

Planning Board Minutes August 24, 2015

A meeting of the Planning Board, Town of Yorktown, was held on August 24, 2015, at the Yorktown Community & Cultural Center, 1974 Commerce Street, Room 104, Yorktown Heights, NY 10598. The Chair, Richard Fon, opened the meeting at 7:00 pm with the following members present:

John Savoca
John Kincart
John Flynn
Darlene Rivera

Also present were: Robyn Steinberg, Planner; Tom D'Agostino, Assistant Planner; and Anna Georgiou, attorney to the Planning Board.

The Board reviewed the minutes of the June 22, 2015 meeting. Georgiou noted several revisions.

Upon motion by John Savoca, seconded by John Kincart, and with all those present voting aye, the Board approved the June 22, 2015 meeting minutes, with noted changes.

WORK SESSION

Taconic Veterinary Hospital & Canine Kindergarten

SBL: 36.5-1-18

Discussion Site Plan

Location: 3655 Crompond Road

Contact: MAP Architecture

Description: Proposed site plan & special permit for a Canine Kindergarten dog daycare and 24 hour veterinary clinic.

Michael Piccirillo, project architect, was present with the applicants. Piccirillo stated the propane tanks have been hooked up to service and the sewer connection has been verified by the Engineering Department. Piccirillo's memo to the Board also stated the canine kindergarten was not a kennel. The dogs are never crated. Noise issues have been addressed with fencing, natural screening, natural topography, management of animals to control barking.

Fon noted that Board had visited facilities operated by the applicant and didn't observe noise. Fon noted the ABACA issued a memo. The applicant will be at the ABACA meeting tomorrow night.

Flynn inquired about some of the features of the plans including the width of the gates, entrances to the building and parking space locations. Piccirillo stated the gates would allow vehicles to access the rear of the building. However, vehicles will not be able to circle the building.

Upon motion by John Savoca, seconded by John Kincart, and with all those present voting aye, the Board opened a Special Session.

Upon motion by John Savoca, seconded by John Kincart, and with all those present voting aye, the Board declared Lead Agency.

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Upon motion by John Kincart, seconded by John Savoca and with all those present voting aye, the Board approved the Amended Site Plan for the Taconic Veterinary Hospital & Canine Kindergarten.

Upon motion by John Savoca, seconded by John Kincart, and with all those present voting aye, the Board approved the Special Permit for Outdoor Services.

Upon motion by John Kincart, seconded by John Savoca and with all those present voting aye, the Board closed the Special Session.

Colangelo Subdivision

SBL: 35.16-1-4

Discussion Subdivision

Location: 1805 Jacob Road

Contact: Site Design Consultants

Description: Proposed to subdivide the subject property into 6-lots from 53.5 acres in the R-160 and R1-40 zones with a request to utilize the "large lot clustering" provision in the Town Code.

Al Capellini, project attorney, Joseph Riina, project engineer, John Colangelo, property owner, and Michael Yu, Mr. Colangelo's intern from Fordham University, were present.

Riina stated the project is located on 53 acres in the R1-40 and R1-160 zones. A combination of residential, single family homes, a farm, open space are proposed. Riina prepared a 6 lot conventional subdivision layout. The preferred subdivision plan shows 5 residential sites, with the remaining acreage being for the main residence and farm. At the site entrance, will be farm stand with 2 silos as an entry statement. The silos would provide charging for electric vehicles. The farm stand will provide produce from local farms in area. To the rear of the 5 smaller residential lots will be a pedestrian trail to access the open space to the rear. Each of the 5 smaller residential lots may may have accessory apartments. A solar array is also being considered. The parcels labeled A, B, C & D will be cleared and farmed. Possibility for beef cattle from neighboring farm, but no concrete plans yet. A conservation easement is shown. There is also a part of the property that could be designated as a dog park. The southern end of the property connects with the Hunterbrook Linear Park. Colangelo wishes to use eco-friendly products during the construction of the homes & farm. An educational platform area could be constructed along a seasonal wetland. Looking to use wells and septic system.

Project is being proposed under the Flexibility Standard, in order to down-size residential homes. All houses will be under 2,500 square feet. Colangelo stated the property was the old Constable Farm. His parents purchased the property in 1938.

Kincart asked whether the homes would be sold. Colangelo stated he was not inclined to sell the homes. Looking to keep homes and rent them out to families. Accessory apartments will be provided to afford generational housing.

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Fon asked Colangelo for a Business Plan. Colangelo presented a report prepared by Yu which explained the eco-friendly elements and types of development that were being considered.

The Board agreed the proposed project was complex and may require different approvals from the Town Board, Zoning Board, and the Planning Board. Fon inquired about the size of the solar array area. Riina stated it would be 30,000 square feet. He would revise the plan to show this size. Colangelo stated he was looking to build a geobarn. New World Homes of Palisades, NY would be the designer of the homes.

Georgiou inquired whether the land was in the Ag District. Colangelo stated the property is not currently in the Ag District because it has not been farmed in many years. Georgiou asked about endangered species on site. Riina stated a request was submitted to determine protected species in the area.

The Board discussed whether comments should be taken from the public that was present at the meeting. The Board decided to hear resident Randy Pratt. Pratt requested the adjacent structures in Cortlandt be shown on the plan.

Marathon Development Group

SBL: 37.18-2-51

Discussion Site Plan

Location: 322 Kear Street

Contact: Site Design Consultants

Description: Proposed 3 story commercial/residential building planned for 12 apartment units, above the commercial space, on the second and third floors. The building has a footprint area of 3,000 sf on the first floor for commercial space and 2 floors with a blue print area of 5,000 sf, 10,000 sf total.

Al Capellini, project attorney, Joseph Riina, project engineer, and applicant, Mark Beida, were present. Beida provided the Board with the parking ratios for several developments his company manages in Westchester. Capellini requested that Planning Board determine the parking ratio requirements for the site because the site was a hybrid commercial and residential zone. Fon suggested that the parking research be given to John Tegeder & Robyn Steinberg to review.

Riina provided an area map to Board that shows all adjoining buildings and height of proposed structure compared to neighboring buildings. Flynn asked if a height variance was need. Riina stated a height variance was not needed.

The distance to bus stop on Commerce Street is 384 feet. Parking will be located partially underneath the building – under the second and third floors of the building.

Savoca noted the footprint of building is small for what the owner wants to accomplish. Distances to neighboring properties was discussed. Flynn thought more open space will be needed for a residential property. Provisions for parking was again addressed. Fon referred parking issues to Planning Department. Board will look at mixed occupancy of property. Fon requested additional information on Business Plan. An architect is working on elevations.

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Ianuzzi Subdivision

SBL: 47.15-1-15 & 16

Discussion Subdivision

Location: 1189 Baptist Church Road

Contact: Site Design Consultants

Description: Proposed re-subdivision of the existing 3 lots into 4 lots with request to utilize the Town's flexibility standards.

Al Capellini, project attorney, Joseph Riina, project engineer, and applicant, Stephen Ianuzzi, were present. Riina reviewed issues addressed at the last meeting: the driveway width; turn-around zone for firetruck, re-grading of driveway. Access to the site for emergency vehicles was discussed.

The Building Inspector's memo requested the designation of the side yards be consistent. This would make it easier for applications on the lots in the future.

The Board scheduled a Public Informational Hearing for the September 21, 2015 meeting.

Flynn requested the driveway be considered asphalt/impervious for the purpose of designing the stormwater plan, even if it was not proposed to be paved at this time.

Triglia & Rezi Subdivision

SBL: 16.17-1-51

Discussion Subdivision

Location: 1415 Christine Road

Contact: Vincenzo Triglia

Description: Proposed 2-lot subdivision of a 1.145 acre lot in an R1-10 Zone.

Al Capellini, project attorney, Peter Gregory, project engineer, and property owner, Rocco Triglia, were present. Gregory addressed points that were discussed at the Public Informational Hearing. Since the last meeting, an as-built survey has been obtained for Lot #1. The home was built 25 feet closer to Baker than originally proposed. Fon questioned if this change had been approved by the Building Inspector. Triglia indicated that the Building Inspector has the current plan. Capellini stated the home was still behind the front yard setback. Gregory prepared an aerial photo for Board to view the location of the property in relation to neighboring homes. Steinberg stated the adjacent homes still must be shown on the subdivision plan

Drainage and location of wetlands was discussed. Gregory stated the drainage would be directed to the existing pipe at the corner of Christine Road. This pipe presumably heads towards the wetland property north on Christine Road. Fon asked about perc tests that had been conducted. Gregory stated the tests did not work.

Fon expressed concern that the road is not maintained by the Town. Fon questioned, if there was a problem with existing drainage, who would be responsible for making needed repairs.

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Gregory replied that all work will be done on the property. There are no intentions to address existing drainage in the roads. Fon wanted the question of road maintenance to be addressed. Capellini pointed out that there are existing properties that are draining in the same manner as proposed sub-division. Fon requested Gregory contact the Highway Dept and Town Engineer to address drainage questions.

Flynn commented about trees being removed from property to accommodate construction. Flynn suggested that a 20 inch maple could be saved. Steinberg stated that information provided to the Board should be accurate and consistent. The Board has concerns that need to be addressed. Fon suggested the applicant include the neighbors in their investigations into the drainage.

JCPC Holdings, LLC Site Plan

SBL: 48.07-2-2 & 48.11-1-49

Discussion Site Plan

Location: 1550 Front Street

Contact: Ciarcia Engineering

Description: Proposed to construct a 5,000 sf building for an engine building shop, and to store and repair cars in an I-2 zone.

Dan Ciarcia, project engineer, and applicants John and Patty Cerbone were present. Ciarcia presented the site plan to Board and provided history of planning and zoning for the area. Front Street had been envisioned to attract industrial users. Cerbone is a builder of custom car engines. He wishes to relocate from the Bronx. Ciarcia had a question of setback requirements for the property in regards to the right-of-way behind the property. Ciarcia provided information on drainage for property and noted that Front Street is higher than the property. Standing water does occur, as does some wetlands vegetation. Soil studies from the USDA Natural Resources Conservation Services indicate that soil is a Class B soil. Ciarcia believes the construction of Front Street has created a wetland on the site due to drainage. There is a drainage pipe coming under Front Street that does not seem to be maintained by anyone.

Steinberg stated the Crown Delta application did address the wetland on the site and relocated their parking to meet wetland set-back requirements. Fon noted that the drainage pipe issue may not have been revealed during that application process.

Cerbone indicated that he did not need all the required parking. There are only three employees and two of these are he and his wife.

It was brought to the Planning Board's attention that Town Board is currently considering changes to the wetlands law. The function of the wetland should be considered.

Upon motion by John Kincart, seconded by John Savoca , and with all those present voting aye, the Board voted to close the meeting at 10:08 pm.