

Planning Board Meeting May 19, 2014

A meeting of the Planning Board, Town of Yorktown, was held on May 19, 2014, at the Yorktown Community and Cultural Center, 1974 Commerce St., Room 104, Yorktown Heights, NY 10598. The Chair, Rich Fon, opened the meeting at 7:30 P.M. with the following members present:

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

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

Discussion: No discussion took place at this time.

Correspondence: A memo dated 5/16/2014 from the Town Engineer regarding Costco.

A memo dated 5/15/2014 from the Planning Dept. to the Building Inspector regarding Yorktown Auto Body.

A memo dated 5/14/ 2014 from ABACA regarding Extra Space Storage for the proposed signs.

A memo dated 5/6/2014 to the Town Board regarding Sunoco, and the approving resolution and License Agreement for off-site parking for Faith Bible Church.

Liaison Reports: No reports were submitted.

Courtesy of the Floor: No one came forward at this time

Meeting Minutes – May 5, 2014

Upon motion by Savoca, seconded by Kutter, and with all those present voting aye, the Board approved the minutes of May 5, 2014.

WORK SESSION

Sierra Bella fka Terra Firma NY, LLC

WITHDRAWN

Discussion Permit

SBL: 47.5-1-13

#WP- FSWPPP-019-14

Location: 1860 Hunterbrook Road

Contact: Al Capellini

Description: A 2 lot subdivision approved by Res #09-24 on September 14, 2009, which required approval of an environmental permit prior to plat signature.

Empire Hunan

Discussion Site Plan

SBL: 37.14-2-66

Location: 1975 Commerce Street

Contact: Michael Piccirillo Architects

Description: Proposed to divide existing restaurant into a restaurant with two retail stores.

Mike Piccirillo, project architect, was present. Piccirillo stated the applicant is before the Board requesting site plan approval. In 1999 the ZBA granted a variance for required parking, but limited building along the lot lines. Currently, the applicant is proposing to divide the structure, resulting in a reduction to the existing restaurant, and installation of two small (1,000sf) retail spaces. Tegeder stated the Planning Department did not have a site plan on file. Tegeder asked the applicant to provide the Board with a site plan, and stated any future variances granted by the ZBA should be conditioned upon approval of this site plan. Piccirillo replied that the applicant would like to avoid this because of the cost. Flynn stated NYC DEP requirements have changed since this was approved in 1999. Piccirillo explained the proposal calls for the installation of 250 sf of pervious surface; therefore the applicant must go through a NYC DEP review. Fon stated the project will require additional dumpsters. Piccirillo felt placement of additional dumpsters might affect the parking count. Fon requested additional details regarding the applicant's

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plans to install pervious pavers. Fon stated he was aware of projects in Greenburgh using pervious pavers that were not holding up. Tegeder stated Reis Park, in Somers, has had success with pervious pavers. Fon suggested narrowing the walkways to help mitigate the increase in pervious surface. Fon requested additional landscaping along Commerce Street. The Planning Board had no objection to the proposal provided the restrictions regard construction along the lot lines remains in place. With regard to parking spaces, the Planning Department determined the proposed use of this building will require 69 spaces where 52 exist. This results in a decrease in the deficiency that existed as the ZBA reduced the required parking from 102 spaces to 62 spaces. Piccirillo will include pervious pavers in this proposal to address the Town's stormwater requirements.

Hudson Valley Islamic Community Center

Discussion Lighting Plan

SBL: 15.11-1-17.1

Location: 3680 Lexington Avenue

Contact: Site Design Consultants

Description: By Res #11-10 dated June 13, 2011, the Planning Board approved minor alterations to the 2010 Site Plan, which included the removal of approximately 12,500 SF of impervious parking lot back to a lawn area to be used for overflow parking.

Al Capellini, project attorney, and Joe Riina, project engineer, were present. Tegeder stated the applicant is before the Board as a result of complaints received by the Planning Department. Riina stated the applicant installed lighting that was not on the approved site plan. The problem is a result of the intensity, position, and spillover. Riina explained that the applicant was delayed waiting for the lighting consultant. At this time, the consultant suggests the fixtures be lowered to the maximum height allowed by the town, which is 16-feet. The spillover is 0 once the light crosses to Strawberry Rd. Lowering the lighting will eliminate any spillover along Strawberry Road and the eastern portion of the property. Wagner asked what the lighting was being used for, and was told soccer games. Tegeder stated people are playing after services and also later in the evening. Steinberg asked if the existing lighting plan had been submitted. Riina stated currently, the lights are 25ft high. Tegeder stated lighting can be restricted. Flynn recalled there were restrictions placed on the ball fields when this project was approved. The Board suggested an amended site plan be submitted. Capellini stated the applicant will come before the Board and submit a schedule of those using the fields and the time the field is being used. Kincart asked that the lighting be designed to reduce neighborhood complaints, and have less impact on the residents. Tegeder stated this accessory use is not religious. Capellini felt as this was once a school, soccer was played in this area. Riina reported that the lights have not yet been lowered. Tegeder stated these lights are not acceptable as they are not shielded. The Board explained the approved site plan indicates the area being used for soccer is actually approved for overflow parking. The Board felt an amended site plan would address these discrepancies, and possibly alleviate the conditions causing neighborhood complaints.

Lake Osceola Realty ZBA #13/14

Zoning Board Referral

SBL: 17.5-1-11

Location: 505 East Main Street

Contact: Allan Rothman

Description: Request to permit a freestanding sign where none is allowed in the Country Commercial zone.

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Applicant Allan Rothman was present. Rothman submitted pictures of the mock sign installed on the site entrance. Rothman stated he did not like the sign against the wall. Currently, the sign is parallel to the roadway. Kutter felt that the sign was useless as it could not be seen until the driver was very close to it. Rivera stated all the other commercial signs were perpendicular to the road. Rothman stated Ceola manor was also parallel to the road. The Board stated the sign at Ceola Manor was much higher. Flynn felt the sign was too high off the ground. Rothman stated the actual sign will be two-feet off of the ground as installation of utilities will change the current grade. The current proposal is for a much smaller sign, which is 3ft x 4ft. Tegeder asked about the foundation of the wall. Savoca asked the applicant to review the Mt Kisco Medical Group sign along Commerce St., a stone monument style which is perpendicular to the road. The board wanted to ensure the sign would not hinder the sight distance for those exiting the site. The Board discussed placing the sign in the Town right-of-way. Tegeder did not believe this would be a problem. Steinberg submitted the Town's sign code manual as a guide for the applicant. The Board found this most beneficial.

Upon motion by Savoca, seconded by Rivera, and with all those present voting aye, the meeting was adjourned at 8:30pm.