

Planning Board Minutes April 20, 2015

A meeting of the Planning Board, Town of Yorktown, was held on April 20, 2015, 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:

John Flynn

Darlene Rivera

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

Correspondence:

Richard Fon began the meeting with a brief mention of recent letter and memo correspondence from ABACA regarding the CVS project on Crompond Road.

The Minutes of the April 6, 2015, meeting were then reviewed by the Board, with no member noting any issues or corrections.

Upon a motion by Darlene Rivera, seconded by John Flynn, with all those present voting aye, the Board approved the April 6, 2015 meeting minutes.

Upon a motion by John Flynn, seconded by Darlene Rivera, all present voting aye, the Board moved into the Special Session.

SPECIAL SESSION

Faith Bible Church

SBL: 15.16-2-9, 10, 50, 53, 54

Request 1st One Year Time Extension

Location: 3500 Mohegan Avenue

Contact: Al Capellini

Description: Approved Special Use Permit, Site/Parking Plan, Stormwater Pollution Prevention Plan Permit, Wetland Permit, and Tree Removal Permit for an 8,000 sf, two-story church, and parking granted by Resolution #14-08 dated May 5, 2014.

Al Capellini stated that he was waiting on the DEC permit to complete the site design. He is requesting an extension of the project approval for one year. Capellini added that he will provide the Conservation Board notes on the site to the project engineer.

Upon a motion by Richard Fon, seconded by Darlene Rivera, with all those present voting aye, the Board approved the 1st One Year Time Extension for Faith Bible Church.

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Yorktown Auto Body Amended Site Plan

SBL: 37.19-1-79, 81, 87

Request 1st One Year Time Extension

Location: 1798 Front Street

Contact: Site Design Consultants

Description: Approved Amended Site Plan for a 1,450 sf addition and parking granted by Resolution #14-16 dated April 7, 2014.

Al Capellini stated that the applicant had been waiting for DEP approval of the project which was just recently granted. Steinberg indicated the site plans were ready for signature tonight. However, the project approval has expired therefore Capellini is requesting a one year extension.

Upon a motion by Darlene Rivera, seconded by John Flynn, with all those present voting aye, the Board approved the 1st One Year Permit Extension for the Yorktown Auto Body Amended Site Plan.

Upon a motion by Darlene Rivera, seconded by John Flynn, with all present voting aye, the Board closed the Special Session.

WORK SESSION

Starbucks Coffee

SBL: 37.14-2-56

Discussion Renewal Special Use Permit Outdoor Seating

Location: 1932 Commerce Street

Contact: dpb Consulting Services

Description: Renewal of outdoor seating permit. The new furniture will consist of 32 seats, 11 tables and 4 umbrellas.

Laura Dettmann, new Starbucks manager, was present. Board members expressed concerns with the condition of the parking lot. Fon noted that line-striping is needed and mentioned that there is a condition with the trash in the lot. Dettmann indicated that new protocols have been put in place to address the litter issue.

Parking spaces assigned Starbucks were identified by the Board. Laura Dettmann stated that she will put in request with the property owner to have the lines restriped. The new outdoor seating plan was reviewed.

Fon questioned Dettmann regarding the amount of time needed to get the parking lot work completed. Fon requested that striping be completed and parking lot hazards be addressed or corrected by July 1, 2015. In addition, some type of plan must be put in place to address/control

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litter on the site. Steinberg noted that the 2009 permit requires that applicant address the Planning Board by each July. The Board agreed that this requirement will be continued.

BJ's Wholesale Club/UB Yorktown, LLC

SBL: 36.06-2-76

Discussion Amended Site Plan

Location: 3315 Crompond Road

Contact: Zarin & Steinmetz

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

Umberto Balducci, from John Meyer Consulting, project engineer, was present for the applicant.

Steinberg stated prior to the meeting that the draft resolution was reviewed with the applicant and proposed minor edits are enumerated on the memo given to the Board tonight. Tegeder indicated that the proposed sign scheme for BJ's exceeds permitted thresholds. He explained that only 30 sq. ft is allowed for canopy signs. In the proposed plan, the aggregate of two of the three signs exceeds 40 sq. ft. The aggregate shouldn't exceed 30 sq.ft. Tegeder noted that he thought the Town Board mis-stated the permitted size of 60 sq.ft. The Board should recognize the Town Board approved BJ's signage in the Staples Plaza Master Sign Plan because it is part of the shopping center.

Fon mentioned that this Application was left open for written comment for 10 days, following the last Planning Board meeting. No comments had been received during the allotted time period.

Flynn questioned why only a sand filter was being proposed for stormwater treatment at the fueling station. Flynn recalled the Costco gas station had additional measures proposed for stormwater treatment. Balducci stated JMC had been working closely with the NYC DEP and that a sand filter is a treatment method accepted within a "hot spot" area such as a gas station. Balducci also stated that the BJ's project would be considered differently than the Costco project because Costco was proposing a new gas station on a mostly vacant site, whereas the BJ's proposal is considered redevelopment of an existing developed site. The entire area of the site where the gas station is proposed is currently asphalt parking. In addition, this side of the site has a reduction in the total amount of impervious area. Flynn mentioned that Costco's EIS contained a detailed overview of the filtering system. The Costco filtering system seems to provide for a much more dense layer of protection than the one presented for the BJ's fueling station. Costco's plan called for additional filters inserted into the catch basins. In addition, Costco's Fueling station then feeds into the overall site stormwater system. Flynn again questioned why this additional filtration wasn't provided at the BJ's fueling pad. Balducci was not familiar with the details of the Costco plan, but indicated that impervious surfaces were being reduced and that stormwater from entire site will be treated. He mentioned that perimeter drain was added around canopy to separate and reduce the amount of water going into the filtration system.

Fon indicated that the hearing on this application has been closed. A resident local to the BJ' site, Ann Kutter, requested permission to speak to the Board regarding the project. Kutter thanked the applicant, Urstadt Biddle, for participating in the Battle of Yorktown litter clean up by sending a paid team to help clean up the site and surrounding main roads. She was very pleased with their work.

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Fon stated that the Board would not be voting on the draft resolution until its May 4th meeting. Fon requested the applicant submit a written response regarding the stormwater system and the filtering of hydrocarbons.

UB Yorktown, LLC *Withdrawn by Applicant*

SBL: 36.06-2-76

Discussion Staples Plaza Master Sign Plan

Location: 3315 Crompond Road

Contact: Norman DeChiara Architects

Description: Proposed master sign plan for shopping center.

This item was not discussed.

Commerce Heights Foodsmart, Inc.

SBL: 37.14-2-69, 70

Town Board Referral

Location: 2001 Commerce Street

Contact: Henry Steeneck, Owner

Description: Proposed change of signage at gas station to Gulf.

Fon complimented Mr. Steeneck, the property owner of the Gulf station, on the clean condition of his property. Mr. Steeneck requested that the Board approve a new sign for the gas station property. Fon presented the memos from ABACA and from Building Inspector to owner for review. Fon agreed with ABACA's concerns.

Tegeder stated that ABACA had an issue with the two existing freestanding signs. The monument sign and the pricing sign on the light post are considered freestanding signs. The applicant is proposing the continued use of both. Tegeder explained that ABACA is fine with the free-standing monument sign, but does not like the positioning of the two signs right next to each other, as well as the size of the signs.

Mr. Steeneck expressed his displeasure that the Mobil gas station across Commerce Street, erected a new freestanding sign without approval from Town Board. He feels that the Building Department should make Mobil take their sign down. Fon indicated that Planning Board will follow-up on Mr. Steeneck's complaint.

The Board agreed to send a memo to the Town Board echoing ABACA's concerns. Fon suggested Mr. Steeneck discuss the ABACA concerns with his sign vendor.

Upon a motion by Darlene Rivera, seconded by John Flynn, and with all those present voting aye, the Board voted to close the meeting at 8:05 pm.