

Planning Board Meeting Minutes – October 21, 2024

A meeting of the Town of Yorktown Planning Board was held on Monday, October 21, 2024, 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:

Aaron Bock
Rob Garrigan
Bill Lascala
Bob Waterhouse, Alternate

Also present were:

John Tegeder, Director of Planning
Robyn Steinberg, Town Planner
Ian Richey, Assistant Planner
Nancy Calicchia, Secretary
David Chen, Esq.

Correspondence

670 East Main Street (approved residential site plan by Planning Board Resolution #23-17 dated September 11, 2023) – Correspondence via email by Tom Racek, property owner dated 10/17/24. Tegeder explained to the Board that the owner is proposing to relocate the exterior condenser units from the originally approved locations to the rear of the building with landscaping and noted that he had no issue with the proposed relocation. If the Board agrees, a memo will be issued authorizing the change. The Board had no issues and agreed to the change. The Planning Department will prepare a memo to be distributed appropriately.

Motion to Approve Meeting Minutes of October 7, 2024

Upon a motion by Aaron Bock, and seconded by Bill Lascala, and with all those present voting “aye”, the Board approved the meeting minutes of October 7, 2024.

Motion to open Regular Session

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

REGULAR SESSION

Roberta Front Street

Discussion: Request for 2nd One-Year Time Extension
Location: 46.07-2-11, 13, 15, 17; Front Street
Contact: Site Design Consultants
Description: Approved site plan for a 2,108 SF one-story building and a 5,370 SF two-story building on 0.80 acres in the transitional zone.

Comments:

Joseph Riina, P.E. of Site Design Consultants was present. Riina stated that he is here this evening to request a 2nd one-year time extension for the approved site plan. The Board, Planning Department, and Counsel had no issues.

Upon a motion by Bill Lascala, and seconded by Rob Garrigan, and with all those present voting “aye”, the Board approved the request for a 2nd one-year time extension.

Teatown Lake - Campus Renovation

Discussion: Public Hearing
Location: 69.14-1-5, 6, 7, 8, 8.1; 1600 Spring Valley Road
Contact: DTS Provident Design Engineering
Description: Proposed campus renovations including the Nature Center and the adjoining areas north and south of Spring Valley Road.

Comments:

Aaron Bock recused himself from this agenda item; a letter was previously submitted to the Planning Department for the record.

Upon a motion by Bob Waterhouse, and seconded by Rob Garrigan, and with all those present voting “aye”, the Board opened the Public Hearing.

Andrew Tung, P.E.; and Alan Sorkin, Managing Director of Teatown; were present. Sorkin stated that they are the largest community funded nature preserve in Westchester County. Their mission continues to inspire lifelong environmental stewardship within the community. For decades they have been sharing their love of the environment by preserving the land and teaching people of all ages about the environment and running their environmental science camp. The four primary objectives of the project are to maintain the health of the preserve; strengthen their long-standing commitment to environmental education with a focus on indoor and outdoor classroom space; investing in the aging infrastructure; and create a more safe and ADA accessible environment for the campus. Their goal is to enhance their mission impact and not their capacity.

Tung stated that since they were last before the Board, they met with the ABACA and received their comment memo dated 9/23/24 which was generally positive but they requested for the applicant to study the vertical element for the new elevator/stairwell in the Nature Center. A study was provided as part of their latest submission to the Planning Department. They subsequently received a memo from ABACA dated 10/11/24 stating that they had no further comments. They also received letters from outside agencies that included the NYSDEC dated 10/7/24, NYCDEP dated 10/15/24 and the Westchester County Planning Board (WCPB) dated 10/16/24. The DEC and DEP letters reminded them of permits required and the WCPB letter was generally positive. They are currently in discussion with the DEP with respect to the stormwater management measures and revisions to the use of the existing septic field. They anticipate that they will be under the DEC guidelines for a general permit for stormwater discharge associated with temporary construction activities. They also received a comment memo from the Fire Commission dated 10/15/24. They had a zoom meeting with the Fire Inspector and Deputy Chief earlier today and are planning to meet with them again to review the issues raised with respect to fire fighting at the new buildings, access to the maintenance building, and the potential provision of a dry hydrant connected to Teatown Lake for water supply. Additionally, they received correspondence this evening from a Teatown neighbor with respect to the proposed bus access at Blinn Road.

Tung stated that Teatown is proposing to revamp and repurpose their campus to better serve the needs of the staff, students, and visitors. The primary elements of the proposal include the renovation of the Nature Center building on the north side of Spring Valley Road; construction of a new education building to the north of the Nature Center; and the relocation of the maintenance building to the south side of Spring Valley Road. The new education center is proposed to be a single-story building with a green roof and geothermal heating and cooling system and is designed specifically for students and summer programs. A dedicated bus drop-off area north of the Nature Center from a shared driveway at Blinn Road was created to avoid drop-off conflicts that currently exist at the campus today. The existing main lot to the left of the Nature Center will be removed and replaced with landscaping and trails and the parking spaces will be relocated to the south side of Spring Valley Road as an extension of the existing south gravel lot. These improvements will help to clarify the arrival, departure, and parking activities for all visitors. Additional site improvements include the creation of trails and walkways that will now be ADA accessible throughout much of the site to best serve the public and carry on their mission.

Fon asked the Board, Planning Department and Counsel if there were any comments. Waterhouse asked if there was any thought or provisions on the possibility of a dormitory at the camp for teaching fellow environmentalists. Sorkin responded that there is no intent to build a sleep away camp.

Fon asked the public if there were any comments and there were none. Fon noted that correspondence was received this evening from resident and Teatown neighbor, Geoffrey Thompson, and read the letter to all for the record.

1. Geoffrey S. Thompson, 52-year resident and neighbor of Teatown (335 Blinn Road) – Summary of letter submitted to the Planning Department on 10/21/24. Thompson moved into a Teatown-owned house on Spring Valley Road at the corner of Blinn Road on November 1, 1972 and lived there for 8 years while working part-time at Teatown; and has lived adjacent to Teatown at 335 Blinn Road for the last 44 years. As a past president and two-time Chairman of the Board of Trustees, he is familiar with the organization and its growth. He is concerned about the visual and physical impact of the proposed new access drive on Blinn Road and is asking the Board to carefully consider what

these impacts will be and how they can be mitigated. The fact the the proposed road is designed for buses means it will be far more of a street than a typical residential driveway. Every effort should be made to preserve the rural appearance of the street. Evergreen screening should be provided between the new bus roadway and the property line; formal curbing should not be installed along Blinn Road. It will be challenging to not make this entrance, which will also serve as a now to be formalized major parking lot, look like a suburban school entrance but that effort must be achieved. The construction impact on Blinn Road will be exacerbated by the installaton of an under the road culvert/tunnel which will be used initially to pump muck from Teatown Lake to the opposite side of Blinn Road where it will be deposited into a vaguely defined location on Teatown’s land; this should be reviewed as the tunnel is to be kept permanently. With respect to the buses, it his his understanding that they will be limited to 4 a day and that other vehicular traffic will be strictly restricted. Bus idling should be kept to a minimum; and driveway lighting should be held to low levels and as little as possible. The new classroom building is admirably designed and appears to blend well with the surrounding landscape and he has been assured that it will not cast bright light at night. Restrictions on the number of buses per day and night; lighting; inclusion of screening; and streetscape preservation/restoration should be made part of any approval. A streetscape monitoring regimen determined by the town should also be stipulated. He respectfully asks the Planning Board and Planning Director give the Blinn Road area the special attention it deserves.

Garrigan noted that there is reference in the Thompson letter that vehicular parking in the Blinn Road lot will be restricted and asked if this was the intention. Tung responded that it is visitor parking and there will be no restrictions. There were no other comments.

Upon a motion by Bob Waterhouse, and seconded by Bill Lascala, and with all those present voting “aye”, the Board closed the Public Hearing.

Motion to close Regular Session and open Work Session

Upon a motion by Rob Garrigan, and seconded by Bob Waterhouse, and with all those present voting “aye”, the Board closed the Regular Session and opened the Work Session.

WORK SESSION

401 East Main Street

Discussion: Site Plan
Location: 6.14-1-44; 401 East Main Street
Contact: Hildenbrand Engineering, PLLC, Rich McHale
Description: Proposed 24’x30’ office building with associated parking, septic, and stormwater system on a 0.38 acre site in the Country Commercial zone.

Comments:

Rich Mchale, property owner, was present. Mchale explained the changes that were made to the site plan as a result of comments received from the Board during their site visit. The plans were revised to re-route the town owned drainage pipe to connect to the current discharge location. The septic system was shrunk since they are proposing a smaller building. A landscaping plan is also proposed. He added that they met with the Conservation Board and received their comment memo dated 10/11/24. The Conservation Board suggested the use of pervious pavers in a certain area to control run-off but the issue with this is that the area suggested is too close to the septic system and his engineer thought that this could potentially saturate the septic system.

Bock stated that the application indicates that a wetland permit is required and noted that there is nothing in the materials showing the wetland boundary and buffer. He also questioned if they were in a flood plain and if there was any concern about floodwaters. McHale stated that he owned the property for about 12 years and there was only one flood that happened as a result of a blocked tunnel under the road. He stated that the buffer zone is in between the building and stream. Bock noted that it was not shown on the plans. Bock asked about the parking in front of the building with respect to the Planning Department’s comment memo. Tegeder stated that the regulation doesn’t allow parking in front of the building and would require a variance. Mchale stated that the building is small and is designed for service so they would need the front parking for vehicles and will seek a variance if necessary.

Tegeder asked about the building use. Mchale responded that the proposed building will be used for office space on the top floor with two bays below for storage and vehicles. The nature of their business is geared towards helping people with downsizing and small moves from their homes. They clear the houses of their contents either for donations or to

be stored in their storage units that will eventually be sold at auction. He added that the storage units will also be advertised to the public for sale and are proposing to have a few on display at the site. Landscaping is proposed to screen the storage units so they are not seen from the road. The storage units are not shipping containers, they are units that are delivered disassembled and assembled as needed. Tegeder informed the applicant that the plan should show the display location and number of storage containers as well as the proposed screening.

Fon advised the applicant and his engineer to meet with the Planning Department to go over the details with respect to the storage units, screening, wetland buffer, flood plain, and parking. Fon explained that if the property is in the wetland buffer it will need to be shown on the plan and mitigation will be required. Tegeder noted that this was a formerly developed site and the previous building was generally in the same area; the proposed new building may be further back. He thought that if more details were provided they could move forward with a public informational hearing as it is the initial presentation to the public and the Board agreed. Mchale stated that he will reach out to the Planning Department to schedule a meeting in order to move forward.

Curry Honda - Renovation

Discussion: Site Plan

Location: 35.08-1-10; 3845 Crompond Road

Contact: Architectural Visions, PLLC

Description: Proposed renovation of showroom, front façade, and front parking lot including the addition of vehicle display parking spaces and relocation of the pylon sign and flag pole.

Comments:

Joel Greenberg, and Martin Stejskal of Architectural Visions, were present. Greenberg stated that they are here this evening as a follow up to the previous meeting and to move forward with a resolution. With respect to lighting, the only change is that the display cars will have lighting below; the existing lighting at the site will remain. The building sign will be lit as it is currently. The Planning Department also requested the addition of landscaping on the east side island to which they have done.

Tegeder noted that they are also proposing to remove and relocate one light pole. Stejskal responded that this was correct as it was in the way of the display cars. Tegeder asked about the canopy lighting. Stejskal responded that there is existing lighting under the canopy. Tegeder informed the applicant that a lighting plan will need to be submitted for the record documenting what is shown as a condition of the resolution. Greenberg responded that he had no issue with this.

Fon stressed that along that stretch there have been concerns with noise and lighting so they want to ensure that what is at the site is compliant. Tegeder asked if the existing light pole was 16' or under and fully shielded and Stejskal responded that it was. Tegeder informed the applicant to have a picture shown on the lighting plan with the specifications.

Tegeder informed the applicant that a note should be added to the plan stating that they will be removing the parallel parking spaces and overtopping and recoating the asphalt in front that will also be a condition of the resolution. Greenberg responded that they had no issue with this.

Tegeder also noted that the DOT letter stated that the local regional engineer will ask for the applicant to remove the four spaces to the east as they are in the right-of-way. Greenberg responded that they had no issue with removing these spaces. Tegeder stated that this will also be a condition of the resolution.

Upon a motion by Aaron Bock, and seconded by Bill Lascala, and with all those present voting “aye”, the Board opened a Special Session.

Upon a motion by Bob Waterhouse, and seconded by Rob Garrigan, and with all those present voting “aye”, the Board declared themselves Lead Agency.

Upon a motion by Bob Waterhouse, and seconded by Bill Lascala, and with all those present voting “aye”, the Board adopted the Negative Declaration.

Upon a motion by Aaron Bock, and seconded by Rob Garrigan, and with all those present voting “aye”, the Board approved the resolution approving an amended site plan for Curry Honda with changes as discussed.

Upon a motion by Bob Waterhouse, and seconded by Rob Garrigan, and with all those present voting “aye”, the Board closed the Special Session.

Town Board Referral - 2145 Hunterbrook Road

Location: 36.13-1-2; 2145 Hunterbrook Road

Contact: John Bartolini

Description: Stormwater application for a proposed single-family home on an 8.25-acre lot in the R1-160 zone.

Comments:

Joseph Riina, P.E. of Site Design Consultants, was present. Riina stated that the property is owned by John Bartolini and is located at 2145 Hunterbrook Road on an 8.25-acre lot. The property is zoned R1-160 with a minimum lot size of 160,000SF. Bartolini has owned the property since 1996 and is currently proposing a single-family residence on the property. Riina noted that this property was the subject of a subdivision many years ago. The plans were shown to the Board. There is a town wetland on the property that is delineated on the map. There is also a flood zone to the rear of the property that does not affect the proposed development. The driveway access is proposed at the south end of the property and the residence is proposed toward the center of the property. To the right of the proposed residence is a shaded area for a potential garage and housing for the owner's parents at some point down the road. The septic area is located in between the house and Hunterbrook Road and was approved by the Department of Health; testing was performed and a permit was granted. Stormwater chambers are proposed to handle the run-off from the impervious areas on the site. To the rear of the home there is some grading extending into the buffer. They are here this evening on a referral from the Town Board with respect to the stormwater, wetland and tree permit. In addition to the proposed grading, the applicant is requesting the ability to go in and clear the buffer area of fallen and dead trees and limbs and remove some of the brush that is between the frontage and Hunterbrook Road.

Waterhouse asked if the bridge shown to the right is on the property and Riina said it was not. Tegeder asked if the permit request was for the work that was done. Riina said that the applicant started to remove some of the trees and brush but was stopped and he would like to continue finishing this work as well as preparing the lot for the construction of the residence. Tegeder asked if the trees that came down were unregulated. Riina didn't know and noted that they were trees that came down and were already on the ground. Tegeder asked if mitigation was proposed for the grading to occur in the buffer as yet. Riina said not at this point. Tegeder asked if the cleanup is across the entire property or a smaller area. Riina said the applicant hasn't designated a limit but would like to open it up as the beauty of the site is the topography and the Hunterbrook as it runs along the rear of the property. He noted that at one time the property was all open with fencing so it was a grazing area of some type. Tegeder noted that the trees to be removed for the construction of the house should be shown on the application.

Bock stated that his preference is that the corridor remain as natural and undisturbed as possible notwithstanding the applicant's desire to see it. He doesn't see any information as to what will end up there after it's done; how will it be altered and what significant or insignificant changes are proposed. Riina's understanding is that his client has no intent of grading or disturbing the area, he just wants to have an open feeling out to the Hunterbrook. He noted that if you were at the site you would see that it is currently overgrown brush with not many trees and you could see it was a turnout area possibly for horses as the fencing is still out there. Bock thought this may be true but was concerned about the note stating clear out all underbrush. Tegeder asked if they were importing fill for the driveway and Riina responded that they were.

Garrigan stated that this is one of the challenges he has with the tree permits. This is private property that abuts the stream. With respect to the underbrush, they don't know but it could be invasives, etc. They need to see a landscape plan associated with the site plan to understand the intent. If he wanted a lawn there should be no reason why it shouldn't be allowed. Bock stated that the wetlands law is a permissive law that allows you to do certain things that have to be mitigated. He is not objecting to any of the proposed uses he just feels they need more detail. Riina stated that when they were subdividing the property it was just a field all the way out to the stream that has been unmaintained and overgrown over the years. Tegeder asked Riina if he was involved in the subdivision that was never finalized. Riina responded that he was and it was known as the Feldman subdivision. The Feldmans owned this piece, the piece to the south, and another piece that became part of Fox Den. Tegeder stated that this was a distinct stand-alone piece as part of three other pieces all stand-alone. Riina stated that the Feldmans also lived in the house to the north.

Garrigan asked Tegeder in general if a permit was required to remove fallen trees, limbs and dead trees in a delineated wetland area. Tegeder responded that a permit is required over the threshold of 20,000SF. Garrigan asked if a resident could perform maintenance work on their property if there is no delineated wetland. Tegeder responded that they could

provided that they don't go over the threshold. Tegeder noted that most of the work that appears to have taken place here seems to be unregulated permitted acts and noted that the permit is also for building a house. The Planning Department will submit a memo to the Town Board as discussed.

Town Board Referral - Solar Moratorium

Description: Proposed local law to extend the existing moratorium on Chapter 300 regarding solar power generation facilities.

Comments:

After discussion, the Board had no issues with the proposed extension but requested that large-scale rooftop solar projects within the commercial zone be exempt from the moratorium. The Planning Department will submit a memo to the Town Board.

Town Board Referral - Amending Chapter 280 – Water

Description: Proposed amendment to replace the language in Chapter 280 regarding fluoridation.

Comments:

After discussion, the Board had no planning issues with the proposed amendment. The Planning Department will submit a memo to the Town Board.

Meeting Closed

Upon a motion by Bill Lascala, and seconded by Aaron Bock, and with all those present voting “aye”, the meeting closed at 8:07PM.