



Memorandum

To: Chris Gerver, Chairman
Woodbury Planning Board Members

cc: Maria Rubio, Building Department
Dennis Lindsay, P.E., Village Engineer
Rick Golden, Esq., Planning Board Attorney
Jason T. Anderson, RA, Architect for the applicant
Mel Firer, Applicant

From: Jonathan Lockman, AICP

Date: July 16, 2021

Re: Mel Firer, Proposed Woodbury Fresh Market, 37 Center Drive, Tax Map ID#: 225-2-1.1

NPV has reviewed the above-captioned application to provide input on compliance with Village plans and zoning requirements.

New Materials Received and Reviewed

- Planning Board Site Plan Review and Approval, Application for Public Hearing, signed by Mel Firer and dated 6/1/2021.
- Architectural Review Board Application, signed by Mel Firer and dated 6/1/2-21.
- Project Narrative for Woodbury Fresh project, prepared by Anderson Design Group, undated.
- Entity Disclosure Form, signed by Mel Firer and dated May 28, 2021.
- Site Plan set for Woodbury Supermarket 3-34 Center Drive Central Valley, NY 10917, stamped by Jason T. Anderson, RA, dated 5/27/2021, and including the following sheets:
 - A-101: Title Sheet
 - AE-200: Existing Floor Plan
 - AE-300: Existing Exterior Elevations
 - AE-400: Existing Building Sections
 - A-201: Floor Plan
 - A-202: Mezzanine Plan
 - A-300: Exterior Elevations
 - A-301: Exterior Elevations
 - A-400: Building Sections
 - A-900: Side Pylon Sign
 - A-901: Main Pylon Sign
 - A-902: Exterior Rendering
 - C-100: Plot Plan

Project Summary

The applicant proposes a new supermarket at the Woodbury Centre where the existing Forever 21 and Lenox stores are now located. The applicant would construct the following:

1. a new 1,783 square foot loading dock at the rear of the building;
2. two (2) storage mezzanines within the existing interior space totaling 5,796 square feet (no additional floor area outside of the existing building footprint);
3. two (2) new compactors;
4. two (2) new wall-mounted canopies; and
5. two (2) existing walls signs on the front facade will be replaced with one (1) new backlit sign.

All parking spaces and circulation at the rest of the site are proposed to remain unchanged. At the front of the center, a replacement panel for “Woodbury Fresh” with two colors will be inserted into the pylon sign set in an already existing vacated slot, with no net increase in the total sign area.

This site is classified as a commercial center, and it is located in the Industrial Business (IB) Zoning District. The use is similar to ALDI’s supermarket, which was approved as a retail use recently at another portion of this site.

Submission Comments

1. The Planning Board application, the ARB application, and the Site Plan set list the wrong SBL number, in addition to not listing the zoning of the subject property. The correct SBL number is 225-2-1.12 and the property is zoned IB.
2. The ARB application is incomplete. The manufacturer, style, and colors of the roof, exterior wall, windows, and trim must be provided, unless no changes are proposed to these features.
3. The Plot Plan provided on Sheet C-100 should add more detail to serve as a site plan amendment. The applicant should work with the Village Engineer to indicate changes at a large enough scale regarding the rear of the building where the new loading dock is proposed, including compactor locations.
4. A bulk table with required and proposed dimensions should be included on the amended site plan. Lot coverage and rear setbacks will be changed with the proposal to add a loading dock.
5. The width of the travel way located along the rear of the building should be shown on the site plan.
6. Stormwater features which may need to be relocated or changes in the area of the proposed loading dock construction should be detailed on the site plan. The installation of the new dock should be reviewed by the Village Engineer for any potential changes to stormwater management and limits of disturbance should be shown.
7. A Short EAF Part 1 form must be submitted.

Planning and Zoning Comments

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8. Bulk Requirements.
 - a. The proposed loading dock appears to conform with the 30' rear setback requirement. However, we question whether the newly proposed loading dock creates a circulation problem around the back of the building, and whether a truck maneuverability analysis is needed. The applicant should work with emergency services officials and the Village Engineer to explore this issue and mitigate any problems.

 9. Off-Street Parking/Loading.
 - a. "Grocery Store" or "Supermarket" are not listed specifically in the off-street parking schedule. We assume that this proposed supermarket would be categorized as "retail sales" in the table in §310-40, which is the same category as the previous uses, and requires 1 space per 200 square feet of gross floor area. If this is the case, no additional parking would be required with this proposed change of use.
 - b. Per §310-41(B)(3), the proposal requires two (2) loading berths. The applicant has provided three (3) and thus conforms with the requirement.
 - c. The dimensional requirements of the loading berths should be shown. Enclosed loading berths should be 14' in height.

 10. Signs. The applicant proposes two (2) pylon sign panels to be inserted into existing slots (one facing in each direction) and one (1) backlit wall sign on the front façade of the building.
 - a. The applicant should confirm that the two (2) "Woodbury Fresh" pylon sign panels are the exact same dimensions as the sign panels that they are replacing.
 - b. The applicant proposes a backlit wall sign to replace the two (2) Forever 21 and Lenox signs. Wall signs with a maximum area of 10% of the total wall area are permitted in the IB District. After conferring with the Village Engineer, we understand that the Building Inspector has ruled that the code requirement limiting walls signs to 10% of the "wall area" does not refer to the entire building's façade, but just to the uninterrupted piece of the façade wall where it is located. In this case, that would be above the doors and windows and between the brick pilasters that define this wall portion. It appears therefore, that the maximum of 10% of the wall area standard has been exceeded. The applicant should work with the Building Inspector to create a new wall sign proposal in conformance (approximately 65 square feet) or apply for a variance to the Zoning Board of Appeals.
 - c. §310-30 (D) requires signs to have no more than two (2) typefaces for each sign, with no more than four (4) colors on any one sign. It appears that both the backlit wall sign and the pylon sign panels comply with these requirements.

 11. Landscaping. Is any landscaping proposed? The site plan should display this, along with information on the size and species of trees and/or shrubs proposed.
 - a. The application would be subject to the landscaping standard found in §310-27 C (3) which requires a 5-foot-deep landscaped bed along the entire front of the building foundation.
 - b. Any removals of approved landscaping at Forever 21 and Lenox spaces should be shown, with any proposed landscaping provided on a landscape plan.

 12. Lighting. Is any new exterior lighting proposed? Any proposed light fixtures should be shown on the site plan, with fixture, luminaire, and photometric details.

Architectural Review Board Comments

13. The project is subject to the Architectural Review process of Chapter 8 of the Woodbury Code, and particularly the standards of §8.8. Pursuant to §8.5.A, the Planning Board may deny an application by reason of:

"Excessive similarity, dissimilarity or inappropriateness in relation to itself or to any other structure existing or for which a permit has been issued or to any other structure included in the same permit application, facing upon the same street or within the same or surrounding neighborhood, including neighboring developments, in respect to one or more of the following features: 1) Exterior façade of all building sides, including, but not limited to building materials, mass, roof line, architectural style and authenticity, colors, size, proportion, roof design and height. 2) Size and arrangement of doors, windows, porticoes or other openings or breaks in the façade, including reverse arrangement, 3) Footprint and gross floor area including all or portions of the structure."

It appears that applicant meets the standards of §8.5. The exterior façade is unique and does not show excessive similarity with the surrounding storefronts. In addition, the exterior color scheme is pleasant and is not excessively dissimilar or inappropriate in relation to the existing businesses within the Woodbury Centre Shopping Center.

14. See comment 2 of the Submission Comments section.

SEQR Comments

15. We defer to the Planning Board attorney regarding SEQR classification and procedure for this action. We would normally suggest that this action is unlisted, given it includes 5,796 square feet of new mezzanine floor area within the existing building, which exceeds the typical Type 2 threshold for commercial additions. However, we note that this site and structure may have been the subject of a prior EIS, and SEQR may require a process that considers the action against the adopted Findings.