

## Planning Department Meeting June 9, 2014

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A meeting of the Planning Board, Town of Yorktown, was held on June 9, 2014, at the Yorktown Town Hall, 363 Underhill Ave., Yorktown Heights, NY 10598. The Vice Chair, John Flynn, opened the meeting at 7:30 P.M. with the following members present:

John Savoca  
John Kincart  
Darlene Rivera  
Ann Kutter, alternate  
Rich Fon, absent

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

**Correspondence:** NYC DEP memo dated 5/29/2014 regarding the Fieldhome, NYC DEP memo dated 5/19/2014 regarding the Stahmer Subdivision, Mike Piccirillo memo dated 6/5/2014 regarding Empire Hunan.  
**Liaison Reports:** Conservation Board, June 4, 2014 meeting  
**Discussion:** No discussion at this time  
**Minutes:** May 19, 2014

**Upon motion by Kincart, seconded by Savoca, and with all those present voting aye, the Board approved the minutes of May 19, 2014.**

### REGULAR SESSION

#### **Kiederer Subdivision**

#### **Request 2nd 90 Day Time Extension**

**SBL: 27.14-2-4**

*Location:* 362 Granite Springs Road

*Contact:* Ciarcia Engineering, P.C.

*Description:* A 2 lot subdivision approved by Planning Board Resolution #05-21 dated September 12, 2005.

Dan Ciarcia, project architect, was present with applicant Charles Kiederer. Ciarcia stated the applicant had to survey the property again, as there are encroachments.

**Upon motion by Kincart, seconded by Savoca, and with all those present voting aye, the Board approved the 2<sup>nd</sup> 90-day Time Extension.**

#### **Village Traditions Site Plan**

#### **Request for Reapproval**

**SBL: 15.16-1-32**

*Location:* 1821 East Main Street

*Contact:* Al Capellini

*Description:* Approved site plan to expand existing parking lot to improve traffic and accommodate additional parking.

Al Capellini, project attorney, was present with applicant Tim Mallon. Capellini stated this site plan was approved several years ago. Capellini explained that the reapproval would be retroactive and lapse in July. Capellini asked the Board for both the reapproval and a 1<sup>st</sup> 90-day Time Extension. Capellini stated the applicant will return to a work session to discuss ingress/egress.

**Upon motion by Savoca, seconded by Kincart, and with all those present voting aye, the Board reapproved the site plan and approved one-year time extension.**

# Planning Department Meeting June 9, 2014

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## **Sierra Bella Subdivision**

## **Request for Wetland Permit**

**SBL: 47.05-1-13**

*Location:* 1860 Hunterbrook Road

*Contact:* Al Capellini

*Description:* A 2 lot subdivision approved by Resolution #09-24 on September 14, 2009.

Al Capellini, project attorney, was present. Capellini stated as the Town's wetland application and requested information changed, a new application is being submitted.

**Upon motion by Kincart, seconded by Savoca, and with all present voting aye, the Board approved the wetland permit for Sierra Bella Subdivision.**

**Upon motion by Kincart, seconded by Rivera, and with all present voting aye, the Board closed the regular session.**

### **WORK SESSION**

## **Yorktown Farms Lot #15**

## **Request for a Wetland Permit**

**SBL: 17.06-2-32.15**

*Location:* 23 Gay Ridge Road

*Contact:* Property Owner

*Description:* Proposal to clear brush and install a fence in a wetland buffer.

Applicant Richard Cohen was present. Mr. Cohen stated his need for a wetland permit to allow the installation of a fence and removal of brush. The fence would be four foot around the front and sides and six foot in the rear, and there would be removal of brush and invasives. Mr. Cohen felt the area was unsafe for his children with waist high weeds and brush, which could harbor ticks. The fence will be a pool compliant fence. Kincart asked about grading, and was told there would be no change in grade. Mr. Cohen requested removal of brush and reseeding, and stated no pesticides would be used, and no trees removed. Kutter explained there is a reason the Town protects the wetland buffer. Kutter suggested the applicant contact the Conservation Board for guidance in what to plant. These plants are meant to be installed in wetland areas and are not necessarily costly. Flynn suggested placing the fence in front of the forest. Flynn stated the Board will conduct a site visit on June 21 and suggested the applicant return to the June 23 meeting.

## **Grotto Holding**

## **Discussion Amended Site Plan**

**SBL: 36.05-1-18**

*Location:* 3655 Crompond Road

*Contact:* David A. Barbuti Architect PC

*Description:* Convert an existing automobile dealership into retail sales and storage on the first floor and a plumbing contractors office on the second floor.

David Barbuti, project architect was present. Barbuti stated this proposal calls for the conversion of the old auto showroom, Salerno Dodge, to a retail flooring showroom. The showroom would be on the lower level with storage in the rear. The second floor would house a plumbing warehouse and office. Barbuti stated in the late 90's the Town install a culvert. The applicant was to complete the landscaping but never replaced all the required landscaping. There are 40 existing parking spaces. The proposal also calls for the installation of a 9'x27' concrete pad for air conditioning. Barbuti stated should this proposal not work out, the applicant is considering a doggy daycare. The doggy daycare would require a special use permit. Barbuti stated the site is on septic, however, there is an application for a sewer connection. There is a

## Planning Department Meeting June 9, 2014

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single curb cut for ingress/egress. Flynn mentioned the importance of noise abatement should this become a doggy daycare. The Board scheduled a public information hearing for July 14, 2014.

### **Teatown Lake Reservation Auxiliary Parking Lot**

### **Discussion Site Plan**

**SBL: 69.14-1-8.1**

*Location:* 1595 Spring Valley Road

*Contact:* Insite Engineering

*Description:* The project consists of the constructions of an auxiliary parking lot, to be utilized seasonally as an overflow parking lot.

Wagner requested herself from this discussion. Richard Williams, project engineer, was present. Williams stated this proposal is for a 46 space auxiliary overflow visitor's parking lot along Spring Valley Rd across from the Education Center. Currently, overflow parking occurs on Spring Valley Rd, causing a very unsafe situation. Teatown Lake Reservation wants to create a more safe and enjoyable experience for visitors. The proposal calls for the construction of a 46 space gravel lot with egress/ingress at the eastern portion of the road where there is maximum sight distance. The lot will be seasonal in use, and there will be no plowing, salting or sanding. Teatown Lake Reservation is planning to install maximum mitigation as they design a water quality swale, with a minimal amount of earthwork, although some cut and fill will be necessary. Teatown Lake Reservation will provide a SWPPP, although not required, as the site is less than 1 acre. Williams stated over time item-4 does compacts, however, it still peculate. The neighbors, the Bensons were present. The Bensons do not want to see cars, therefore screening is in order. Williams stated Teatown wants to cooperate and mitigate their concerns. The Benson's requested all runoff be directed away from their property. Williams felt "all" run-off would be unachievable, but water will be directed away. A 2-3 foot berm will be created along with a swale, and 4 trees will be removed, with work being done with shovels not machines. Kutter asked how thick the gravel layer would be and was told 2 inches. Flynn asked if the parking lot would be open all week. Williams stated Teatown has camp buses that can park for the camp session. Flynn stated the Board wants to ensure no idling. The Board scheduled a public information hearing for July 14, 2014.

### **Lake Osceola Realty Corp. aka 3680 Hill Blvd, LLC**

### **Zoning Board Referral**

**ZBA #13/14**

**SBL: 17.05-1-11**

*Location:* 3680 Hill Boulevard

*Contact:* Unicorn Contracting

*Description:* Request for a freestanding sign where none is allowed in the Country Commercial Zone. Sign will be lit from the ground.

Allan Rothman, project developer, was present. Rothman presented a picture of the stone sign, which will be visible when traveling from either direction. The Board was favorable. Steinberg thought the base might not be wide enough. The sign is 36"x48," and a foot from the wall. Rothman will contact Steinberg about a wider base. The next step is a recommendation to the ZBA.

# Planning Department Meeting June 9, 2014

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## **Lake Osceola Square**

## **Discussion Site Plan**

**SBL: 6.17-1-43**

*Location:* 393 East Main Street, Jefferson Valley

*Contact:* Site Design Consultants

*Description:* Proposed Country Commercial development for multi-use facility including parking, building landscaping, and necessary infrastructure.

Present were Joe Riina, project engineer, Mike Piccirillo, project architect, Al Capellini, project attorney, and Phil Greal, traffic engineer. Riina stated the site plan is the same as that discussed in the fall. Parking has been reconfigured, and there are pathways connecting both sides of the site. The proposal includes stormwater harvesting, a water quality measure, and the installation of porous pavers. The existing buildings and concrete patio will be removed. The proposed building will be on piers, the deck will be elevated with ADA ramps. The parking area for beach access includes installation of pervious pavers. The proposal will eliminate the septic system and have sewers installed. The applicant is discussing sewer connects with the neighbors. The proposal results in 18 more parking spaces than required. Flynn asked if conservation spaces would be more appropriate. The Board requested one space be eliminated. Flynn requested a drawing that includes an area map with adjoining/adjacent properties. Piccirillo stated the landscape plan includes shade trees and ornamental trees, wetland plants and upland plants. The proposed structure will include 8 residential units on the top floor. The applicant, Mr. Roberta, is interested in having the Town take over the beach. Steinberg requested a memo be issued from the Recreation Commission regarding the Town's acquisition of the beach for public access. Additionally, Bruce Barber has not verified the wetlands delineation. The applicant is waiting for a response from the Town Engineer with regard to the SWPPP. Additionally, the applicant will require a flood development permit and a variance for the length of the building. Greal stated a traffic study will be submitted upon completion. The Board scheduled a site visit for June 21. Piccirillo showed the final designs. A town owned parcel on the south side can provide public access. With regard to the sewer, the applicant cannot allow it to become a public sewer as that would require an application to form a sewer district. The Board requested the applicant return to the June 23. The Board scheduled a public hearing for July 14, 2014.

## **Broad Pines Subdivision**

## **Request to Abandon Subdivision**

**SBL 27.14-1-6, 7, 8**

*Location:* Broad Street & Granite Springs Road

*Contact:* Property Owner

*Description:* Request to abandon subdivision and release of bonds due to lack of sewer availability.

The applicants are no longer willing to wait for the sewers as they have been waiting 20+ years. The applicants are requesting a letter from the town to the bonding company to relinquish any performance obligations and a refund from the Town for the bonds being held and inspection fees related to the project. Steinberg stated the Board would require the applicants provide a memo outlining what improvements have been made and what must be completed. The Planning Board would have to dissolve the subdivision or create an amended subdivision.

**Upon motion by Savoca, seconded by Rivera, and with all those present voting aye, the meeting was adjourned at 9:30pm.**