

Planning Board Meeting November 22, 2010

A regular meeting of the Planning Board, Town of Yorktown, was held on November 22, 2010, the Yorktown Community and Cultural Center (YCCC) 1974 Commerce St, Room104, Yorktown Heights, NY 10598. The Vice Chair, John Flynn, opened the meeting at 7:35 P.M. with the following members present:

John Flynn
John Savoca
Darlene Rivera
Richard Fon
absent: Dave Klaus

Also, present were: John Tegeder, Director of Planning, Robyn Steinberg, Town Planner, Karen Wagner, attorney to the Planning Board, Anna Georgio, Town's attorney for special projects, and Kevin Ryan and Lisa Hochman, Town attorneys for Costco Warehouse.

Discussion	No discussion took place at this time
Correspondence	No discussion took place at this time
Follow-up Correspondence	No discussion took place at this time
Liaison Reports	No discussion took place at this time
Courtesy of the Floor	No one came forward at this time

Upon motion by Rivera, seconded by Savoca, and with all those present voting aye, the Board opened a special session.

SPECIAL SESSION

Marricco

Request for Excavation Permit

SBL: 5.20-1-9

Location: 3880 Indian Hill Road

Contact: Architectural Visions, PLLC

Description: Proposed 2-lot subdivision on 9.31 acres in the R1-160 zone.

Joel Greenberg, project architect, was present. Greenberg reviewed the excavation request and stated the applicant will build a new house, and then demolish the existing house.

Upon motion by Savoca, seconded by Rivera, and with all those present voting, the Board approved the excavation permit.

Upon motion by Savoca, seconded by Kincart, and with all those present voting aye, the Board closed the special session.

Upon motion by Rivera, seconded by Savoca, on advice of counsel, and with all those present voting aye, the Board went into executive session.

Upon motion by Rivera, seconded by Kincart, and with all those present voting aye, the Board closed the executive session.

WORK SESSION

Croton Overlook

Town Board Referral

SBL: 70.15-1-2

Location: Dell Avenue

Contact: Zarin & Steinmetz

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Description: Currently zoned R1-80 petitioner requests a RSP-1 zoning.

Present were David Steinmetz, project attorney, Kim Calendrillo, applicant, and Larry Paghi, project engineer. Steinmetz stated the applicant has addressed cut and fill questions raised by the Board. Paghi stated at the last meeting questions raised were in large part relative to the location of the proposed road. The location was decided by trial and error. This road provided the ability to use the natural features of the site, and allows for the developer's lot count. As this is a 55+ development, the applicant felt the homeowners should be close to the roads. Paghi felt this was the better site design, as it minimized sidewalks and roadways. The road alignment uses the existing topography and provides access to the site. The road design, which was not the first evaluated, allowed the best use of the site and avoided shredding the areas usable for sewers and stormwater. The applicant has found the site suitable for subsurface drainage. Paghi stated the applicant is aware of having to comply with recent DEC Stormwater Regulation. Now we have a single sided town road. We looked at the installation of cul de sacs, but the disadvantage is a very long dead end road with where emergency access becomes a concern. The Board wanted the applicant to look at alternate layouts. The Board asked about suitability of soils for SSDS. Paghi stated the site has Charlton soils, the best we could have for this proposal. The Board asked about failure of the proposed septic system. Paghi stated the likelihood of the community system failing is far more unlikely than any other system one could propose for the site. Additionally, the effluent is treated effluent. Paghi stated the applicant was requested to prepare two site sections. Fon stated there was concern that the buildings would appear to come out of the topography. Paghi stated the upper section is more dramatic in topography, our 33* roof elevation is at 342-feet. Flynn stated it appears that the applicant is clear cutting the site. Paghi stated on the second section there will be some undisturbed areas. Although there is no vegetation along Dell Ave., there will be landscaping. The utility has cleared their right of way. Fon asked for a limit of disturbance near the utility right of way be placed on the site plan. Paghi stated elevation ranges from 337 feet to 280 feet. Steinmetz stated there is a large knoll along the road. Steinmetz stated this site is not visible from Turkey Mtn. Steinmetz stated the applicant wants to do something with Dell Ave. The Board stated this project increases density on an environmentally sensitive site. Additionally, there will be clear cutting trees along the ridge line. Fon stated his concerned with the inevitable clearing of the area, and the cut and fill. Flynn asked Tegeder to draft a memo to the Town Board stating their concerns.

Old St. George's LLC

SBL: 15.12-2-53

Location: 1715 East Main Street

Contact: Louis Spizzirro, Esq.

Description: Proposed site plan pursuant to Sec 300-68 of the town code.

Present were Jeff Econom, project engineer, and Chris Sciara, applicant's representative. Econom stated the applicant has an agreed upon a limit of disturbance and 39 parking spaces, and the creation of a larger wetland buffer. Sciara stated the applicant will limit the amount of sidewalk, use Belgium block curb, and install a swale to catch any run off. Fon asked if there were issues about parking. Sciara stated the applicant has the DOT lease. Wagner stated the lease is terminable with 30days notice. Flynn stated he was looking for the restaurant quality waste facilities as the dumpster must be shown on the site plan. Tegeder asked for an explanation of the filled small triangles, as it appeared to be additional grading to build this up the area. Tegeder stated that flagging had to be verified. Flynn requested revised drawings. Tegeder asked about right turn only, and Econom stated this was being reviewed. Econom stated no site lighting is being proposed. Tegeder stated there is lighting outside the building and this should be indicated on the site plan. Tegeder suggested lighting bollards for additional safety. Flynn requested the applicant submit pictures.

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Sciara stated the applicant needs to rezone this to commercial. Sciara asked if there are stipulation for valet parking. Tegeder explained that the valet parking code is only for banquet facilities.

Globe Op Financial Services

Discussion Oil Tank

SBL: 48.7-1-1

Location: 1565 Front Street

Contact: Architrave Designs

Description: Proposed new oil tank installation.

John Marwell, project attorney, was present. Marwell stated we submitted to the County Health Dept. and we are waiting for a response. The generators run once a week for testing, we exercise them. There is an existing generator now. Flynn asked what time of the day do you exercise the generator, and was told 6:00pm on Friday night. This tank would let us run for 4-days.

The applicant was told to return to the Dec. 13, 2010 meeting.

Costco Wholesale

Review Public Comments on Draft Scope

SBL: 26.18-1-19

Location: 3200 Crompond Road

Contact: Al Capellini

Description: Application to construct a 151,092 SF Costco Wholesale Club retail store and club member available filling station.

Al Capellini, project attorney Phil Greeley, traffic consultant, and Nick Panayotou, project engineer, were present. Phil, Nick, Counsel, Wagner recuses herself from this discussion. Ryan and Hochman were present. Capellini stated the applicant has no problem addressing the comments in the scope, and no objection to a time extension for the comment period. Flynn stated the public is most concerned with traffic. Fon felt there was a lot of development in this area, and the Planning Board should be looking at the entire area. Tegeder wanted the applicant to include the Route 202 lane extension as the applicants plan to coordinate with NYS DOT. Tegeder stated the applicant will have to widen the northbound turn lane to allow enough width for a two lane receiver. Capellini stated that in the scope we are to analyze the proposed bike path. The applicant is proposing lane widening, and investigation of pedestrian phases. Hockman stated the scope will be reviewed by the Planning Board. Flynn asked about LEED certified buildings.

Upon motion by Savoca, seconded by Fon, and with all those present voting aye, the meeting was adjourned at 9:50pm.