

Planning Board Minutes March 27, 2017

A meeting of the Planning Board, Town of Yorktown, was held on March 27, 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
William LaScala
Rob Garrigan, Alternate

Also present were: John Tegeder, Director of Planning; Robyn Steinberg, Town Planner; Tom D'Agostino, Assistant Planner; Mark Blanchard, Planning Board Counsel; and Greg Bernard, Town Board Liaison.

Correspondence: The Board received a letter from NYCDEP approving the JCPC stormwater permit.

Minutes:

Upon a motion by LaScala, seconded by Savoca, and with all those present voting aye, the Board approved the March 13, 2017 meeting minutes.

SPECIAL SESSION

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

Fieldhome Expansion

SBL: 35.12-1-3

Second 1 Year Time Extension

Location: 2300 Catherine Street

Contact: Albert A. Capellini, Esq.

Description: A continuum of a care facility consisting of independent living units and skilled nursing home approved by Resolution #12-08 on April 9, 2012.

Project attorney, Al Capellini, was present. Capellini explained that the applicant is still working on the NYCDEP approval. The skilled nursing facility is under contract to be purchased.

Upon a motion by LaScala, seconded by Savoca, and with all those present voting aye, the Board approved a second one year time extension for the Fieldhome Expansion.

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

WORK SESSION

Teatown Science Lab

SBL: 69.14-1-8

Discussion Special Use Permit

Location: 1595 Spring Valley Road

Contact: Dianne Barron

Description: Proposal to convert a 2-story garage into a science lab and classroom space on the first floor and office space on the second floor.

Planning Board Minutes March 27, 2017

John DeVito, member of the Teatown Advisory Board; and Dianne Baron, Managing Director of Teatown Lake Reservation, were present. The Board reviewed the draft resolution approving a Special Permit for Teatown to operate the science lab and offices in the residential zone. The Board determined no further discussion was needed.

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

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

Upon a motion by Kincart, seconded by Savoca, and with all those present voting aye, the Board adopted a Negative Declaration.

Upon a motion by Kincart, seconded by Savoca, and with all those present voting aye, the Board approved the Special Use Permit.

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

Pied Piper Preschool Addition

SBL: 37.14-2-8

Discussion Amended Site Plan

Location: 2090 Crompond Rd.

Contact: Site Design Consultants

Description: Proposal to construct a 14,022 square foot addition to the existing 3,618 square foot preschool, for a two-story building with total square footage 17,640 square feet, on 0.68 acres in the R1-10 zone.

Present were: property owner & school director, Kathy Dineen; her son and a school director, Maxwell Dineen-Carey, her daughter, a special education provider, Molly Dineen-Carey; project engineer, Joseph Riina; traffic consultants, and Phil Grealy from Maser Consulting. Kathy again explained the school's history and needs to the Board. The original building was not laid out efficiently. The applicant went to the Department of Social Services to plan the space for the addition. A total of 46 children will be added to the preschool program. A gym was always a significant need for the school for indoor recess. Dineen also wanted to provide a sensory gym and space for special services provided for speech, OT and PT. The gym will be used by all the students and the sensory gym will be used for the special services. Dineen began providing afterschool care when the school started pushing the programs out of the school building. First after school care was moved to the French Hill School when it was closed. Then the program moved to the Elk's Lodge. The proposed upstairs rooms will be used in the afternoon for the afterschool program. Children will be bused from the three elementary schools. Garrigan asked if the buses will be the long buses. Dineen stated that the size of the bus from each school depended on the number of children, however the bus stops in the road just like a bus stopping anywhere else along the road.

Molly explained her special education work. The special services provided are meant to help students transition into mainstream classrooms by kindergarten. Students from this area currently go to Mahopac (waitlist), Somers (waitlist), Harrison, White Plains, etc. There would be a maximum of 12 students in each classroom. Pied Piper is well equipped to do this because Molly specializes in speech therapy, Max specializes in physical education and adaptive physical education, and Kathy is a musical therapist. So

Planning Board Minutes March 27, 2017

special education students will have the same opportunities for all these classes as the regular preschool program.

Dineen stated that she realizes the building looks large for the site, however the front elevation is the only real impact. The church is already just as long. There is little to no impact on the neighbors. No neighbors have complained even after the article in the paper that was posted on Facebook. The traffic will not be an issue. Cars are able to turn left into the site. There isn't a turning lane, however there is room for cars to go around the person turning left.

Kincart asked from what area the population for the special education program would draw. Molly stated that any child that qualifies for the program could be bused from their local district. There would be a maximum of 24 total special education students. Molly stated that at the moment, there are 16 students in the Lakeland School District that travel over 15 miles to other schools. The Board asked if the program can be restricted to local students. Molly stated that the program can't legally restrict, but she currently works with all the local districts and they all have the need.

Fon asked what happens if the school were to violate its state license. Molly stated there is a procedure that is followed by the state. First they issue the violation, then there is a certain time period to remedy the violation, and then another inspection is made. The Pied Piper school is licensed under the daycare with special additional regulations through the state.

Riina stated the applicant met with the Fire Prevention Board and they asked for an evacuation plan and narrative to explain the evacuation procedures. Kathy reviewed the emergency procedures for the school. Children usually exit the rear of the building and go to the playground. The church is the shelter in place building, therefore the daycare has a key to the church. Fon asked if the state signs off on the evacuation plan. Kathy stated that yes, the Department of Child Protective Services approves the plan. Kincart asked if the school blocks the driveways so the students are safe from parents trying to enter the site with cars during an emergency. Dineen stated that the parents are notified electronically immediately and instructed not to enter the site until further notice. Dineen stated there is an evacuation bag in every room so students do not have to all go to the same place. Each group has what they need. Riina stated a few more gates can be added to get children out and away from the building to a safe place.

Garrigan asked what will be the maximum number of students in the building at any one point during the day. Kathy stated 110 students requested in the Zoning Board application. Garrigan asked if there was a deeded easement with the church. Dineen stated yes, there is an existing easement with the church. The Board asked if there was an easement with the Androsko property. If it is sold, would they still have access. Dineen stated that she can talk to them, but that she would seek to purchase the property if it were ever up for sale. Dineen stated that the Freyer's Nursery allows parking on their site as well as at across the street neighbors sometimes. Dineen asked if the Board wanted a written easement from Androsko. Blanchard stated that having an easement is best and an agreement giving the school the right of first refusal to purchase would be even better. The Board requested that any agreements for off-site parking that are in place are helpful and should be submitted. Savoca stated that easements run with the land so there is no worry about the next purchaser.

Fon asked about church activity. Dineen stated the church has functions mostly on Wednesday night and Sundays. Both times are when the school is closed.

Grealy stated the Fire Prevention Board stated they would most likely enter the site through the exit. Riina pointed out the turning radii modifications as well as structural improvements to the entrance to take the

Planning Board Minutes March 27, 2017

load off the curb. This would make the entrance more stable so it can be used as an alternate to enter the site. The Planning Department memo asked if angled parking gained anything. The perpendicular parking does hang over into the drive aisle. The ladder truck is 42 feet in length. Grealy recommends the angled parking at the rear and side of the building. The parking is at a 60 degree angle. A special event parking plan is being worked on. Grealy stated that traffic was analyzed as all new trips even though most of the traffic is probably already on the road. Grealy stated that he also estimated double the number of trips from the existing condition. Grealy stated he thought there were no issues of traffic backing up onto Route 202 because they can't enter the site.

Fon asked whether the site would be paved entirely or not. Riina stated that paving the entire site would increase the size of the stormwater system significantly. There is some room to do this, however he is already proposing to triple the size of the current system. Riina does not believe there is enough room for additional stormwater if the site was completely paved. The parts of the driveways in the right-of-way will be paved. Riina stated that the system has no point of outlet therefore the system designed for this site is designed to hold the entire storm. Garrigan asked where the dumpster is located. Dineen stated the dumpster is located in the northwest corner of the property. The truck comes in through the church, backs into the trash enclosure, and then leaves. Angling the parking does result in the loss of 7 parking spaces. Tegeder asked how many administrative spaces were proposed in the building. Dineen stated there are two offices and a kitchen. Fon asked about the type of construction. Fon felt that using steel stud instead of wood could alleviate some of the fire concerns. Dineen stated that there are three fire walls within the proposed building. Tegeder asked whether the Board's attorney thought the easements needed to be strengthened. Blanchard will ask Wilson and then the Planning Department can let the applicant know.

RPG Properties

SBL: 15.15-1-22

Discussion Site Plan

Location: 3574 Lexington Avenue

Contact: Phil Sanders

Description: Proposal to build a multi-family development consisting of eight (8) residential townhouse style units, served by 22 parking spaces.

The applicant, Phil Sanders, was present. Capellini stated the applicant received the variances requested from the Zoning Board of Appeals. The applicant also met with the Fire Prevention Board and a memo should be forth coming from them. D'Agostino had sent the Planning Department memo to Phil Sanders. Tegeder stated a Landscaping Plan and a Lighting Plan still had to be submitted. The Planning Board scheduled a public hearing for the May 8th meeting. The Board requested the applicant address the Planning Department and Town Engineer's memo prior to this hearing.

North Westchester Restorative Care/Treetops fka Marrs Nursing Home

SBL: 15.15-1-23

Discussion Amended Site Plan

Location: 3550 Lexington Avenue

Contact: David A. Barbuti Architect, P.C.

Description: Proposal to reconfigure the on-site parking lot and trash enclosure.

Project architect, Dave Barbuti, was present. Barbuti described the extent of the proposed work. Quinn had comments in January. Barbuti reviewed this memo:

Planning Board Minutes March 27, 2017

#1 asked for a survey of the property with all easement or covenants. Barbuti stated that the survey was submitted and there are no other easements or covenants on the property.

#2 stated the land disturbance was approaching one acre and a SWPPP may need to be prepared. Barbuti stated that the disturbance was well under the acre threshold and was under the threshold for obtaining a local permit as well.

#3 was regarding the EAF and that further discussion was needed with the engineering department regarding #2, 3, 8, 9, 10, 11. Barbuti stated that for question 2 he did not think a permit was required by any other department for the proposed plan. Question 3 asked for the lot acreage and land disturbance. This is shown on the plan. It can be added to the EAF. Question 8 asks whether the proposed action will create a substantial increase in traffic and the engineer's memo asks if a traffic study should be performed. The proposal is requesting 27 new parking spaces to increase staff. This is hardly a significant increase in traffic. There is no proposed increase in the number of patients. Questions 9, 10, and 11 are regarding the energy code, connection to a water supply, and connection to a wastewater utility. Barbuti stated that he had answered No and written N/A for all three of these questions because the proposal was for 27 new parking spaces. There are no proposed changes to the existing operation of the building.

#4 stated a utility and grading plan needs to be provided. Barbuti stated the grading plan was submitted. The proposed stormwater consists of 21 cultech chambers outleting to a level spreader in the grass. This is shown on the plans. All new impervious will be detained on site. Tegeder stated that he talked to Quinn and suggested a meeting.

#5 stated the Erosion & Sediment Control Plan did not show a silt fence, tree protection, or a sequence of construction. Barbuti stated the plan includes the details. 7 trees being removed that are no bigger than 3-4 inch caliper. The Town Board was okay with this when they approved the amended special permit.

#6 stated no calculations were provided for the proposed drainage improvements and asked if test pits or perc tests had been completed. Barbuti stated that he had reviewed the plan with the Town's Environmental Consultant during the Town Board approval and didn't think calculations needed to be submitted. Testing has not been completed. Barbuti stated he was waiting for it to stop raining and thought the Board could approve the site plan based on the preliminary design and testing could be a condition of the approval.

Tegeder stated that a meeting will be set up with Quinn and then the applicant will come back to the Board.

Upon a motion by Fon, seconded by Kincart, and with all those present voting aye, the Board voted to close the meeting at 8:30 pm.