

Planning Department Meeting May 5, 2014

A meeting of the Planning Board, Town of Yorktown, was held on May 5, 2014, at the Yorktown Town Hall, 363 Underhill Ave., Yorktown Heights, NY 10598. The Chair, Rich Fon, opened the meeting at 7:30 P.M. with the following members present:

John Savoca
John Flynn
Ann Kutter, alternate
John Kincart, absent
Darlene Rivera, absent

Also, present were: John Tegeder, Director of Planning, Robyn Steinberg, Planner, and Karen Wagner, attorney to the Planning Board.

Correspondence: Fon announced that John Flynn has been awarded the Distinguished Citizen Planner by the Westchester Municipal Planning Federation.

Liaison Reports: Kutter stated there was no Conservation Board Meeting

Discussion: No discussion at this time

Minutes: April 21, 2014

Upon motion by Kutter, seconded by Savoca, and with all those present voting aye, the Board approved the minutes of April 21, 2014.

REGULAR SESSION

Crompond Crossing Subdivision Request for 1st 90 Day Time Extension of Amended Plat

Location: Old Crompond Road

Description: Amendments to the plat were approved by Planning Board Res #13-23 dated September 23, 2013.

Fon stated no one representing the project was present. Savoca stated we discussed this project at the prior work session. Fon asked if anyone had any questions or comments. As no one had any comments Fon asked for a motion.

Upon motion by Flynn, seconded by Savoca, and with all those present voting aye, the Board approved the 1st 90-day time extension of the amended plat.

Gione Minor Subdivision Request for Two 90-Day Time Extensions

SBL: 27.15-2-1

Location: 21 Loder Road

Contact: Al Capellini

Description: A 2 lot subdivision reapproved by Planning Board Res#13-15 dated July 15, 2013.

Fon recused himself from this discussion as the applicant's relative works for the Town of Greenburgh, as does Fon. Al Capellini, project attorney, was present. Capellini stated the applicant is waiting for a decision from the primary bank as they review the land values with and without the conservation easement and the road widening strip. The original approval for this subdivision but required the applicant to convey to the Town a widening strip and to grant a conservation easement on both lots. More recently, the Board reduced the size of the conservation easement to allow the applicant to meet the conditions of the lender. Capellini stated the applicant is 25th on the bank processor's list. Capellini stated the recent appraisals have been submitted, and indicated a \$60,000 difference.

Upon motion by Kutter, seconded by Savoca, and with all those present voting aye, the Board approved two 90-day time extensions for Gione Minor Subdivision.

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Sierra Bella

Request for Reapproval

SBL: 47.5-1-13

Location: 1860 Hunterbrook Road, Hunterbrook

Contact: Al Capellini

Description: A 2 lot subdivision reapproved by Planning Board Res #13-17 on August 12, 2013.

Al Capellini, project attorney, was present. Capellini stated the applicant recently received approval for the improvement bond. Steinberg stated tonight's approval would be for the 1st 90-day time extension. Capellini explained the only requirement remaining is for the improvement plan to be come back from the Town Engineer, after which the Planning Board can sign the plat.

Upon motion by Flynn, seconded by Savoca, and with all those present voting aye, the Board reapproved the Sierra Bella Minor Subdivision.

Arrowhead Subdivision

Request for Reapproval

SBL: 48.13-1-6

Location: Underhill Avenue

Contact: Chris O'Keefe

Description: A 5-lot subdivision considered under flexibility standards on 45 acres in the R1-200 zone, which was approved by Planning Board Resolution 07-23 dated October 15, 2007.

Neither the applicant nor his representative was present. As the developer was before the Board at a prior meeting, Fon felt the Board could consider the request. Wagner asked if any SEQRA issues remained open. Fon stated the letter from NYC DEP states there were no existing deficiencies.

Upon motion by Flynn, seconded by Savoca, and with all those present voting aye, the Board reapproved the Arrowhead Subdivision.

Faith Bible Church

Decision Statement

SBL: 15.16-2-54

Location: 3500 Mohegan Avenue

Contact: Al Capellini

Description: It is proposed to demolish all existing structures on lots 53 and 54, and reconstruct one new 8,000 SF, two story structure. The proposal includes associated improvements to the parking facilities, utilities (sewer, water, electric), landscaping, and stormwater management, and treatment. Retaining walls are proposed on lots 50, 53 and 54. The proposal also includes parking, via a license agreement, 900 feet north at the Hudson River Teachers Federal Credit Union, located at 3563 Mohegan Avenue, where the applicant will provide shuttle bus service to and from the proposed structure.

Al Capellini, project attorney, and Joe Riina, project engineer, were present. Fon stated the public hearing was closed with written comment being accepted for 10-days. The Board received several letters, and a positive response from Westchester County Planning Dept. Fon stated the Board has discussed the alternative routes for the sewer installation and the applicant's chosen route was favored by the Board. Riina submitted a parking plan for the 22 off-site parking spaces. Savoca stated the approved site plan should reference the off-site parking plan and the off-site parking plan should reference the approved site plan.

Upon motion by Kutter, seconded by Savoca, and with all those present voting aye, the Board declared lead agency under SEQRA.

Upon motion by Savoca, seconded by Kutter, and with all those present voting aye, the Board issued a negative declaration.

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Upon motion by Flynn, seconded by Savoca, and with all those present voting aye, the Board approved the Special Permit for a Place of Worship, Site Plan, Stormwater Pollution Prevention Plan, Wetland Permit, and Tree Removal Permit.

WORK SESSION

Empire Hunan

ZBA Referral #15-14

SBL: 37.14 Lot 2 Block 66

Location: 1975 Commerce Street

Contact: Michael Piccirillo

Description: Request to construct interior and exterior alterations that are not permitted per the conditions of ZBA variance 62/95.

Michael Piccirillo, project architect, was present. Piccirillo stated this project includes a change to the façade and the interior allowing the applicant to install two retail stores, approximately 1,000sf each. The applicant is before the Zoning Board as a result of the ZBA's 1995 zoning variance. In 1995, the ZBA issued 2 variances regarding the building. Variance 62/95 allowed the use of the existing premises, located in a C-2 zone, for restaurant use with parking of 50 spaces where 102 was required. The variance was granted with the following conditions: The variance is limited to this applicant, this business, and this particular plan, and no further construction along the lot lines, either horizontally or vertically, shall be permitted without further variance. The proposed plan is for a different applicant, two different businesses and a revised site plan. There would be a new door along the side of the building for the restaurant. The second requested variance was for parking Piccirillo stated the ZBA is waiting for the Planning Board review of the site plan. We are creating 250 feet of sidewalk and will have 500 square feet of pervious parking. Tegeder stated for this configuration the applicant would need 70 parking spaces, and there are currently 52 parking spaces. Tegeder stated there is no site plan that the Planning Dept. or the Building Dept. has on file. The Planning Board could require a site plan to have a record copy. Kutter asked if the CVS parking lot could be considered. The Board felt CVS parking was already at its maximum. Piccirillo stated the renovation will result in a smaller dining room, a different location for the bar, with no changes planned for the kitchen. Piccirillo asked which Board the applicant would go to for a free standing sign. Flynn asked how the front of the building would change to reflect both the restaurant and the retail component. Piccirillo stated the application has been to ABACA and they were favorable toward the changes to the facade. Fon asked about landscaping. Piccirillo stated the applicant does not want to hide the building. Fon felt the front of the building should include as much landscaping as possible. Flynn stated the Planning Board comments should include no on site consumption for the two new retail spaces. Piccirillo stated he could not agree to any conditions without speaking to the owner. The Planning Department will draft a memo to the ZBA which discusses dividing the existing building into a smaller restaurant with an entrance on the side of the building, and two smaller (1,000sf) retail stores.

Lake Osceola Realty aka 3680 Hill Blvd. LLC

ZBA Referral #13-14

SBL: 17.5-1-11

Location: 505 East Main Street

Contact: Allan Rothman

Description: Approved 27,000 SF office building and associated parking. Request for a free standing sign in the Country Commercial zone.

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The Board was not satisfied with the sign concept submitted by Rothman. Fon stated the Board wanted a sign more fitting with the Country Commercial district. The Board suggested a sign incorporated into the stone wall.

Sunoco Gasoline Station

Town Board Referral

SBL: 16.08-1-16

Location: 3650 Lee Boulevard and Route 6

Contact: Emmanuel Kravakis Architects

Description: Proposed amendments to special use permit.

As the applicant had not submitted any plans, or contacted the Planning Department, the Board had taken the project off of the agenda. Jameson Torracco, the applicant's representative, was present at this time. As Torracco had the requested information, the Board allowed Torracco to make the presentation. Torracco submitted the requested lighting plan and stated the plan calls out all proposed and existing lighting. Torracco stated LSI Manufacturing provided the lighting plan. The lighting fixture has a flat diffuser that will not allow the light source to be seen, and can be provided with additional shielding. Tegeder stated the submission is a lighting plan that contains a grid at 10 foot intervals, and yields 10 candlelight at the perimeter. Tegeder felt the lighting plan was satisfactory.

Upon motion by Savoca, seconded by Kutter, and with all those present voting aye, the meeting was adjourned at 9:00pm.