

**VILLAGE OF RED HOOK
PLANNING BOARD MEETING
August 21, 2014**

Present: Acting Chairman Mark Mirando, Member Beth Pagano, Member David Pearson
Member Don Hanson and Member Ray Towle

Present: George Rodenhausen, Esq., (Rodenhausen, Chale, LLP)
(For Applicant #3)

Acting Chairman Mirando opened the August 21, 2014 Planning Board Meeting at 7:00 pm.

Acting Chairman Mirando asked Board Members if they have reviewed the Planning Board minutes dated July 10, 2014. Board Members said yes and Acting Chairman Mirando advised that some typographical amendments were made per his request and Member Towle's request.

Acting Chairman Mirando made a motion to accept the planning board minutes dated July 10, 2014. Motion seconded by Member Pagano. All in favor.

#1. Ken Kearney (Kearney Properties) Tax Map #6272-11-594590 & 6272-11-619615	Anderson Commons (Baxter Road & Fisk Street)	Extension of approval Subdivision
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Mr. Kearney was present and asking the Board for an extension on his approval of the preliminary subdivision plat. Acting Chairman Mirando advised he sees no issue with granting an extension. Acting Chairman Mirando advised that the Board had a Resolution which was prepared by Village Planning Board Counsel. Acting Chairman Mirando read the "NOW THEREFORE" clause of the Resolution granting a one-year extension to August 10, 2015. A copy of said Resolution is on file with the Village of Red Hook.

Acting Chairman Mirando made a motion to accept the "RESOLUTION GRANTING TO EXTEND APPROVAL OF A PRELIMINARY SUBDIVISION PLAT" as prepared. Motion seconded by Member Pagano. All in favor.

#2. Lauren Grady (Property Owner: Bonnie Schweppe) Tax Grid #6272-10-408743	33 West Market Street Vibe Dance Studio	Continuation of Signage
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Lauren Grady was present. Lauren said that she was present for the continuation of her signage application.

Member Pearson advised that the proposed sign shows 92" from the bottom and it must be 96". Member Pearson advised that the applicant can either raise the bracket up or change the proportions of the lower sign. Member Pagano said that her 40" sign sticks all the way out to the road, so it covers the entire sidewalk and well beyond anything else that sticks out from a building on that part of Market Street. Lauren advised that this was because of the type of building. Member Pagano said it was because she was attaching to a porch that already sticks out 3 feet. Acting Chairman Mirando asked if the steel bar was an existing one. Lauren advised no. Lauren advised that the fabric shop had it. Member Pagano said the fabric shop sign was underneath. Lauren said it was not. Acting Chairman Mirando asked if the applicant could push the signage more toward the building. Member Pagano said the proposed sign is 40" wide. Lauren asked if there was Village Code as to how far you must be from the road. Member Pagano said it was contextual. Acting Chairman Mirando said there was no definition in Village Code.

Member Hanson asked if the sign was 12 sq. ft. Member Pagano said the whole sign is 10 sq. ft. Acting Chairman Mirando asked if the sign was already made. Lauren advised no. Acting Chairman Mirando suggested reconfiguring the size. Member Pearson asked the applicant if she like that both signs are of different proportions. Lauren said originally they were the same, but would prefer the different proportions as proposed. Acting Chairman Mirando advised the applicant that she needs to make sure there are 96" from the bottom. Lauren asked if she should just shorten the sign up. Member Pagano said the size is too big for where it is. Lauren said her building is one of kind in this area which limits her with both design and keeping it visible. Member Pearson asked if the bar could go any higher. Member Pagano said it is not to scale. Member Hanson asked the applicant why she had 2 separate signs and did not combine them. Lauren said the idea was to keep both businesses separate. Acting Chairman Mirando said he sees no issue with 2 separate signs. Member Pagano said it is a 4 foot sidewalk with 4 feet of sign. Member Hanson asked if both signs could be the same size. Lauren asked why she could not just make both signs proportionately smaller. Acting Chairman Mirando felt that would be fine. Lauren said she could take 2 inches from both signs making it 4" smaller in total.

Member Towle asked if this Board could give the applicant any guidelines with regard to the distance from the street. Acting Chairman Mirando said he has no issue with the width of the sign, but just to push a little more towards the building. Member Pagano suggested to the applicant to advise her sign person that in the future when he presents his signage it should be reflective of what it really look like on the street and in more proportion. Member Pagano said that on that side of the street the sign that sticks out the furthest is Dan Wheeler's sign and she does not know how far this sign will stick out. Member Towle asked Member Pagano if it were

the same as Wheeler's sign would it be ok. Member Pagano said if it were the same yes. Lauren said her sign is different in being square. Member Pagano said Wheeler's signage width is about half of the width of hers. Member Pagano feels the sign is massive and is going all the way out to the street. Member Pagano feels that the sign covers the entire sidewalk. Acting Chairman Mirando said just make sure the sign is 8 ft. at the bottom. Lauren said she can make the signs smaller. Acting Chairman Mirando said to move the signs closer to the building which will clear up the 8ft. issue and help to move away from the sidewalk. Lauren said she would like approval tonight for her opening in September.

Acting Chairman Mirando feels that the applicant will have to come back with revisions. Lauren asked that a recommendation be made that approval be given with conditions. Acting Chairman Mirando said the sign guy should come up with a new design. Lauren said her building cannot be changed and is different from anything else in the Village, and according to Village Code she can only do what is allowed and she feels it is not going out into the street. Member Pagano said context is also part of Village Code. Acting Chairman Mirando agreed with Member Pagano and again said he feels applicant should return with new graphics. Member Pearson asked if the bar could go any higher. Lauren did not know but she could check on that option. Acting Chairman said the Board could do a conditional so long as the applicant works with CEO Harkins on the conditions; first condition being that the bottom of the sign meets the 8ft. clearance; second condition being that the steel bar at the southern end of the sign end at the Vibe Sign; third condition be to push the northern end of the flag sign to the fascia board as much as possible. Lauren asked if was still ok that the bottom sign - "Arts Oasis" - still hang in between and the sign be moved as close to the building as possible. Acting Chairman Mirando said yes but to shift the whole sign.

Acting Chairman Mirando asked the Board for any other comment. Member Pearson said he was fine with the conditions. Member Pagano said she feels the sign should not stick any further into the street. Acting Chairman Mirando said that is why he suggests it be moved farther to the north. Member Pagano said she feels it will not be enough at 40 inches wide. Member Towle asked if we can make a condition that the sign not stick out any farther than the bench mark to one that is sticking out the furthest now. Member Pagano said that would be Dan Wheeler's sign. Lauren said she understands but again the building is different. Member Pagano feels that the applicant needs to redo her sign and that it is contextual.

Acting Chairman Mirando asked for any other comments from the board and said he has no problem with giving approval with conditions. Member Pearson said he has no problem so long as the applicant keeps it as close to the building as possible. Member Pagano said if the Board allows this once it will be heard again. Acting Chairman Mirando said there was nothing in the Code that says this Board has to adhere to this perceptual stuff and only have an 8ft. separation clause. Member Pagano said it is contextual. Acting Chairman Mirando said from what he sees

the southern end of the sign falls about midway on the panel width of the sidewalk. Member Pagano said the problem is that the picture does not reflect what you would see if you were out there. Acting Chairman Mirando feels it does not obstruct with traffic. Member Hanson asked if it could be referred back to CEO Harkins. Lauren said she feels by not having a sign she will lose business. Acting Chairman Mirando said the Board can approve with conditions. Member Pagano said imagine all signs on East & West Market Street going out to the street, and she understands that this building is different, but the sign sticks out 3-4 ft. from the building and this is the building the applicant chose to locate her business in. Lauren said she does not know how far the sign will stick out. Member Pagano said this is 3 1/2 ft. sign and the sidewalk at that spot is 4 ft. wide and you are coming within 6 inches from the street. Member Pearson said it does look like it sticks out that far. Member Pagano said the sign design does not show any measurements. Acting Chairman Mirando said he feels the sidewalk panel width is at least 4 ft. plus another foot to the pier, and does not have a problem with the 40 inches.

Acting Chairman Mirando Reiterated the conditions as follows:

- 1) Clearance at the bottom of the sign of 8ft.
- 2) Portion both signs to the north part of the building façade, as close as possible, with the "Arts Oasis" sign remaining as designed in the middle.
- 3) Steel bar be ended at the southern end of the Vibe Sign.
- 4) The sign must be structurally attached to the building as per Village Code and CEO Harkins.

Member Pagano asked how it will be attached to the building. Lauren said with the steel bar and wire to the back for support. Acting Chairman Mirando said there will have to be at least 2 brackets to attach it to the building. Member Pearson asked what will stop it from swinging sideways. Lauren said she thinks that bracket is the bar which will be screwed into the building. Member Pearson said there is a lot of wind surface at that location and it could move the bar. Member Pearson suggested a means to brace it.

Member Towle asked if with the "conditional approval" will this Board look at it again for final. Acting Chairman Mirando said no that CEO Harkins would look at conditions at final inspection.

Lauren went through the conditions again being that she will make both signs a bit smaller and move as close to the building as possible, steel bar will be as high in that area as possible; Sam will approve brackets which will go from front to back; and the steel bar will stop at the Vibe sign. Lauren said she will go over with CEO Harkins.

#4. Rebecca Rothstein
(Property Owner: Baright)
Tax Grid #6272-10-429738

7509 North Broadway

Signage Application
(Little Pickles)

Mr. Craig Rothstein was present and provided the Board with an updated sign proposal. Member Pagano asked if there were 4 or 5 signs. Mr. Rothstein advised 5 signs because they have added a 5th proposed sign to hang off the lamp post with a scroll bracket. Acting Chairman Mirando asked if there would be any parallel point. Mr. Rothstein said it would be perpendicular to the Village. Member Pearson asked if they were hanging off the eve. Mr. Rothstein said yes, they were hanging in the place where the previous shop had theirs hanging but that they were not going to use their precise brackets but only that space and replace brackets with I-hooks.

Acting Chairman Mirando asked for the dimensions of the main sign. Mr. Rothstein said the original dimensions were wrong and the corrected ones were on the submitted new design. Mr. Rothstein said the new dimensions are slighter smaller. Acting Chairman Mirando said yes for the smaller signs but the main sign is still 3.75 x 3.25. Member Pagano asked if there were 2 main signs. Mr. Rothstein said correct. Acting Chairman Mirando asked for the square footage. Mr. Rothstein said he went over this with CEO Harkins and that the oval signs are precisely at 24 sq. ft. Member Pagano said except that the Code says you are supposed to go by the nearest rectangle that a sign will fit in. Member Pearson asked if these were hanging signs and not facade and should go by 12 sq. ft. Member Pagano said yes but if you use the rectangle then it goes over 12ft. Member Towle said if it is 3.75 x 3.25 it is oval and that would be your rectangle and to Code. Member Pearson said it has to be less than 12 sq. ft. because it is a hanging sign. Acting Chairman Mirando said it cannot exceed 12 sq. ft. for a hanging sign, or 24 sq. ft. for sign parallel to and flat against the façade or 15 sq. ft. for a freestanding sign. Acting Chairman asked if they would be hanging from I-hooks. Mr. Rothstein said yes. Acting Chairman Mirando said then the maximum would be 12 sq. ft. for all the signs. Member Towle said when you read the Guidelines he reads it as if you have 1 hanging sign per business of 12 sq. ft. then you would not be able to have 5 signs but only 1 sign, but that you could use your windows up to 25%. Mr. Rothstein said they can shrink down the main sign and will put the other three signs in the windows.

Member Pearson asked if the business was in one side. Mr. Rothstein said it will occupy both sides. Mr. Rothstein advised that the left side will be a toy shop and the right will be a play house offering little guided sessions for children, mostly early childhood, not educational but only play groups. Mr. Rothstein said this will be two businesses under one name. Member Hanson asked if they had a license. Mr. Rothstein advised that his wife ran Little Pickles day care out of their home and this will be ran under those same guidelines.

Member Pagano reaffirmed that 3 signs will be hung in the windows at 25% or less. Member Pearson advised that the signs would have to be inside. Mr. Rothstein asked if the signs were on the post would it make a difference. Chairman Mirando said no they would have to be up against the side and attached to the building. Mr. Rothstein said ok we are looking at putting them in the window. Other options for signage on the post were discussed.

Chairman Mirando asked if brackets were on the post. Mr. Rothstein said no but that they will make sure it is secure. Mr. Rothstein asked if the space to the right (north of the window) – can the signs be put flush against the building. Acting Chairman Mirando said yes so long as it is less than 24 sq. ft. Member Pearson said according to Code you can have 1 hanging sign, or 1 parallel or 1 freestanding. Chairman Mirando advised that the applicant has the option to go to the ZBA for a variance. Member Pagano said the applicant would need to return if they were changing from hanging to facade. Mr. Rothstein said no that they will have the 3 in the windows and the main sign will be hanging with I-hooks.

Mr. Rothstein asked about lighting and asked if solar panel lights, which would be angled manually, were acceptable. Member Hanson said they would have to shine downward. Chairman Mirando asked where they would be placed. Mr. Rothstein said they would be placed on the ground. Chairman Mirando and Member Pearson said that the lights would have to be shining down. Mr. Rothstein said that lighting will only be over the main sign.

Chairman Mirando made a motion to approve the sign application of Little Pickles located at 19 W. Market Street with 3 window signs not covering more than 25% of the window; with one large main sign hanging to the south side of the door with I-hooks at 12 sq. ft. or less, and that it meet all Village of Red Hook Code; with solar panel lighting over the main sign. Motion seconded by Member Pagano. All in favor.

#5. River Chronicle c/o Register-Star (Property Owner: Baright) Tax Grid #6272-10-446726	7508 North Broadway	Signage Application (River Chronicle)
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Mr. Jim Gibbons was present to propose his sign. Mr. Gibbons did advise that the sign would be approximately 6 inches higher than showing in the original submitted picture. Mr. Gibbons said that they have small lights shining up on to the sign. Member Don Hanson asked what the size of the sign was. Member Pagano said this sign is 21 ¼ sq. ft. and the maximum it could be is 24 sq. ft. Member Towle said it was 22.7 sq. ft. Acting Chairman Mirando asked what it was made of. Mr. Gibbons said treated PVC. Acting Chairman Mirando asked about the lighting. Mr. Gibbons advised a small spot light type. Acting Chairman Mirando asked where the floods

will be located. Member Pagano said according to the applicant's letter the floods would be above, sticking out from the building and pointing to the side. Member Hanson asked if there would one or two lights and shining downward. Mr. Gibbons said he would go with whatever the Board recommends. Member Pearson and Member Hanson said they prefer lighting be shining downward. Member Pagano said it was big. Member Towle also suggested due to apartments being above that lighting be shining down. Acting Chairman Mirando said the maximum for lighting would be 2 lamps. Mr. Gibbons asked if the Board would prefer spot or flood. Acting Chairman Mirando said either. Member Pearson said he would prefer flood. Acting Chairman Mirando said the design didn't indicate luminesce. Member Pagano felt that the Board could not approve lighting without the correct information, and suggested that the Board approve the signage tonight and the applicant return with a lighting proposal. Acting Chairman Mirando suggested that the applicant submit a catalog cut of the lamp fixture; type of lighting and how many lamps. Secretary Hart said she will need this information by September 1st to be put on the September 15th Agenda.

Acting Chairman Mirando made a motion to approve signage only for River Chronicle, as depicted in the sign proposal, which signage is located at 7508 North Broadway, and that this application will be tabled to the next board meeting to review lighting, once applicant submits the lighting proposal. Motion seconded by Member Pearson. All in favor.

#6. Chris Stehling	62 E. Market Street	Signage Application
Jennifer Bulay		(Watertight &
Tax Grid #6272-11-567686		American Gifts)

Mr. Stehling and Ms. Bulay were present. Mr. Stehling presented the sign proposal for Watertight Plumbing and American Gifts. Mr. Stehling said both he and Ms. Bulay are working together for signage, and that the sign meets the square footage according to Village Zoning and that the lighting will shine down on both sides. Acting Chairman Mirando asked what the square footage was. Mr. Stehling said it was just under 12 sq. ft. with a maximum of 15 sq. ft. Member Towle said each sign is 7.3 sq. ft. Member Pearson asked if the applicant considered this a free standing sign. Mr. Stehling said yes. Acting Chairman Mirando asked about the hooks. Mr. Stehling said they will be adding new updated hooks but will be reusing the existing lights. Member Pearson asked about the open space from the bottom. Mr. Stehling asked what the requirement was. Member Pearson said 3 feet. Mr. Stehling said they will make sure it is to Code.

Acting Chairman Mirando made a motion to approve signage for Watertight Plumbing and American Gifts, as depicted in the sign proposal, which signage is located at 62 E. Market Street. Motion seconded by Member Towle. All in favor.

***Acting Chairman Mirando made a motion to adjourn the planning board meeting at 8:40pm.
Motion seconded by Member Pagano. All in favor.***

Submitted by,

LARA HART, Secretary
Village of Red Hook Building Department