

Planning Board Minutes December 6, 2018

Chairman Donald Pollock opened the December 6, 2018 meeting of the Amityville Planning Board at 7:05 P.M. and welcomed the public. He introduced himself and the other Board members to the public.

Members Present: Donald Pollock, Chairman
James Squicciarini, Member
Mary D'Andrea, Member
Michael O'Neill, Member
Colleen Nugent, Member

Other Attendees: Mia Jealous-Dank, Alternate
Bryan Donato, Building Inspector
Wendy O'Neill, Secretary to the Mayor

The Board and attendees recited the Pledge of Allegiance.

Chairman Pollock noted that all applicants are hereby notified that any/all agreed upon concessions, promises, pledges, assurances or declarations given by them or their duly appointed agents, during their hearing process shall become stipulations to any approvals given by this Board.

The first order of business is to make a motion to approve the minutes of the November 1, 2018 meeting.

A Motion to approve the minutes from the November 1, 2018 meeting was made by Mr. O'Neill and seconded by Ms. Nugent.

Vote on the Motion:	Chairman, Donald Pollock	-aye
	Mary D'Andrea	-aye
	Colleen Nugent	-aye
	Michael O'Neill	-aye
	James Squicciarini	-aye

Motion carried: 5 ayes 0 nays

With no further Board Business Chairman Pollock moved on to the items on the agenda.

Application of Wes Goldstone agent for Cary Staller. Applicant seeks approval to modify the existing exterior previously approved site plan lighting fixtures with LED lighting fixtures pursuant to Section 24-6 A. (1) (b) of the Village Code. Premises located on the South side of Merrick Rd., approximately 422 feet East of South Bayview Ave., in a "Business 1" District known as 343 Merrick Rd., a/k/a SCTM# 101-10-3-11.4.

Gordon Frank , (Real Estate Manager, CBRE, 351 Merrick Rd.) for Stop and Shop, and Steven Grimshaw (contractor installing lights) spoke on behalf of this application. This application proposes to remove the existing metal, bell-shaped lights which have become corroded and are falling apart. The old technology is inefficient as it has been there at least ten years and current lighting levels are lower than what they consider to be safe.

Mr. Grimshaw presented "shoebox style" replacements for the bell-shaped style lights that are currently on the building and throughout the parking lot. These were deemed unacceptable by the Trustees because they lack the Victorian or nautical character of the Village which is especially important as Stop and Shop is at the gateway to the Village. The Trustees told Mr. Grimshaw that a significant amount of Board and resident input went into the original lighting plans and it remains important to the Village to keep the Victorian aesthetic.

He stated the proposed autobahn LED lighting fixtures are about 2.5 feet long x 14 inches wide and very flat. Instead of having three fixtures per pole, only one is needed because of the high efficiency LED technology. The polls are about 22-23 feet high. Further, he said they would like to double or triple the illumination of what is currently there for safety reasons.

Several members of the Board expressed concerns about aesthetics, over lighting the area and light pollution affecting the surrounding neighbors – especially for the neighbors to the South and East.

Ms. D'Andrea commented that the proposed fixtures are not attractive or in keeping with the existing style of the Village. She warned approving them would set a precedent.

Chairman Pollock commented that he had been in touch with Wes Goldstone to ask him to prepare alternative lighting options for the presentation to the Planning Board, but this had not happened.

Mr. Grimshaw said the bell-shaped lights cost \$500 or more per fixture than the high efficiency fixtures he presented in the plan and are less efficient (less than 100 lumens/watt vs. 140 lumens/watt).

Ms. Jealous-Dank asked if the bell-shaped lights were still available for purchase and replacement. Perhaps they could take a hybrid approach and put in the bell-shaped architectural lights around the visible perimeter especially where they can be seen from Merrick Road. Mr. Grimshaw said yes but they were more expensive and highly inefficient. He was not sure Stop and Shop would be willing to spend the extra money. She asked Mr.

Grimshaw to clarify if the bell lights on the façade of the building would be obscured by the new poll lights. He responded he would take photos the next day to make that determination.

Mr. Donato said the State regulates lighting levels for light pollution standards and they would need to meet those standards.

Joan Donnison, Bay Village Civic Association, stated the Village fought long and hard to develop the current aesthetics of the lighting. The proposed fixtures are unacceptable and have no character or appeal – they look industrial. She questioned the need for higher intensity lighting and noted that within 200 feet of Stop and Shop there are residential properties that could be affected if the lighting is too bright. “This is more than what is called for and it takes away from the character of the Village.”

Chairman Pollack expressed concern about light pollution and that the lighting would have a negative effect on the neighbors. Mr. Grimshaw said the new LED lights can be precisely controlled and directed.

Mr. Squicciarini reinforced the need to preserve the look of what was originally agreed to by the Board, while improving lighting and using less energy.

Mr. O’Neill asked to look at the State Code to see where the light levels came in with regard to acceptable ranges.

Colleen Nugent asked if the old style (same lights) could be replaced saving money for Stop and Shop. Mr. Grimshaw said yes but there would be no energy savings. Mr. Grimshaw said he was sure they could come up with something else that is energy saving, meets the State standards for lighting pollution, and fits the aesthetic requirements. He requested the application be adjourned for a month until the subsequent meeting. Mr. Squicciarini reiterated the Board’s expectation of deliverables and deadlines. The Board accepted the request for adjournment so that the applicant can resubmit an updated application, along with any updated materials, for consideration by the end of December - one week prior to the January meeting.

Application of William Familia of E&B Pequot Properties Inc. as agent for Owner, Ira Sumpkin.

Applicant seeks site plan approval pursuant to the proposed conversion of the existing industrial building to a laundromat pursuant to Sections 183-97 and 24-6 A. (1) (i) of the Village Code. Premises located on the Southeast corner of Maple Pl., and Albany Ave., in an “Industrial” District known as 29 Albany Ave., a/k/a SCTM# 101-4-1-80.

Charles DiGiovanna, Architect, 47 So. Emerson Ave., Amity Harbor, NY spoke on behalf of this application. Mr. DiGiovanna originally designed this building approximately twenty-five years ago with an approved site plan from the Village. This application doesn’t propose any major changes. They propose to restripe the parking lot to get fifteen spaces, refurbish the existing landscaping which includes a lawn, the planters on Albany Avenue and against the building on Maple Place. They will be installing a lint interceptor in the existing sewer line.

Chairman Pollock clarified that employees would be parking in the back. He asked how many washing machines would be on the premises. Mr. DiGiovanna replied there would be sixty washers and thirty-four dryers. Chairman Pollock questioned why there are so many machines.

William "Bill" Familia, 68 Pequot La, East Islip and Tom Kilkenny, Babylon Village, owners addressed the machinery volume and parking volume:

Mr. Kilkenny spoke in reference to the new machines which he stated only take twenty minutes for a wash and ten to fifteen minutes in the dryer. The turnover is fast as these machines are over 200g's. As owners, we gear the stores near train stations for drop off service which doesn't require a lot of parking. The average person uses five to six machines at a time so ten customers would leave an excess of parking spots. As well, it would not make sense to spend millions of dollars building a store where customers had no parking. The business would operate twenty-four hours to accommodate working families. We have only men working in the store from 10:00 PM to 7:00 AM as the men will clean the store during those hours. The door will be locked, and someone will only buzz customers in the store that have bags of laundry.

Chairman Pollock confirmed there would be early morning pick-ups and Mr. Familia responded that would happen in the wee hours of the morning when there are hardly any customers. Although the building faces Albany Avenue, the store entrance is on Maple Place. The garage doors will be replaced with glass windows and lighting. We are not looking to spill over on to Albany Avenue with parking. Mr. Kilkenny stated they have spoken to the landlord who communicated to them employees can park at the landlord's other business across the street if space becomes an issue. The premises will always have one to two attendants and will have panic alarms.

Mr. Familia informed the Board they have businesses in Wyandanch, Lindenhurst, Copiague and Manorville. This Amityville location holds a twenty-five-year lease. He has been in business thirty-five years and is not looking to flip but keep the business in the family. If there are any concerns, you will have access to my mobile number 24/7. Mr. Kilkenny invited the Board to visit 2 West Sunrise Highway which is a store they sold but had for eighteen years. This will be a point of reference for the type of business they run. There will be lighting along Maple Place on front and backside.

Ms. D'Andrea asked when the Board would be able to see the plans to see what the place is going to look like. Mr. Kilkenny responded they are only taking out overhead doors and replacing the industrial windows with glass and we are taking the industrial doors and making them aluminum and glass. They are not changing the structure at all. Mr. Donato informed the Board there is no architectural review requirement for industrial buildings.

Mr. Squicciarini asked if there were any infrastructure changes considering water volume and discharge of the waste water from the washers. He also wanted to know if the water service had to change. Mr. Kilkenny answered they will be installing a lint interceptor. He described the process in which the lint interceptor works. Mr. Squicciarini expressed concern over the

environmental impact this would have in the area. He responded the only times this becomes an issue is when there are no sewers which they have. The lint interceptor pulls anything that you don't want in the sewer line out before it gets there, and we call a cesspool company twice a year to come and clean everything out.

Ms. Nugent asked if signage would be on the Albany Avenue side of the building. Mr. Familia answered there would be signage in the front of the building. It will be like a box sign (a metal box with a panel that slides in from the back). It is not an intrusive light and has no glare. Chairman Pollock stated the Village has a code for lighting and signage and they will need to apply for and obtain approved permits.

Tom and Danny Spadafina, 23 Albany Ave., expressed concern over parking along Albany Avenue. Ms. Nugent clarified that the applicants are referring to the East side of the building as opposed to the side where 29 and 23 Albany Avenue are. They are hoping that their customers do not park on their property. Further discussion ensued on this topic. A concern over the exhaust was brought up. Mr. Famiglia responded that he wants to keep an open dialogue with everyone. He is available to speak with anyone who calls his mobile phone with any problems. They have state-of-the-art materials. There are gooseneck vents on the roof which produce no offensive odors through the exhausts or the laundromat itself.

Edward Torres, 19 Maple Pl., is not in favor of this application. He has concern over the traffic on the street as there is enough traffic already. He stated there is no parking for his visitors. There is only parking on one side of the street currently. He does not like the fact that it will be open twenty-four hours or that they have a lease for twenty-five years. He fears they will want to expand.

Pedro Torres, 19 Maple Pl., is not in favor of this application. His concern is over parking and traffic as well. He does not think it is safe with strangers coming in and out of that building twenty-four hours and it is a dead-end street. He thinks that area is dwindling down. He has been there thirty-three years.

Francis Torres, 19 Maple Pl., does not agree with this application. He agrees with his brother that parking is an issue. He does not believe 15 spaces is sufficient. Mr. Torres mentioned on the corner of Albany Avenue and Maple Place there is a fire hydrant in the area and a bus stop on that street where little kids are constantly playing daily. He believes there will be more of a conflict with kids and strangers around going in and out of this establishment. He thinks this will be a bad influence in the area. Mr. Donato stated while he understands the concerns, the applicants have a right to put a laundromat there by Village Code. He said this is an allowed use. Mr. Torres stated this also takes the value down of our house should we decide to sell.

Mr. Kilkenny responded stating traffic at night should not be a problem. The laundromat is right on the corner and the exit is on Albany Avenue. There should be no reason for someone to go down a dead-end street. Mr. Squicciarini reiterated that the resident's concern is overflow parking. They would not want strangers pulling up and parking by their homes. Mr. Familia

stated that the night business is the slowest time. The night time is mostly for cleaning and a few that come at night. Further discussion ensued on parking and customer traffic.

Mr. O'Neill asked if customers would be allowed to bring food and drink into the laundromat? Mr. Familia responded no. Ms. Nugent questioned where the fire hydrant was located in conjunction with their parking. He answered it is between two parking spots. Further discussion ensued.

Guillermo McCatty, 27 Maple Pl., expressed concern over the school bus drop offs and pick-ups. He said the street is narrow and he cannot see 15 parking spaces. He was also concerned of the gas station across the street causing smoking and drinking outside or inside. They cannot guarantee that there will not be any smoking or drinking. He feels Albany Avenue is already congested. Chairman Pollock informed Mr. McCatty and the public the Board cannot decide what types of businesses open or not and this is not what this meeting is about. They have the right put their business there. Our job is to keep it as safe and clean as possible. Further discussion ensued.

Mr. Squicciarini stated that he believes the applicants laundromat will be well maintained. The issue with the children at the bus stop may not be as bad as there will be more eyes on the children which may make them safer. We also have the best Police Department in the County. He further stated the Board will evaluate your concerns with Quality of Life, we evaluate any detrimental impact on your property that this business might have, and we have to do the State Environmental Quality Review Act which is a separate determination with the State. The applicants submitted an environmental assessment form which touched on and explained the mechanical ventilation on the roof (to his satisfaction), lint and H₂O disposal.

Further discussion ensued regarding parking and safety. Mr. Familia stated they run a tight ship and it will be safe and well maintained. Eighty percent of their customers are women. They don't want people to not patronize the business because it is not safe. Mr. Kilkenny noted their businesses have been successful because they run a clean operation.

Joan Donnison, Bay Village Civic Association, said the applicants sound like experienced business people and it sounds like they would run a good business, however, the Village would be remiss to put an Industrial District in the middle of a Residential District. The Village created this problem of people living on streets with industrial trucks and businesses and it is not right. Ms. Donnison said it is an over intensification of the use of that area. Albany Avenue is a disaster as it exists now. There are families with children and is currently an issue and something we, as Village residents and entities need to think about. This is an example of bad planning and it is a shame.

Francisco Granados, 15 Maple Pl., lives behind the building they want to use for the laundromat and does not see how fifteen parking spaces are going to fit there. All of the residents that have spoken have lived here for many years and we are all family-oriented. He does not think anyone would want to live near a twenty-four-hour business. He suggests the

Board come to that street between the hours of 6:30 PM and 7:30 PM to see how the traffic is on that corner. We are hard-working people and are only concerned about the safety of our families and to sleep peacefully. He is against this application.

Mr. O'Neill said there are twelve parking spaces on Maple Place and there are three that are tucked in. He asked if the space for the twelve spaces enough. Mr. Donato responded based on the calculations, fifteen would be the amount of spaces. If the Board did not want to approve the area for employee parking, it could recommend this go before the Zoning Board of Appeals. The Code does not call out laundromats so as far as I am concerned, twelve is an ample number of spots. He asked applicants what the parking ratio is at their other businesses. Mr. Familia answered there are fewer parking spots than what we have here with the same equipment count.

Matt Swit, 53 Elm Pl., is a lifelong resident of Amityville and does not think this to be the worst thing that has been done to our neighborhood. He said the worst thing happened fifty-seven years ago, one month and five days, when they down-zoned the area from a Residential to an Industrial District. He is concerned about the traffic, parking and hours of operation. He wondered if they had to stay open twenty-four hours, seven days or if they could close around 11:00 PM or 12:00 PM as other businesses.

Chairman Pollock asked if they were going to have barriers that ensure cars do not go beyond the designated parking spaces onto neighboring properties (particularly space 15). Mr. Kilkenny responded that they would. Mr. O'Neill questioned if they had supply trucks that would be back and forth. Mr. Kilkenny answered not at night and there is a box truck once a week for soap delivery.

Francis Torres, 19 Maple Pl., commented on the applicant's invitation to see their operation on Sunrise Highway. He stated the business on Sunrise Highway is actually on Sunrise Highway and the residential area is behind it not on the same street. He further stated the applicants want to move the store front from Albany Avenue to Maple Place. The Sunrise Highway does not compare to what they are trying to do in Amityville. He expressed concern to the fact there is no longer a sidewalk where people will be backing out. Families walk with their children or dogs and now have to walk in the street which adds to this being a safety hazard.

Chairman Pollock questioned the lighting on the side of the building and if it would affect any residential lighting to which Mr. Kilkenny responded no.

A motion to approve was made by Mr. O'Neill seconded by Mr. Squicciarini with the following stipulations:

Stipulations:

1. Application is subject to a State Environmental Quality Review Act. The Board must review and agree that there is minimal impact and no detrimental impact.

Meeting adjourned at 9:09 pm.

Respectfully submitted:



Catherine Murdock, Clerk/Treasurer