduced or drop it so that you mask it some. Chairman Goudey said in lieu of changing the size of that I think I would frame it and make it disappear more by blending in with the parapet color. Mr. Medeiros said the reason that it's projected as much as it is because they are trying to make the proportions of the monolith match the building. Mr. Medeiros said I'm sure that is something we could entertain. Chairman Goudey said the height to me breaks the building up and I would rather have that than a big long building with one level. Boardmember Frasca said if this parapet was brought around to the south side of the building for the Sign Code... Boardmember Weber said this isn't considered a sign. Chairman Goudey said what looks deceiving in the rendering is that the parapet has no color right now, but I don't find the monolith offensive. Boardmember Frasca said it is 5 ft. 7 in. Chairman Goudey said I don't think it's offensive. Ms. Ley said they have a landscaping plan that shows where the gas line utilities would be on the north elevation so maybe the potential for some additional landscaping on that side to shield some of those utilities? Ms. Ley said there will be no entrance on Route 312 at all; the only entrance will be a right turn in and right turn out for people going southbound on Route 22. Mr. Medeiros said the door you see on the north elevation is the employee loading door with access to the dumpster. Mr. Batista said whatever the Board decides for landscaping I have no problem with changing. The Board discussed the landscaping amongst themselves. Boardmember Larkin said you can't obstruct the view so you don't want a whole lot there. The Board agreed the landscaping plan was satisfactory. Ms. Ley said with the lighting they have wall packs and two fixtures in the parking lot that are simple. Chairman Goudey said there's no lighting over the employee door? Mr. Medeiros

said there is a wall pack above the door. Chairman Goudey said the ladder is galvanized? Mr. Medeiros said it's galvanized but it is technically colored charcoal. Boardmember Larkin said will there be a standalone panel for electrical or just what's shown on the plan? Mr. Medeiros said I'm not sure of that answer but I also don't want to see transformers. He said we had started the submission to NYSEG on a prior project and they never even met us on site. Ms. Ley said it's shown on the landscaping plan and they all seem to be on the north side of the building. Mr. Medeiros said I know the gas is on the north side as well because we were unable to determine the depth of the gas line and NYSEG would only say 'we know where it is in one position only but not anywhere else.' Ms. Ley said there is no septic tank as they are connecting to the sewer treatment plant across the street. Ms. Ley said the signs will need to come back at another time because you didn't file a Sign Permit. Mr. Medeiros said since I am here, how does the Board feel about the signs? Ms. Ley said I think you will need to go before the Zoning Board of Appeals for the quantity of signs. Boardmember Weber said I think a monument sign would look nicer than (inaudible). The Board discussed the different signs. Ms. Ley said all that needs to go through the Building Department and most likely the Zoning Board of Appeals. Chairman Goudey said how do we note about the noise going to the back of the property? Mr. Medeiros said I can put a white picket fence along the edge of the property. Ms. Ley said they make noise panels for roof mounted HVAC. Chairman Goudey said what's the rise in topography in the back? Mr. Medeiros said it's at least 14 ft. The ARB voted to **positively recommend the application to the Town Board** with the following conditions:

1. HVAC on roof behind parapet;
2. Approvals exclude signs;
3. Ladder charcoal to match siding;
4. Noise panels should be considered for HVAC;
5. South elevation parapet should be cobblestone.

Motion to Approve: Mary Larkin

Seconded: John Goudey

Voice Vote: 4 to 0 with 1 absent

7. BREWSTER WOODS CONDOMINIUM RETAINING WALLS, Brewster Woods Drive (Tax Map ID 57.-1-7 – Review of an Application for Retaining Walls

This was a review of an application for retaining walls to be added to a property as referred by the Building Department. The application contained the following documents:

1. ARB Application, prepared by Katonah Management Group, dated 6/12/19
2. B-001, Project Location, prepared by Kevin L. Patton, PE, dated 6/12/19
3. B-101 to B-104, Wall Details & Notes, prepared by Kevin L. Patton, PE, dated 1/21/19
4. Color rendering of wall, no preparer, undated

David Combs, contractor, Kevin Patton, engineer, Ann Loughlin, President of the Board of Managers, and Ellen Farley, Vice President appeared before the

Board. Mr. Patton said the existing walls are timber and are 40 years old and failing. He said the slopes are stable but the facing is starting to collapse and it won't remain stable forever. He said the proposed wall will be segmental block, Unilock slope block as it has a very conventional appearance in Almond Grove. Chairman Goudey said did you bring a sample? Mr. Combs said I have one but it's pretty heavy although if you want me to bring one in I can. Mr. Patton showed a picture to the Board and said that's the type of block that's proposed. Chairman Goudey said are there any other walls nearby of the same type on the property? Mr. Patton said no. Ms. Loughlin said on the facility, no. Ms. Loughlin said we had shorter retaining walls and all different elevations so we are getting rid of all the wood. She said to modernize the walls, we started with the lower retaining walls in the parking areas and put in liberty stone, which is a similar kind of product. She said when we needed to get this done, we wanted something that was durable, low maintenance, and attractive. Mr. Combs said it's a split face and looks like a limestone color. Chairman Goudey said what's the greatest height? Mr. Combs said the maximum height is about 12 ft. behind units 21 through 24. He said there are two walls: one behind units 13 through 16. Mr. Combs showed the existing conditions via pictures to the Board. He said these will be replaced in virtually the same footprint with rounded ends. He said the railing at the top will be replaced with new similar. Ms. Loughlin said its existing and will be replaced. Chairman Goudey said is that part of the project? Ms. Ley said the fencing is going to be replaced in kind with the same exact material? Ms. Loughlin said no, I think it will be Luna or chain-link because where that retaining wall is between 13 to 16, there is a very steep drop off. She said I think it will need to be removed to do the project and we want to replace it with something more durable and we are going to extend the fence through the next building just because it is a steep drop off and it's safer. Ms. Ley said the fence is something that needs to be reviewed by the ARB; do you have any specifications on the fence? Ms. Loughlin said we just got some styles in and we can bring them to you, submit them. She said that's being done by a fencing company. Ms. Ley said you will need to come back for the next meeting next month for the fence. Chairman Goudey said samples would be good as the more that we see the more we can feel from what was installed for the wall and what the fence will look like. Ms. Loughlin said I am curious about the process and impressed by everything so far; So, she said, this is interior in our community so this is still under all your auspices, because from what I had been hearing about, all these projects were adjacent to public areas whereas these walls are not adjacent to any public areas. Ms. Ley said the reason is because your site is Zoned commercial and not residential. She said if you had been Zoned in a residential area, you would not have needed to come to the ARB. Ms. Ley said it includes new construction, projects in subdivisions with more than four units and when it comes to fences, the Board only looks at commercial fences. Chairman Goudey said if you have a picture of the new wall and a sample of the fence or picture, as the more we see, the quicker you are in and out. Ms. Loughlin said the block is special order and will not be in until September. Ms. Ley said I think the Board can vote on the wall tonight and you will just have to come back for the fence. The ARB voted to **approve the application** with the following conditions:

1. Almond Grove wall color;

2. Will come back to ARB for fence on top of wall.

Motion to Approve: Katherine Weber

Seconded: Mary Larkin

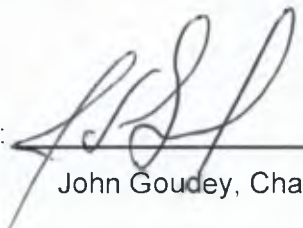
Voice Vote: 4 to 0 with 1 absent

8. Close Meeting

Motion to Approve: Thomas Frasca

Seconded: John Goudey

Voice Vote: 4 to 0 with 1 absent

Signed By:  _____
John Goudey, Chairman

Date: 10/23/19