

Planning Board Minutes March 11, 2015

A meeting of the Planning Board, Town of Yorktown, was held on March 11, 2015, at the Yorktown Town Hall, 363 Underhill Avenue, Yorktown Heights, NY 10598. The Chair, Richard Fon, opened the meeting at 7:00 pm with the following members present:

John Flynn
John Kincart
Darlene Rivera

Also present were: John Tegeder, Director of Planning; Robyn Steinberg, Planner; and Anna Georgiou, attorney to the Planning Board.

The minutes of the February 11, 2015 were reviewed. Board Counsel suggested several corrections and changes to the minutes.

Upon a motion by John Kincart, seconded by John Flynn, with all those present voting aye, the Board approved the February 11, 2015 meeting minutes as revised.

The minutes of the February 23, 2015 meeting were reviewed. Board Counsel suggested several corrections to the minutes.

Upon a motion by John Kincart, seconded by John Flynn, with all those present voting aye, except for Darlene Rivera who abstained, the Board approved the February 23, 2015 meeting minutes as revised.

REGULAR SESSION

Arrowhead Subdivision

SBL: 48.13-1-6

Request 1st 90 Day Time Extension

Location: 809 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.

Chris O'Keefe, property owner, was present. O'Keefe stated that planning for the lots in this subdivision is in its final stages. O'Keefe believes that this will be the last appearance before the Planning Board. Tegeder reminded O'Keefe that before work begins notice must be given to the Town Engineer.

Upon a motion by John Kincart, seconded by Darlene Rivera, and with all those present voting aye, the Board approved a 1st 90 Day Time Extension for the Arrowhead Subdivision.

RCB Development Subdivision

SBL: 36.05-2-60, 62

Request 2nd 90 Day Time Extension

Location: 3655 Old Crompond Road

Contact: Ralph Mastromonaco, PE, PC

Description: Approved 2-lot subdivision on 10.8 acres in the R1-20 zone granted by Resolution #08-01 dated January 14, 2008.

Planning Board Minutes March 11, 2015

Ralph Mastromonaco, project engineer, was present. Mastromonaco stated that another 90 day extension was being requested as Health Dept request additional changes to the plat. The changes were regarding the removal of a note stating some of the property would be given to a neighbor. Mastromonaco indicated the plat has yet to be resubmitted to the Board. Tegeder requested the plat be resubmitted for the Board for review.

Upon a motion by Darlene Rivera, seconded by John Kincart, and with all those present voting aye, the Board approved a 2nd 90 Day Time Extension for the RCB Development Subdivision.

Fieldhome Expansion

SBL: 35.12-1-2, 3

Request for Reapproval

Location: 2300 Catherine Street

Contact: Al Capellini

Description: Approved continuum of care facility on 30.5 acres in the RSP-3 zone granted by Resolution #12-08 on April 9, 2012.

Joseph Riina of Site Design Consultants, project engineer, was present. Riina stated the applicant was requesting more time in order to secure approval from the NYC DEP. DEP concerns are still being addressed by the applicant. The approval process has gone on for a year and a half. DEP has requested many changes to the plans. The applicant requested a letter from the Board, stating that the SEQRA determination not be impacted by DEP's requested changes.

Upon a motion by Darlene Rivera, seconded by John Flynn, and with all those present voting aye, the Board reapproved Resolution #12-08 for the Fieldhome Expansion.

Upon a motion by John Kincart, seconded by John Flynn, and with all those present voting aye, the Board closed the regular session.

WORK SESSION

BJ's Wholesale Club/Urstadt Biddle Staples Shopping Center

SBL: 36.06-2-76

Discussion Amended Site Plan

Location: 3315 Crompond Road

Contact: Zarin & Steinmetz

Description: Proposed BJ's Wholesale Club gasoline filling station and 2,500 sf new building pad.

Jody Cross of Zarin & Steinmetz, project attorney, and Rob Aiello of John Meyer Consulting, project engineer were present. Aiello stated the applicant had taken the Board's comments, as well as ABACA, and created an Alternative #4. The applicant noted the following changes to the plan shown in Alternative #4: building footprint has been moved north, closer to Route 202; the new drive-thru is now separate from any parking areas and the change of grade on the site will be accommodated by a retaining wall between the drive-thru and the parking to the south; Dunkin Donuts drive-thru traffic is separated from the traffic for the new restaurant and the lane

Planning Board Minutes March 11, 2015

immediately adjacent to the Dunkin Donuts building is closed off to allow the drive-thru a defined line to queue that does not conflict with patrons parking and walking to the building; and a new dumpster was added near the new restaurant. Aiello mentioned that there had been an ABACA meeting the previous night. ABACA requested screening around the new dumpster. Fon suggested additional changes to accommodate a sidewalk along the east side of the new restaurant. He expressed concerned with pedestrian access across parking lot. Aiello stated that although tight, pedestrian walkway or sidewalk may be possible. The Board also requested additional triangular planters along Crompond Road. Planters along central aisle/access were discussed with applicant.

Aiello stated that the Applicant was concerned with the schedule of construction for the gas station and the new restaurant pad. He requested phasing be included in the approval so that if the gas station was complete, it would be able to get it's Certificate of Occupancy even if the new restaurant pad that is shown on the same site plan was not finished. The two projects are separate and distinct. Aiello added that the stormwater permits for each stand on their own. Whatever traffic improvements are approved for the site and intersection would be implemented before the first Certificate of Occupancy is issued. The Board did not see any issue with including phasing of the two projects in the decision. There will still be one site plan approval for this project. The Public Hearing will be held on April 6, 2015.

Piturro Subdivision

SBL: 27.05-1-37

Pre-Preliminary Discussion

Location: Hemlock Street & Radcliffe Drive

Contact: Ciarcia Engineering, PC

Description: Proposed extension of a northern spur of Hemlock Street (off Radcliffe Drive) to a cul-de-sac for a 4-lot subdivision of 7.5 acres in the R1-20 zone.

Dan Ciarcia of Ciarcia Engineering, project engineer, was present. Dan informed the Board of past projects that had been proposed for the site known as the Dodenhoff Property. Ciarcia mentioned that the building of 2 homes as part of a previous subdivision prohibit a road extension from the end of Hemlock to Radcliffe Drive, as had been proposed in earlier plans, without intrusion into the wetland. Therefore, current plans include terminating the spur of Hemlock Street off Radcliffe Drive with a cul-de-sac. Ciarcia indicated that originally when a subdivision was proposed on this site the construction of a small berm at the southern property line of the site was considered to detain storm water. The maintenance of the berm was discussed. Kincart commented that he would rather have the berm maintenance be the responsibility of the Town, rather than one or more of the individual homeowners. Tegeder agreed that if a berm was used here maintenance would have to be discussed. Kincart suggested the land along the stream be set aside and dedicated to the Town as it connected to land owned by the Town to the north and the Hemlock right-of-way to the south. The Town would have another access to all the acreage. The Board discussed how both ends of Hemlock Street terminate without turnarounds for garbage trucks or emergency vehicles. Ciarcia stated that giving the Town any additional land at the end of the southern Hemlock Street would not accomplish this, but the plan proposed a cul-de-sac be added to the northern Hemlock spur. Steinberg suggested the new cul-de-sac be given a new street name since if the project were approved, the two Hemlock Streets would never be

Planning Board Minutes March 11, 2015

connected. Both the existing homes on this spur have Radcliffe Drive addresses so only the proposed homes would be on the new street. Ciarcia stated that low pressure sewers are being proposed to connect the site to the Peekskill Sewer District. Flynn expressed concern about the size of the homes and whether they would be marketable. Ciarcia indicated the homes would most likely be about 2,500 square foot colonials, which there is a market for homes of this size. Ciarcia also noted that frontage on the cul-de-sac may be an issue as 60 ft. is required. However, he noted that lot width is adequate. Kincart stated that current plan looks reasonable, pending resolution of the sewer issues. The Board instructed Ciarcia to proceed with the application.

Ryder Subdivision

SBL: 48.06-1-12

Discussion Subdivision

Location: 532 Underhill Avenue

Contact: Ciarcia Engineering, PC

Description: Applicant proposes to subdivide a parcel with an existing residence into 2 building lots.

Dan Ciarcia of Ciarcia Engineering, project engineer, was present. Ciarcia indicated that Bruce Barber had asked about moving all of the septic out of the wet areas on the site. A slope analysis had been conducted to identify areas of less than 15% slope. Ciarcia stated field work with the Health Dept. has been conducted and that a gravity system is planned for the primary septic systems. He noted that the bedroom count may need to be cut back depending on perk tests. In case the expansion areas needed to be used in the future, the existing septic tanks could be used and then you would need pumps to bring septic to the expansion areas. Tegeder asked if the expansion and regular septic areas could be switched to start with to keep the septic out of the wetland completely. Ciarcia stated that gravity systems are preferred over mechanical systems due to failures. Tegeder asked if the existing driveway could be used to serve both homes to avoid a new curb cut through the wetland. Ciarcia stated he would work on a proposal that used the existing driveway.

VS Construction Corp. ZBA #5/15

SBL: 6.18-1-13

Zoning Board of Appeals Referral

Location: 3771 Curry Street

Contact: Ciarcia Engineering, PC

Description: Request to construct a single family home on a lot with a total area of 18,040 square feet where 20,000 square feet are required and a variance for a side yard setback along Route 6 of 26.1 feet where 40 feet is required.

Dan Ciarcia of Ciarcia Engineering, project engineer, was present. Ciarcia stated that the Board had requested landscaped screening for the house on the Route 6 side of the property. In response, Ciarcia suggested a line of Arborvitae just outside the sewer easement. Tegeder expressed concern over the appearance of house looming 40 feet over Route 6. Dan replied that he had lowered the height of home 3 feet and that the ground floor would also be framed so there would not be a tall exposed foundation wall. Tegeder stated he felt some screening outside the

Planning Board Minutes March 11, 2015

pump house fence on the corner of Route 6 was necessary. Concern for tree roots damaging the sewer pipes was discussed by the Board. Ciarcia agreed to stake out the house and the property line. Then a site meeting could be scheduled to site some trees on this corner. Tegeder indicated that he would work on the plan and finalize issues.

JVBD – Jefferson Valley Business District– John Tegeder addressed the Board regarding the Jefferson Valley Business District plan that was completed in the late 1970's. Tegeder indicated that the plan recommended the Town seek to provide a pedestrian path around Osceola Lake. The Board agreed that Town should use Osceola Lake as a resource. Anna Georgiou informed the Board that NY state law provides for diminished liability of the property owner for certain passive recreational uses on private property by the public.

Susan Siegel addressed the Board, as a representative of the Town Board, and brought up the joint meeting between the Planning Board and Town Board that this discussion should also include the question of recreation at the Osceola Square project. Tegeder stated that it is up to the Planning Board to review and approve the plan for this project. Fon stated the joint meeting was tentatively scheduled for the work session at the April 6, 2015 Planning Board meeting.

Upon a motion by John Kincart, seconded by Darlene Rivera, and with all those present voting aye, the Board voted to close the meeting at 8:20 pm.