

Planning Board Minutes February 26, 2018

A meeting of the Planning Board, Town of Yorktown, was held on February 26, 2018, at the Yorktown Community & Cultural Center, 1974 Commerce Street, Yorktown Heights, NY 10598. The Chair, Richard Fon, opened the meeting at 7:00 pm with the following members present:

William LaScala

Robert Garrigan, alternate

Also present were: John Tegeder, Director of Planning; Robyn Steinberg, Town Planner; Tom D'Agostino, Assistant Planner; Kristen Wilson, Planning Board Counsel.

Correspondence: The Board received additional correspondence for items on the agenda.

Minutes:

Upon a motion by LaScala, seconded by Garrigan, and with all others present voting aye, the Board approved the February 12, 2018 meeting minutes.

SPECIAL SESSION

Ianuzzi Subdivision

SBL: 47.15-1-14, 15, 16

First 90 Day Time Extension

Location: 1189 Baptist Church Road

Contact: Albert A. Capellini, Esq.

Description: Proposed to subdivide 3 lots into 4 lots under the Town's Flexibility Standards in the R1-160 zone that received approval by Planning Board Resolution #16-11 on December 13, 2016.

Upon a motion by LaScala, seconded by Garrigan, and with all others present voting aye, the Board opened a special session.

Project engineer, Joseph Riina, was present. Riina stated the applicant is currently working on the legal documents for the easements/declaration required by the approval. The applicant has obtained approval from the Westchester County Board of Health.

Upon a motion by LaScala, seconded by Garrigan, and with all others present voting aye, the Board approved a First 90 Day Time Extension for the Ianuzzi Subdivision.

Stahmer Minor Subdivision

SBL: 59.10-1-10, 12, & 16

Discussion Subdivision

Location: 600 Birdsall Drive

Contact: Insite Engineering, P.C.

Description: Proposed 3-lot subdivision on 10 acres in the R1-80 zone.

Project engineer, Rich Williams, was present. Williams summarized suggested changes to be made to the plans as a result of requests from outside agencies. Fon stated the Board has a draft resolution to approve the subdivision, stormwater permit, and tree permit. Williams asked if the concern he brought up at the last meeting regarding the bonding could be discussed. Williams asked if the Board would accept a bond for each lot of the subdivision, instead of one bond for the entire subdivision. Williams proposed this bond be submitted prior to the building permit being granted for each lot. Williams stated that there are no

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public improvements required within the subdivision that need to be built in order to obtain access to the proposed lots. Wilson asked if the Board would include a requirement in the resolution that no building permit be issued until a bond is posted for the lots. Tegeder recommended the Board add to the resolution a requirement for review of a site plan for each lot. The Board agreed.

Upon a motion by LaScala, seconded by Garrigan, and with all others present voting aye, the Board adopted a Negative Declaration.

Upon a motion by LaScala, seconded by Garrigan, and with all others present voting aye, the Board approved the proposed subdivision.

Upon a motion by Garrigan, seconded by LaScala, and with all others present voting aye, the Board closed the Special Session.

WORK SESSION

Courtesy of the Floor – Mohegan Audi

Present were Mike Piccirillo, project architect; Joseph Riina, project engineer; and property owner and owner of Mohegan Motors, Barry Rost. Piccirillo stated that a proposed renovation to the Mohegan Audi will be submitted in the near future. Piccirillo also stated that the corner property was obtained by Mohegan Audi, however a determination must be made by the Building Inspector whether the expanded car dealership can be located in the C-3 zone. The corner parcel is zoned C-3, while the rest of the properties are zoned C-4. An addition to the existing building would be proposed on the corner lot. This building would house the service bays. The existing showroom would remain. The Board had no objections to the proposal and will await the submission.

Kear Street

Geri Schwalb addressed the Board regarding the new building on Kear Street. Schwalb was please with the decorative corner pieces facing the street, however she was very disappointed with the back façade of the building. Schwalb stated that the back of the building can be seen from all the surrounding properties. She asked the Board to consider all sides of a building when reviewing new buildings, especially as they get taller.

2040 Greenwood Street

SBL: 37.15-1-38

Discussion Site Plan

Location: 2040 Greenwood Street

Contact: Site Design Consultants

Description: Proposed 1 1/2 story commercial building and associated parking on 5.71 acres in the C-4 zone. Project will require wetland buffer disturbance.

Present were Joseph Riina, project engineer; Steve Marino, project wetland consultant; and Phil Grealy, project traffic consultant. Riina stated they met with the Conservation Board on Saturday. Marino created a preliminary mitigation plan. The plan proposes enhancement of existing wetland and wetland buffer, including removal of invasive species, introduction of native species, and seeding of disturbed areas with meadow mix. Riina showed conceptual elevations of the proposed building. The building is 16 feet at the eave. LaScala asked how tall the Hartel's building is. Riina stated he did not know for sure, but stated the

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proposed building will be similar in size and height. Fon summarized a letter submitted by the Joys regarding their concerns about the property.

Grealy studied the volumes on Greenwood Street, which are approximately 2000 – 2500 vehicles per day. There are 270-280 vehicles in an hour during the peak hour. Grealy studied the following intersections: Veterans Road & Greenwood Street and Route 35 & Greenwood Street. The 85th percentile speed was close to 35 mph. Grealy stated the road is used to get to town or BOCES. Approximately 10-15 peak hour trips would be generated by the proposed building. Grealy based this on a light industrial type of use and the square footage of the building. Grealy has several traffic recommendations for Greenwood Street. In general the condition of the pavement is not good. Some clearing would be needed at the driveway along the road way for proper site distance, but the buffer shown on the plans can still be maintained. Grealy also recommended some clearing in the right of way along Route 35. Greenwood Street should have additional signage, striping, and pavement improvements. The intersection with Veterans Road can be a little confusing because there is a stop sign on Veterans with a two-lane approach, but no stop signs at the other approaches. The town may want to investigate making this intersection an all-way stop. The project will not produce a significant increase in traffic. The current speed limit is 30 mph on Greenwood Street. Fon suggested the traffic advisory committee discuss the existing conditions and issues on Greenwood Street. Grealy recommended adding a fog line to the road to calm the speeds. D'Agostino noted that the site plan has fluctuated between 23 and 24 parking spaces. Also an arrow label to the existing structure needs to be labeled. Riina will revise the plans to fix these two issues.

Colangelo Major Subdivision

SBL: 35.16-1-4

Discussion Subdivision

Location: 1805 Jacob Road

Contact: Site Design Consultants

Description: Proposed to subdivide the subject property into 5-lots utilizing the "Flexibility" provision in the Town Code. The remainder of the 47 acre parcel is to provide for a single-family residence, open space and lands to be used for agricultural use.

Project engineer, Joseph Riina, and property representative, Maria Costanzo, were present. Costanzo's brother, John Colangelo, was on the phone. Riina stated that after the last meeting, he added a future gravel parking area, as well as a 2,000 square foot community building and agricultural market to the subdivision plans. This parking could be used by the public to access the trail. The trail is shown as a strip through the property to property at the southern end of the site. The property along the Hunterbrook is delineated by an old farm wall. The applicant would like the property along the Hunterbrook to be considered the 10% of recreation land that will be donated to the town. The trail is in addition and will be a donation to the Westchester Land Trust through an easement. Tegeder stated that he did speak to John Baker from the Westchester Land Trust, but at that time, he was not sure of the exact donation. Tegeder stated that if the Land Trust leaves at some point, the Town should be guaranteed the trail will still be there by being an additional Grantee in the easement. The Board is satisfied with this concept and the Board agreed that the 10% land adjacent to the Hunterbrook would satisfy the recreation requirement. Riina stated that there should be language in the resolution that the trail may not be located exactly within the 10 foot strip shown. Garrigan asked how many cars would fit in the gravel parking area. Riina stated he did not figure this out, but it would be approximately 25-30 cars for both the farm stand and the trailway.

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Lowe's Home Center

SBL: 26.18-1-17, 18, 19, 26.19-1-1, and a portion of 26.18-1-28

Discussion Declaration

Location: 3200 Old Crompond Road

Contact: Provident Design Engineering

Description: Approved site plan for Lowe's Home Center with two adjacent restaurant buildings and a bank building that received approval by Planning Board Resolution #16-22 on December 19, 2016.

Tom Holmes, from Provident Design Engineering, and Bob Rosenberg, from Breslin Realty, were present. Holmes stated that the applicant submitted a declaration for the easements and it is being reviewed by the Town Attorney. Prior to the building permit the declaration needs to be completed. Tegeder stated that changing this condition is up to the Board. Tegeder also stated that the Town Attorney is currently working on his review of the maintenance agreement submitted by the applicant. Wilson will reach out to the Town Attorney.

Anderson Minor Subdivision

SBL: 58.09-1-20

Discussion Subdivision

Location: 1695 Croton Lake Road

Contact: Ciarcia Engineering

Description: Proposed 2-lot subdivision on 15.72 acres in the R1-80 zone, where one residence currently exists.

Project engineer, Dan Ciarcia, was present. Ciarcia stated that a new driveway location is shown on the plan that was most recently submitted. The Board will make a site visit.

Crompond Terraces

SBL: 26.18-1-11, 12, 14, 15, 16

Discussion Site Plan

Location: 3258 Old Crompond Road

Contact: Ciarcia Engineering

Description: Proposed residential community on approximately 16.9 acres in the R-3 zone and 6.7 acres in the C-2R zone.

Project engineer, Dan Ciarcia; project manager, Ann Kutter; developer, Howard Zellin; and Chris Baiata and Steve Moutopoulos were present. Ciarcia reviewed the rezone approval line as delineated by the Town Board. There are 16.9 acres that were rezoned to R-3 and 6.7 acres that were to C-2R commercial. The developer is still proposing a 12,000 square foot recreation building, 32,000 square feet of retail space, and 45,000 square feet of office space. Ciarcia stated the developer wants to move forward with the residential first and would like to eliminate the A type units. Fon stated that the Board had previously left off requesting grading and cross-sections. Clearing of the property was the Board's main concern. Fon stated the Board never completed the discussion regarding the grading behind the C type units. The architectural design of the buildings was also a concern. Fon stated that the concerns the Board are the same. Harry stated that he would not have the underground parking under the C type units, which will lower the height of the buildings and therefore lower the retaining walls in the rear of the buildings. The A type units were eliminated in order to build more C type units. 120 units total are proposed. All units would be rental. The Board stated the applicant should come back with site sections. LaScala asked if the buildings could be

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clustered. Harry stated that he could combine the C buildings to make 12 unit buildings instead of 6 unit buildings if the Board preferred. Fon stated that the grading needs to be shown before the Board can decide. Fon suggested visiting a development in Greenburgh on Hillside Avenue and Virginia Road. The Board agreed the applicant may have to change the building type and that the plan is too spread out. As shown, the proposed development will require completely clearing huge portions of the property.

Town Board Referral – Crompond Gas Station

SBL: 36.06-1-25

Discussion Special Use Permit

Location: 3451 Crompond Road

Contact: Lewis C. Roane, AIA

Description: Applicant has requested to renovate and expand the existing Gulf convenience store and gas station, to expand the gas pump count from three pumps to six pumps, and to add a canopy over the pump area.

The project architect, Lewis Roane, was present. Turning radii for a gas delivery truck was added to the plan. Currently the truck comes in and backs out onto Route 202. It does not drive through the site. The Board agreed this was not the ideal situation and that they would prefer the truck drive through the site and not back onto the State road. Add this to the plan. Roane stated the tanks are also being replaced as part of this development. The eastern parcel is not owned by the applicant. The Board requested a survey of the property in order to understand the entire site. The Board was concerned about the property line along Old Crompond Road. Fon recommended looking in the field in regards to the fence and if there is room for snow. Roane received the permission letters from the state today. He will submit them for review. The position of the delivery truck should not block the flow of cars into the station. The plans for replacement of the tanks will show how the stormwater is being treated. LaScala asked if the applicant is committed to the number of pumps proposed. LaScala stated that if the truck can't drive through the station because of the pumps, then maybe the applicant should reduce the number of pumps. All the plantings shown on the Landscape Plan are proposed. A monument sign is proposed in the state right-of-way. The Board would rather landscaping in the rear of the building instead of a fence. The Board does not like the chain-link fence. Roane stated the door and walkway at the rear of the building will be removed. The Board will make a site visit when more information is submitted.

Town Board Referral – CPD Energy Corp (Mobil Gas Station)

SBL: 37.14-2-51

Discussion Special Use Permit

Location: 2035 Saw Mill River Road

Contact: MAP Architecture

Description: Applicant has requested to demolish the existing 1,000 sf convenience store and to construct a 3,000 sf convenience store.

The project architect, Michael Piccirillo, was present. This project was in front of the Board a while ago. Piccirillo stated the biggest challenge was the drainage and stormwater. A proposed plan was recently submitted by Morris Engineering to the Engineering Department. The existing retail store is 1,000 square feet. The proposed retail store is a 3,000 square foot building. A landscape architect will be contracted to do a formal Landscape Plan for the site. The plants shown on the plan are just schematic. The Board would like a better architectural treatment on the rear of the building facing the Triangle Shopping Center. The canopy is staying as existing. The lighting in the canopy will remain. The lighting on the site will be

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changed and a Lighting plan will be submitted. Tegeder stated that traffic counts and basic turning movements at the gas station would be helpful and that the streetscape should be continued around the corner. The parking count is staying the same with 8 parking spaces. Add landscaping around the existing sign.

Upon a motion by LaScala, seconded by Garrigan, and with all those present voting aye, the Board voted to close the meeting at 9:10 pm.