

Village of Fishkill
Planning Board/Architectural Review Board Meeting
June 4, 2009 - 7:30 p.m.

Chairman Hans Klingzahn: Good evening ladies and gentleman my name is Hans Klingzahn I am the chairman of the Village of Fishkill Planning Board and I will call the Planning Board meeting of June 4, 2009 to order. Will the secretary please take a roll call to establish a quorum?

Those present: Hans Klingzahn, Cris Phillips, Bea Lindsay, Stephanie Renino. Jamie Machado and Theresa are not present. Mary Pearse has excused herself from the first part of the meeting. Also present is Sarah Brown, Village Planner, Larry Paggi, Village Engineer, Tom VanTine, Building Inspector and Don Van Nostrand, Secretary.

Hans Klingzahn: Okay, we have established that we have a quorum. I will entertain a motion to accept the minutes or make any corrections to the meeting held on May 7, 2009.

Cris Phillips: I move to accept the minutes. Motion seconded by Bea Lindsay. I have a motion and a second to approve the minutes of the meeting held May 7, 2009. All in favor? Aye. Opposed? None. Motion carried.

Hans Klingzahn: There are no public hearings tonight. The first item on the agenda tonight is Mary Pearse, 25 Broad Street for a certificate of appropriateness for a fence and wall. Mary, please identify yourself for the record.

Mary Pearse: I am Mary Pearse and live at 25 Broad Street. This is the second time that I have been before the Board and the last time I was here I was proposing a wall in place of an existing chain link fence. In the last meeting there were questions that came up on where the boundary lines of the property lines were and whether the wall considered a structure. I did come in the next day with a copy of the survey to show the building inspector and it showed that the existing fence was on the property line. Since then there has been a change to the Village code which I think that the building inspector can address.

Tom VanTine: Basically, the master plan has adopted new fence and wall laws that would allow this application to comply.

Hans Klingzahn: Has the new law been passed by the Village Board?

Tom VanTine: Yes, the new law was passed by the Board two months ago.

Hans Klingzahn: Okay, in this case the application would be under the new law.

Hans Klingzahn: Let the record show that Theresa Guarino joined the meeting at 7:35 PM. and alternate member Stephanie Renino would be the voting member in place of Jamie Machado.

Mary Pearse: There will be two brick pillars of five foot height where the existing pillars are and the existing chain link gate will be changed to a 42" wide by 48" high cedar fence there. The brick wall will run 15 feet on Robinson Street and 18 feet west to the house. The wall will be 14 inches wide.

Hans Klingzahn: If there are no questions or comments I will entertain a motion.

Cris Phillips: I will move to approve a certificate of appropriateness for a brick wall with a cedar gate at 25 Broad Street. Motion seconded by Theresa Guarino. All in favor? Aye. Opposed? None. Motion carried.

Mary Pearse joined the Board at 7:45 PM as an alternate.

Hans Klingzahn: Next item on the agenda is Bank of America at 11 Merritt Boulevard for a sign permit. Please come forward and identify yourself for the record.

Maria Rotunda of Lite Brite Sign Company and Robert Collura of Bank of America are the representatives for Bank of New York.

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Maria Rotunda: We are proposing to remove the Countrywide sign and replace it with a Bank of America sign. The existing sign for Countrywide is 28 square feet and we are proposing the new Bank of America sign of 27 square feet. We have also brought color samples for you to review.

Hans Klingzahn: Is the location the same exact location as the current signage on the building?

Maria Rotunda: Yes, it will just replace the current sign. We will also be replacing the multi tenant sign on the pylon sign. We will be replacing the Countrywide in the same location.

Hans Klingzahn: Tom, do the two signs comply with the Village code?

Tom VanTine: Yes, the signage is in compliance and they will still have seven square feet of signage left.

Hans Klingzahn: If there are no comments or questions from the Board I will entertain a motion.

Bea Lindsay: I make a motion to approve the sign for Bank of America at 11 Merritt Boulevard with the specifications on the application as filed. Motion was seconded by Cris Phillips. All in favor? Aye. Opposed? None. Motion carried.

Hans Klingzahn: Next item on the agenda is Liberty Baptist Church at 45 Elm Street for a sign permit. Please come forward and identify yourself for the record.

Paul Morrison: I am the pastor of the Liberty Baptist Church and I am here to get approval for the signage on the front of the building.

Hans Klingzahn: Tom, is the sign in compliance with the Village code?

Tom VanTine: Yes, the sign is in compliance and there is an additional 34 square feet of space left. With the small sign you added on the door you will have 20 square feet of signage left.

A discussion followed on the colors of the sign and it was agreed that the applicant would present a color sample of the blue (preferably Colonial Blue type) to the building inspector for his approval.

Theresa Guarino: I move to accept the sign for the Liberty Baptist Church at 45 Elm Street as specified in the application and for the Building Inspectors final say on the Colonial Blue type color. Motion seconded by Cris Phillips. All in favor? Aye. Opposed? None. Motion carried.

Hans Klingzahn: Next item on the agenda is In the Cut for a sign permit application.

Tom VanTine: I would like the next application to be deferred for awhile. I need to meet with the applicant on his application.

Hans Klingzahn: Okay, we will put this application on hold. Not on the agenda but I agreed today to allow Babalu Bob to appear before the Board tonight for a sign permit. Will the applicant please come forward and identify yourself for the record.

Bob Ramos of Babalu Bob's was present.

Hans Klingzahn: Tom, is the sign in compliance with the Village code?

Tom VanTine: Yes, I measured the sign and it does comply.

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Hans Klingzahn: Okay, if there are no comments or questions from the Board I will entertain a motion.

Bea Lindsay: I make a motion to approve the sign for Babalu Bob's at Main Street as per the submission on file. Motion seconded by Cris Phillips. All in favor? Aye. Opposed? None. Motion carried.

Hans Klingzahn: Next on the agenda is Vanikiotis Reality Group on Route 9 to cover the open items from the last meeting.

Tom Depuy: We have resubmitted drawings which have addressed the open issues on the site plan. We are now showing the sidewalk from the building going out to Route 9 and we have submitted a revised lighting schedule which the Board had asked for. We are changing the front lights and have lowered the back lighting. We have changed the light fixtures and have gone with a different light type which is similar to what is down the street. Also, I lowered the light in the back parking lot down to 20 feet. The total illumination plan has been redone. We also have added some additional landscaping to the site and added another tree on the Route 9 corridor.

Hans Klingzahn: Does anyone on the Board have any questions or comments on the new lighting plan?

The consensus of the Board was that they were very pleased with changes made and were happy with the new lighting plan.

Hans Klingzahn: Are there any comments from Engineering or Planning?

Larry Paggi: We have received a transmittal from Tom Depuy and he has revised it for us and we will be preparing our certification that he will have to submit to the D.E.C. He has submitted a letter from the D.O.T. saying that they have accepted the drainage. There is a note on the plans about making that one hydrant that we talked about. As far as I am concerned they are down to the items that we have to make sure that we submit in the final package to you that they have the owner's certification signed with the full document assembled correctly. So, I think we are in good shape. We will check the final set of plans and tell you then that it will be okay to sign.

Hans Klingzahn: Once I get the Engineers and Planners okay I will sign the final drawings. Are there any comments or questions from the Board?

The Board's comments were very favorable and were pleased on how the project turned out.

Jennifer VanTuyl: We would like to thank the Board very much for all of your attention. Your suggestions have really been helpful in making this project better. I appreciate not only the Boards work on this but your consultants who have been gracious, available, hard working and willing to turn things around very quickly.

Hans Klingzahn: That is all the agenda items there are tonight. Tom, is the In the Cut application ready for review?

Tom VanTine: No, they have changed their mind on the sign and are off of the agenda.

Hans Klingzahn: Peter Phillips, do you have any comments or questions for the Board?

Peter Phillips: Yes, at the Village Board meeting on Monday night Bea Lindsay has been re-appointed as a member of the Board for a five year term. Also, Mary Pearse and Stephanie Renino have been re-appointed for a one year term as alternates. The new sign law for the Village was approved Monday night and will take effect when it is filed with

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the Secretary of State. Any applications that are received now will be under the old law until the law goes into effect. I will have Angela notify Don when it goes into effect.

A discussion followed on the changes being made on the sign laws.

Hans Klingzahn: Since we have an application currently on file we will have our next meeting on June 18th and not schedule a meeting for July 2nd. If there are no further questions or comments I will entertain a motion to close the meeting.

Bea Lindsay: So moved. Motion seconded by Cris Phillips. All in favor? Aye. Opposed? None. Motion carried.

Respectfully Submitted,
Donald Van Nostrand
Planning Board Secretary