

Planning Board Meeting Minutes – October 2, 2023

A meeting of the Town of Yorktown Planning Board was held on Monday, October 2, 2023, at 7:00 p.m. in the Town Hall Boardroom.

Chairman Rich Fon called the meeting to order at 7:00 p.m. with the following Board members present:

- Rob Garrigan
- Bill Lascala
- Bob Waterhouse, Alternate

Also present were:

- John Tegeder, Director of Planning
 - Robyn Steinberg, Town Planner
 - Ian Richey, Assistant Planner
 - David Chen, Esq.
 - Councilman Sergio Esposito, Town Board Liaison
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Chairman Fon called the meeting to order.

There was no correspondence.

Motion to Approve Meeting Minutes of September 11, 2023

Upon a motion by Bill Lascala, and seconded by Rob Garrigan, and with all those present voting “aye”, the Board approved the meeting minutes of September 11, 2023.

Motion to Open Work Session

Upon a motion by Chairman Fon, and with all those present voting “aye”, the Board opened the Work Session.

WORK SESSION

Stahmer Subdivision Lot 2 - Kane Residence

Discussion: Residential Site Plan

Location: 59.1-1-10.1; 535 Jerome Avenue

Contact: P.W. Scott Engineering and Architecture, P.C.

Description: Proposed site plan for a 3,383 sf single-family residence, a 1,300 sf barn, and a 1,080 sf pool, located on a 4.3 acre parcel, previously approved for a different applicant. Construction has been reduced by 380 sf from original approved plan. Previously approved SWPPP will remain. Tree removal has already taken place following previously approved Tree Mitigation Plan.

Comments:

Item withdrawn from agenda at the applicant’s request.

Catalo Building

Discussion: Proposed Project

Location: 37.18-2-66; 1929 Commerce Street

Contact: Perry Gusikoff

Description: Proposed outdoor dining area and elimination of 4 parking spaces.

Comments:

Joseph Riina of Site Design Consultants; and Perry Gusikoff, property owner were present. The applicant is proposing a plaza area (20’x40’) in front of the building adjacent to the sidewalk to enhance the building and area. The design is similar in concept to the Starbucks across the street. The plaza would be utilized by the building tenants and public. The proposed plaza will be surrounded by a 42” high stone wall with seating and tables; landscaping and lighting is also proposed. The plan as proposed results in the loss of four parking spaces. The rear parking area will remain as is.

Mr. Garrigan noted that the parking spaces are currently angled and asked if they will now become straight in parking as part of the new plan. Mr. Gusikoff responded that this was correct. Mr. Riina noted that the spaces will now be shorter. Mr. Tegeder asked if food service was proposed and the response was no. Mr. Tegeder informed the Board that

a resolution could be prepared reducing the parking requirement by 4 spaces and adopting the site plan with the patio area. After discussion, the Board had no issues with the proposed plan. The application will be placed on the next meeting agenda.

Miles of Smiles - ZBA Referral #29/23

Location: 16.08-1-1; 3667 Hill Boulevard

Contact: The Helmes Group, LLC

Description: ZBA Referral for a Special Use Permit to permit the proposed new Daycare Facility to occupy the existing vacant tenant space in the Lourdes Shopping Center.

Comments:

No representative was present. Mr. Tegeder cited Chapter 300-53: Day Care Facilities from the Town Code. He stated that there are no physical dimensional requirements, the minimum usable indoor areas are compliant, and no minimum requirement on outdoor recreational space but noted that there is a requirement to provide some, which they are. He added that Chapter 300-53, subsection D states that a site development plan is required; and subsection E requires a traffic study. It was noted that there was discussion about the curb cut at the previous meeting. Chairman Fon asked about the next steps. Mr. Tegeder stated that a memo could be drafted to the Zoning Board requesting a site plan review and traffic study but noted that the Zoning Board will have the approval of authority. The applicant will be advised to work on the traffic plan. Mr. Garrigan stated that the biggest issue at hand would be the flow of the parking lot. The Board agreed that they would like to review the plans.

Hemlock Hills Solar Farm

Discussion: Proposed Field Changes

Location: 46.08-1-1; 500 Croton Avenue

Contact: Badey & Watson Surveying and Engineering, P.C.

Description: Addition of a 6-foot-high galvanized chain link fence and 152 sf concrete pad.

Comments:

Margaret McManus, P.E. was present. Ms. McManus stated that the ownership of the array has changed hands since the plan was approved. The solar array is built but it has come to the present owner's attention that a 6-ft chain link fence is required to be installed around the array; additionally a concrete pad (8'x19') is required for the equipment near the array. As a result, the plan has been updated to reflect these changes to comply with the NYS code requirement.

Chairman Fon asked if there were any issues. Mr. Tegeder stated that the fence and concrete pad were not going to have any significant impacts and is required for security purposes. He added that the decommissioning bond has not been completed and a pilot agreement has not been put into place as yet. He noted that the Town Board passed a resolution after the original approval for this project requiring a pilot agreement. He suggested that a memo could be drafted approving the plan changes and requiring both the decommissioning bond and pilot agreement before closing out the project. The Board agreed.

Motion to Close Meeting

Upon a motion by Bill Lascala, and seconded by Rob Garrigan, and with all those present voting "aye", the Board closed the meeting at 7:30PM.