

Planning Board Minutes January 23, 2017

A meeting of the Planning Board, Town of Yorktown, was held on January 23, 2017, 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 Savoca
John Kincart
Anthony Tripodi
William LaScala

Also present were: John Tegeer, Director of Planning; Robyn Steinberg, Town Planner; Tom D'Agostino, Assistant Planner; Mark Blanchard and Kristen Wilson, Planning Board Counsel; Michael McDermott, Town Attorney, and Pat Cumiskey, member of the Parks & Recreation Commission.

Correspondence: A letter was received for the Chase Bank responding to the requirements of the Resolution. Matt DeWitt presented the minor changes to the lighting plan. The Planning Board had no objections to the plans being signed by the chairman.

Minutes:

Upon a motion by LaScala, seconded by Savoca, and with all those present voting aye, the Board approved the January 9, 2017 meeting minutes.

WORK SESSION

Shrub Oak International School

SBL: 26.05-1-4

Discussion Site Plan

Location: 3151 Stony Street

Contact: David S. Steinmetz, Esq.

Description: Proposed site plan, a special use permit for a helistop, and a special use permit for a private school, for autistic children at the former Phoenix House Academy.

Present were: project attorneys, David Steinmetz and Michael Cunningham, from Zarin & Steinmetz; and the project architect, Renee Marcus, project engineer, Steven Hyman, and project traffic engineer, Ron Hill, from H2M Architects & Engineers.

Marcus stated that exterior renovations would be the replacement of the windows with less institutional style windows and the replacement of the main entrance lobby with an extended lobby and port-cochere. Lintels would be repaired or replaced and the parapet would be repaired to avoid water damage that is occurring. An addition of an enclosed pool would be part of a Phase 2 project. There will be typical building signage also included in the exterior changes. Phase 1 includes the renovations to the main part of the building and the first wing. Phase II includes the renovations to the 2nd wing and the pool addition.

Marcus reviewed the specific interior renovations for each floor. The lower floor is classrooms and will remain as classrooms and be refurbished. There will be asbestos abatement as needed. All lighting, electrical, and HVAC systems will be upgraded. Thermal insulation will be added to the outside walls.

The 1st floor is mostly residential rooms that will be renovated. The rooms around the library will become classrooms. There will be asbestos abatement as needed. All lighting, electrical, and HVAC systems will be upgraded. Thermal insulation will be added to the outside walls. The auditorium will remain. A chair lift may need to be added to make the auditorium more easily ADA accessible. The renovations will create

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personal suite bathrooms instead of group bathrooms. At least one in each group of suites will be ADA accessible.

The 2nd floor is residential rooms. The bathroom will be renovated to create suites just as on the 1st floor. The existing gymnasium will revert back to being the cafeteria. The kitchen requires all new equipment. The Phoenix House has used the chapel as a weight room. This space will be converted into a gymnasium. Behind the chapel will become administrative offices. All the religious artifacts within the chapel will be properly decommissioned or relocated to another facility.

Fon asked about Fire Code upgrades. Marcus stated that the renovation was considered a Level 2 alteration. The fire engineer is waiting for water flow testing to evaluate if sprinklers are required.

The 3rd floor is all residential and bathrooms and will have the same renovations as the 1st and 2nd floors. The space above the library will become clinical offices for OT/PT services. All elevators within the building will be fixed or replaced.

The 4th floor is also all residential and bathrooms, which will have the same renovations as the other floors. The 5th floor bedrooms have individual private bathrooms and this will stay the same. Each residential wing will include an RA room for supervision.

The several outbuilding homes will be reused. Marcus stated each will be rehabilitated for safety and livability. Steinmetz stated that when port-cochere design is complete, the applicant will go to the ABACA with that and the proposed new windows. Fon asked about security. Steinmetz stated that the school will have an elaborate system and alarms. Brian Koffler will explain this more fully at the Public Informational Hearing.

Steve Hyman, project engineer, described the site plan. The proposed plan adds parking on the easterly and southeasterly portion of the building. Visitors will enter through the main entrance. Employees will use the southerly driveway. The helistop engineer will present the helipad at the Public Informational Hearing. There is a proposed fenced in farm animal area on north side of the property. An Equestrian area proposed in the southern part of the property. Two small barns are proposed. Hyman presented a blowup plan of the two entrances. The main entrance is currently a vast paved area. The plan proposes to add a landscaped island and paint lanes for each exiting direction. The southerly entrance will be widened to have three lanes; an entrance and an exit for left turn and right turn. Hyman stated his firm did consider a left turn lane into the site, however land would be needed from the adjacent town park as the right-of-way along this part of Stony Street is only about 35 feet wide; the pavement is about 25 feet in width at this location. Volumes do not support needing the left turn lane, but if the town wanted the left turn lane it could be investigated in coordination with the Town's proposed entrance to the park. Tegeder stated the typical requirement on any property where the right-of-way less than 50 feet, is for the applicant to deed to the town a widening strip measuring 25 feet from the center of the right-of-way. Emergency access to the park on this driveway would be good. Fon asked about the new parking and stormwater and if the stormwater would be tying into any town system. Hyman stated all stormwater will be handled onsite and he will work with the Town Engineer.

Hill reviewed the intersections the applicant will be analyzing as part of the traffic study. The intersections are:

1. Stony Street & Bear Mountain Parkway
2. Bear Mountain Parkway & Crompond Road/Routes 202/35
3. Bear Mountain Parkway & Stony Street

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4. Stony Street at East Main Street
5. Route 6 at Strawberry Road
6. Route 6 at Barger Street.

All counts at these intersections have already been completed before school was out in June 2015. Hill stated the ITE does not have a classification for the school's specific use. The applicant also took counts at the Anderson School in Statsburgh. The school is similar, but much larger. The Board asked if the Stony Street & East Main Street intersection would meet warrants for a traffic signal. Hill stated that he would have to take a tube count of the intersection to determine if the intersection meets warrants. The manual counts were only performed in the AM and PM peak hours. A full 8 hour count is required to determine warrants. Hill predicted the in afternoon when the school was dismissing might be the highest volumes at the intersection. Fon thought the morning commute hours would have the highest volumes because people use East Main Street to get to the Taconic State Parkway south. Hill stated he also requested accident reports for East Main Street. Hill stated the tube count would also include a record of the speed.

Fon emphasized that East Main Street is used as a short cut to the Taconic State Parkway southbound to avoid the traffic lights on Route 6. Fon requested the latest accident data be requested. Bernard asked if a light is not warranted, would an all way stop be an option. Hill stated that he will have to see the data, however he will try to give his recommendations as to what improvements are warranted at the intersection.

The Board requested the applicant present details regarding the Helipad at the Public Informational Hearing including flight paths, number of flights, and reasons for flights. Steinmetz stated the helipad is an amenity for the school, but more so a public benefit for the town and emergency responders. Fon stated the Board was not concerned about use for emergencies, but about the number of flights for the school.

Town Board Referral - Wetlands Ordinance

Description: Proposed local law to repeal Chapter 178 entitled, "Freshwater Wetlands," and replace it with a new Chapter 178 entitled, "Freshwater Wetlands Protection Ordinance."

McDermott stated the Town Board received comments from the NYS DEC and NYC DEP on the proposed law. He will forward these to the Planning Department for the Board. Fon like how the proposed law allowed off-site improvements and how there would be banked mitigation areas. Fon thought adding the 50 foot restricted area would bring more people in to obtain permits. The Board agreed that each situation would be made better if more people have to come in within the 50 feet. The Board agreed with changing the size and determination of a wetland to align with NYS DEC standards. The Board liked that a functional analysis was added to the proposed law. The Board has already requested this analysis for projects in the past to determine the significance of disturbing it. Kincart stated he thought that allowing responsible timber harvesting in a wetland should be allowed. Treed areas need to be maintained and a property owner may obtain a NYS permit for this, so they should be able to obtain a town permit. Kincart asked why silviculture and agriculture were not allowed uses. Kincart questioned why property with a project under construction should be subject to impromptu inspections by an advisory board. The approval authority or a town official would make sense, but not a member of the Conservation Board, which is an advisory board. That would be too intrusive. The Board agreed to comment that the Conservation Board should be removed from this section. Kincart had many grammatical and wording edits that he will give to McDermott. Kincart asked why on page 19d, the law mentions a temporary revocation of permit. McDermott stated this was because you can't take away an issued permit. It would be like a stop work order. Kincart asked why on page 9(A)4, it states there shall be a note in the deed and

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on the plat that a wetland is present and a permit is needed. Wetland lines are not fixed. A boundary can move either way so why would you memorialize the line. The proposed law states on the same page, in Section B(f)(1) that a wetland delineation is only valid for 12 months. So again, it doesn't make sense then to memorialize the line on a plat. The board asked what timeframe the NYS DEC uses for requiring the reflagging of the wetlands. Some mentioned a 3 year time may be better than a one year time limit.

ZAT Construction Corporation aka Tonndorf

SBL: 6.18-1-37

Discussion Subdivision

Location: 76 Route 6

Contact: ZAT Construction Corporation

Description: Proposed 3 lot subdivision and site plan for a total of 4 commercial buildings on 18.095 acres in the I-1 zone.

Vic Tonndorf was present. Mr. Tonndorf wants to restart his application. The Planning Department will send him a letter listing what items are needed to proceed.

Upon a motion by Tripodi, seconded by LaScala, and with all those present voting aye, the Board voted to close the meeting at 8:45 pm.