

Architectural Review Board

Town of Dover
126 East Duncan Hill Road
Dover Plains, NY 12522



(845) 832-6111 ext 100

Special Meeting Monday February 7, 2011 6:00 PM

- Chair Scott Daversa
- Member Brigid Casson
- Member Lloyd Scharffenberg
- Member Jay Murphy
- Member Glenn Nielsen

Also, in attendance Attorney Michael Liguori, Rich Rennia for FreshTown Plaza and Councilwoman O'Neill

Call to Order

The regular monthly meeting of the Town of Dover Architectural review Board Planning Board was called to order by Chair Daversa at 6:00 PM and began with the Pledge of Allegiance

Applications for Review-

CITGO TO LUKOIL - 7063-11-534507-0001
Applicant Getty Petroleum
Plans prepared by Core States Group
Property located at 3160 Rt 22, Dover- in the HM district
Application for Sign review, revised free standing sign
ZBA granted area variance December 8, 2010

Chair Daversa- A complete set of maps has been submitted. As per the plans, all building signs are being removed.

Legally required signage is the exception to the rule.

A request to the Applicant to provide details on the branding to be used on the pumps will be made to complete the signage package. It was agreed this will not hold up approval, but be a condition of approval

Motion made by Member Scharffenberg to approve the plans received 1/26/2011, with the condition the branding for pumps if any will be submitted as part of the final plans for signature; Second Member Murphy

Vote:

Chair Scott Daversa	: <u>AYE</u>	Member Brigid Casson	: absent
Member Lloyd Scharffenberg:	<u>AYE</u>	Member Jay Murphy	: <u>AYE</u>
Member Glenn Nielsen	: <u>AYE</u>		

**Town of Dover
Architectural Design Review Board**

Town of Dover
126 East Duncan Hill Road
Dover Plains, N.Y 12522



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Application Evaluation

Date Submitted: Plans 1/28/2011 Grid #: 7063-11-534501-001
 Project Name: LUKOIL Location: 3160 RT 22 Dover
 Primary Contact: Core States Engineering Phone #: 732 667-9500

Type of Application:		
<input type="checkbox"/> Site Plan	<input type="checkbox"/> Referred by Planning	<input checked="" type="checkbox"/> Referred by Building Dept
<input type="checkbox"/> Excess of 1,000 SQ FT	<input type="checkbox"/> Special Use Permit	<input checked="" type="checkbox"/> Sign Only <input type="checkbox"/> OTHER:
Fees Paid: \$ _____	Escrow Deposit: \$ _____	
SEQRA :		
Lead Agent: <u>Dover ARB</u>		
Classification of Action: Type 1 <input type="checkbox"/> Type 2 <input checked="" type="checkbox"/> Unlisted <input type="checkbox"/>		
Coordinated Review <input checked="" type="checkbox"/> Uncoordinated Review <input type="checkbox"/>		
Determination of Significance: Neg Dec <input checked="" type="checkbox"/> Pos Dec <input type="checkbox"/> Conditioned Neg Dec <input type="checkbox"/>		
Environmental Assessment Form: short <input checked="" type="checkbox"/> long <input type="checkbox"/> none <input type="checkbox"/>		
Review & Response of the Application by the ARB:		
Motion made by: <u>L. Scharffenberg</u> to Approve: <u>Plans submitted 1/28/2011 with provision Pump branding is submitted</u> Seconded: <u>J. Murphy</u>		
VOTE: Chair Daversa: <u>Aye</u> Member Scharffenberg: <u>Aye</u> Member Casson: <u>Absent</u>		
Member Murphy <u>Aye</u> Member Nielsen <u>Aye</u>		
APPROVED: <input type="checkbox"/> APPROVED with CONDITIONS: <u>yes</u> DENIED with Reasons: _____		
Applicant MUST return for further review? <u>NO - ADDITIONAL INFORMATION REQUESTED</u>		
Comments:		
-		
-		
- <u>Applicant to submit details of branding on pumps.</u>		
- <u>not to be lit in any way.</u>		
-		
-		
-		
Comments continued on back: Yes <input type="checkbox"/> No <input type="checkbox"/> initials _____		

ARB CHAIR

2/7/2011
DATE

Attorney Liguori- At this time we do not have a provision in the code to require the ARB Chair to sign the plans, but it would be a good idea.
 Chair Daversa agreed, he currently signs the plans so the Building Inspector knows what the final approval is made by the ARB.

DOVER PLAINS PLAZA-7063-00-509295

Applicant Richard Rennia Jr. for Daniel Katz of Dover Acquisitions

Plans prepared by Rennia Engineering Design

Property located 3081 Route 22, Dover Plains, NY

Application For Site Plan and Special Permit to modify the existing site plan to add a drive up window to the north end of the building on 0.32 acres in the HC district and Aquifer overlay district

Rich Rennia- Since the last time they were before this Board, he went back and measured the signs and produced details of the signs in question. The main plaza sign by rt 22 and the M&T Bank signs, both are internally illuminated. Those are fairly easy to resolve, by just turning off the internal lights, and fit an external lamp on the top. There is also a wall mounted, internally illuminated sign on the southern wall, that detail has been provided.

They all have height concerns.

Tonight's meeting is to talk about possible resolutions of the problems. In the sign regulations it is quite confusing, as to what the actual allowance for group signage is. The height question is - is everybody ok with the height since they are preexisting or should it be cleaned up with a variance, or would the board like it all to come down?

Chair Daversa- this Board can not approve the height, it would have to go for a variance, there are no grades noted here, is there a huge swale by the main sign?

A: Yes, but not 91/4' to solve the height issue. It might be 2-3', when you're on rt 22, the signs are in a hole.

Chair Daversa- Have you talked to M&T

A: No, just the owner of the plaza.

How willing is he to do something with this sign?

A: He does not want to do more than he would have to; he agreed the internal illumination is something he could solve. There can be lighting mounted on top and have it drop down to light the sign. The real issues are the height and the total sign area. We could either work with the sign area that is there now-

Attorney Liguori- There is nothing in the code that says height is measured from an average grade, so the discussion would be with the Building inspector. We understand that these have been pre existing non-conforming for 7+ years, so it should be compliant or as close to compliant as possible.

Chair- there can be a possible recommendation to the ZBA from this Board for a variance. Does M&T need to be on this freestanding, if they have other signage? Landscaping can also help take away some of the height issues, around the base of the sign.

Engineer Rennia- thought about the landscaping recommendations made at the previous meeting, there are 6' high snow banks now that is a prefect example of what can happen during winter.

Chair Daversa- Agreed, but if you're looking for help in reducing the height, there are plantings, that could handle it and reduce the height. If there are bushes or shrubbery that grows a few feet tall, then it won't seem so bad.

Engineer Rennia- Inside a raised planter? A: No, you don't have to, but if you did more it would take away from the height of the sign. M&T- can certainly reduce the size of their sign- right now it's 42 square feet. It doesn't have to be that big.

Engineer Rennia- The M&T sign if it were lower to the ground and it were externally lit?

A: (Member Scharffenberg) there is no reason to go any higher than what the regulations allow.

Chair Daversa- I've driven past, and the main plaza sign just doesn't seem like its 20' tall.

Engineer Rennia- It seems like the regulations were written for hamlet areas, which that area is highway commercial, it is more difficult to apply hamlet sign regulations to a highway commercial area.

Chair Daversa- I think this Board would support a variance for the Main Plaza sign maybe with landscaping to soften the look. The M&T sign is too big for just one business. If they could do a 4X4 panel, that would be great.

Attorney Liguori- There is no reason why the panel couldn't be reduced, since it's for one business to get it to the 10'.

Member Scharffenberg- They have a 4X5 panel in the wall mounted sign so they have the stock for that sign.

Engineer Rennia- If they were to use the same base that is currently there-

Chair Daversa- It's 42 square feet right now- This base is 6' wide- 4' would have to be the top, the height.

Member Scharffenberg- the "24 hour banking" sign would also have to be reduced, since it would be out of proportion.

Engineer Rennia- that can be worked out, we can back into that number

It was agreed to remove the M&T sign from the main plaza menu sign
At this time, the Planning Board will be completing SEQRA later tonight at their meeting. They then have 62 days to make their determination.

Chair Daversa- So at this time, they (the Applicant) will seek a variance for the height of the Main Plaza sign.

Engineer Rennia- Before we talk about planning Board, let's determine, that one sign makes more sense than two. If so, then the site plan will not be changed for the planning Board. The footprint of the sign will remain.

Chair Daversa- Agreed

Member Scharffenberg- Do we have to deny the sign, in order for them to go to the ZBA?

Attorney Liguori- If there is a site plan approval pending, and then you do not need a denial by the building inspector or another board to go to the ZBA.

Engineer Rennia- So the M&T sign, we will look to bring it down to 10' and then we will work to reduce the area of the sign starting with the 16 square feet.

Chair Daversa- It's understood that the base is already there, so if they kept with 6' wide and went to 4' high, then it would be 24 square feet, and would be a simple variance or it might even be something we can look at with sign bonuses. No matter what you'll have to go to the ZBA for the main plaza sign.

Attorney Liguori- This board should look at whatever you plan to present to the ZBA, then they can make a proper recommendation. Will also check with past Code Enforcement officer, Mr. Hearn as to where signs in the past have been measured from, for heights.

Chair Daversa- believed the heights have been measures from the top of the planter up that was how it was determined for El Universal as well as Dunkin Donuts.

Engineer Rennia- Now to discuss the individual signs, FreshTown measures 24 square feet at 6X4, and the total signage is 57 square feet. Going back to the code where it says

maximum group signs 50 and it also mentions 100. Do we ask the ZBA for a variance for 7 over the 50 or do we not need a variance because it's under 100?

Attorney Liguori- I will certainly take a look at that and advise the Boards individually.

Engineer Renna- I will explain to the Planning board that this will not change the site plan, the locations remain the same.

Attorney Liguori explained the ZBA procedure to the board.

Chair Daversa- At our next regular meeting, we can approval the canopy and review the changes to the sign plans for recommendation to the ZBA.

Member Nielsen would also like to see lighting details.

Minutes for January 24, 2011

Motion table the minutes of January 24 2011 to the next meeting by Member Nielsen;
Second Member Scharffenberg

Vote:

Chair Scott Daversa	: <u>AYE</u>	Member Brigid Casson	: absent
Member Lloyd Scharffenberg	: <u>AYE</u>	Member Jay Murphy	: <u>AYE</u>
Member Glenn Nielsen	: <u>AYE</u>		

Adjournment

Motion made by Chair Daversa to adjourn 2nd by Member Scharffenberg

Vote:

Chair Scott Daversa	: <u>AYE</u>	Member Brigid Casson	: absent
Member Lloyd Scharffenberg	: <u>AYE</u>	Member Jay Murphy	: <u>AYE</u>
Member Glenn Nielsen	: <u>AYE</u>		

Respectfully submitted,

Betty-Ann Sherer

Betty-Ann Sherer, Secretary to the Board

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