

Planning Board Meeting January 10, 2011

A regular meeting of the Planning Board, Town of Yorktown, was held on January 10, 2011, the Yorktown Town Hall, 363 Underhill Ave, Yorktown Heights, NY 10598. The Chair, Dave Klaus opened the meeting at 7:50 P.M. with the following members present:

John Flynn
John Savoca
Richard Fon
John Kincart, alternate
absent: Darlene Rivera

Also, present were: John Tegeder, Director of Planning, and Karen Wagner, attorney to the Planning Board.

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

Regular Session

Upon motion by Kincart, seconded by Savoca, and with all those present voting aye, the Board approved the minutes of December 13, 2010.

Route 6 Office Development- Taken off the agenda at the applicants request

Request for Reapproval

SBL: 15.16-1-21

Location: 3571 Mohegan Avenue

Contact: John Meyer Consulting

Description: Site Plan approved by Planning Board Res #08-05 dated February 11, 2008 and granted two one year time extensions expiring on February 5, 2011.

Kitchawan Fire Rescue Station

Public Informational Hearing

SBL: 70.5-1-13

Location: Kitchawan Road

Contact: Al Capellini

Description: Proposed 3,100 sf Kitchawan Fire Rescue Station with two apparatus bays, day room, storage and wash room facilities.

Klaus recused himself from the discussion. Al Capellini, project attorney, John Sullivan, Carl Ackerman, Sullivan associate, Mike Luba, project engineer and Andrew Tully, counsel for the Fire District, were present with members of the Board of Firefighters. Capellini stated the site comprises two lots totaling approximately 6 acres. The current proposal will result in disturbance of approximately 0.8 acres, including a subsurface drainage system, and well. Yorktown Heights Fire District is present in the southern portion of the town, and is Yorktown's only fire and rescue site in this area. The proposed building 3,100 sf. building has no social hall, or no bedrooms. The building essential will house equipment, and gear. Capellini stated for most highway collisions a fire truck is on the scene, and this project will facilitate that response. Capellini explained that the district will fund the project with money saved through the years. On average the cost to taxpayers to maintain the facility is \$2/per taxpayer. Ackerman stated the location of the project is at the westerly portion of the site. The building is 3,100 sf. with 2,800sf of usable space. This is a pre-engineered steel structure, with a 400sf day-room and restrooms, and two bays. The majority of the space will be used for the storage of apparatus and gear. The proposal calls for 12 parking spaces. Ackerman explained this is a maintenance free building, with brick used to soften the facade. This substation to reduce the time needed to respond to fire or rescue. Kincart asked if there were sirens. Sullivan stated there were no

sirens associated with this building. Flynn asked what other activities are envisioned to take place at the building. Capellini and Sullivan stated no other activities, as there are no offices, or training rooms in this building. Flynn asked if there were other sub-stations in Yorktown, and was told yes, on Locksley Road. The Board asked if the proposed firehouse will require any zoning variance. Capellini stated this is an as-of-right use. Flynn asked what actual response reduction can residents expect. Capellini felt it might be as much as 5-7 minutes. Fon asked about the comments from ABACA, specifically #11. Capellini stated we are taking their comments into account and they will be addressed at the public hearing. Sullivan stated twice before this project has been approved by NYS DOT. Wetlands will not be affected by this project. Capellini stated the Mormon Church, with a much larger building, is in close proximity to the site. Additionally, next door is the County Children's Daycare Center. Flynn opened the meeting to the public.

Jennifer Zimmerman, 815 Old Kitchawan Rd. North, Ms Zimmerman asked if the second floor could be retrofitted for offices, bedrooms or a rec hall. Sullivan stated space is limited by the shape of the roof, access is only from outside, and it is not ASA compliant. Additionally, there are no plans to do so.

Tim Hartung, 500 Arcady Rd., Mr. Hartung informed the Board that there is another fire station 1-mile down the road, so why do we need this building. What is the nature of the steel building, What is the depth of the corrugation, the roof, the bay window on west side, and the harmony of materials. Sullivan the building is a pre engineered steel structure on the outside. The siding is installed on site with 2-3 miles corrugated steel. Many of these questions will be answered or materials changed with the ABACA review. Hartung stated the neighbors want to make sure it does not look like a cheap butler building. The Fire Board has been underhanded in their method of funding this project. The proposal has been defeated three times in the past 10-years as a referendum. Have there been any traffic studies and a landscape plan might adjudicate the visual impact. It is important that the Board find out the difference between a Fire Board and a Fire Department. Hartung asked if they were the same and was told No, not all the time.

Fon asked if the applicant had addressed ABACA's concerns and was told this would be done at a later time. Fon asked about NYS DOT, and was told not at this stage of the plans. Fon asked about any impact to wetlands. Sullivan stated although there are wetlands, the proposed work will not disturb the wetland area.

Brian Carroll, 855 Old Kitchawan Rd. Mr. Carroll asked if this be a brightly light up building. Mr. Carroll asked what the difference was between the Fire District and the Fire Company. This is a complicated relationship, and the Planning Board should better understand it. Mr. Carroll felt the question of response time was not answered factually, as Mr. Capellini was only guessing at time saved as no study has been done. Mr. Carroll asked if the Board was aware that the Millwood station is also looking at an upgrade.

Jennifer Zimmerman, 815 Old Kitchawan Rd. North, Ms Zimmerman asked how many people will be at the site. Will the site be continuously manned and why 12 parking spaces.

Capellini stated the 12-spaces is sufficient and this provides for individuals in their own cars, an ambulance, and emergency vehicles. This is an unmanned facility only staffed in an emergency. Sullivan explained there are four low-lights in the parking lot and the building only has lights at the door.

Carmine Furci- Fire Board, Mr. Percey explained that this district covers 36 miles and the ability to keep equipment in the southern portion of town was a time saver. Millwood Fire comes into Yorktown when mutual aid is needed and Yorktown does the same for Millwood. Millwood, however, is not responsible for Yorktown, and would not offer mutual aid if it meant Millwood would not be served. Fon asked what the distance between the Heights Fire Station and the proposed site, and was told 7.6 miles.

Upon motion by Fon, seconded by Kincart, and with all those present voting aye, the Board closed the public informational hearing, leaving two weeks for written comment.

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

Work Session

Stahmer Subdivision

SBL: 59.10-1-10

Location: 600 Birdsall Drive

Contact: Jack Goldstein, PE

Description: Proposed 4 lot subdivision on 9.744 acres in the R1-80 zone.

Al Capellini, project attorney, and Jack Goldstein, project engineer, were present. Goldstein stated due to septic requirements, a portion of the plan that has changed since the Board's last review. Goldstein explained that the applicant will install stone driveways to prevent any increase in impervious surface. Trees were taken down, and now we be replant. The plans have been submitted to DEC, DEP and the Health Dept. Each house has the same infiltration systems. Each of the three lots require a variance for frontage on a town road. Lots 10.2 and 10.3 have 0ft and lot 10.1 has 50ft. where 200ft is required. All driveway slopes are 10% or less as required. Tegeder discussed the memo from the Fire Marshall regarding the driveway turning radius to facilitate emergency vehicles. Tegeder requested grading, especially around the proposed house, and limit of disturbance placed on the plan. Fynn wanted to ensure there was a buffer from the bike trail along lot 10.3.

Discussion Subdivision

Emerald Hills LLC

SBL: 69.19-1-3

Location: 1339 Kitchawan Road

Contact: Hudson Engineering

Description: Proposed six residential lots on 30.88 acres in a R1-80 zone with domestic wells and septic systems.

Mike Stein, project engineer, was present with owner, Andrew Cortese. Stein stated the wetlands were flagged and the delineation was verified by Bruce Barber. Stein stated the comments of the Conservation Board and Fire Inspector were addressed. The Fire Inspector had issues with the driveway length, width, turnarounds, and diameter of the proposed cul-de-sac. The proposal requires flexibility for the setbacks, with a reduction to 50ft. The wetlands are uphill from the property, therefore, the proposal will not cause disturbance. Stein stated the next step will be the design of the septic system. Flynn requested the adjacent properties and their driveways be shown on the plan. Tegeder requested preliminary grading be included on the plan. The Board scheduled a public informational hearing for Feb 14, 2011 if grading and stormwater were submitted.

Discussion Subdivision

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.

Jeff Econom, project engineer, and Chris Sciarra, project manager, were present with applicant Tom DeChiaro. Econom explained the current plan had changed slightly to conform to the request of the Conservation Board. These changes included the addition of two rain barrels and removal of the pin oaks. (See memos dated Jan. 6, 2011 and Dec. 10, 2010). Econom met with Bruce Barber regarding wetland delineation. Barber stated in his memo of Jan. 10, 2011 Due to the presence of 6" +/- of snow, verification was limited to inspection of vegetation present in winter months. With this, the wetland boundary flagging was reasonable requiring no modification. Econom stated that although the applicant had replied to the Town Engineer, no response had been received. Tegeder stated the comments were just received and gave Econom

ZBA Referral

the memo. Tegeder asked that the applicant respond to the Fire Marshall. Wagner requested the building label on the plan be changed to Proposed Eating Establishment, not Winery. Econom stated the lighting plan and the traffic study were submitted. With regard to lighting Econom stated the plan called for 1 candle foot, with lighting that did not spill onto the road, and motion sensors. Tegeder stated the applicant will need a public hearing for site plan approval. The Board scheduled the public hearing for Feb 14, 2011. Tegeder will send a letter to the ZBA explaining the site plan is satisfactory for a public hearing.

Bartosch

SBL: 59.10-2-16

Discussion Subdivision

Location: Vine Road

Contact: Site Design Consultants

Description: Proposed 2-lot subdivision on 4.35 acres in the R1-80 zone.

Al Capellini, project attorney, and Joe Riina, project engineer were present. Capellini stated the public hearing for this project was closed on December 14, 2009. Riina stated this is a two-lot subdivision. The majority of the site is cleared, and only a few trees will be removed. Riina stated the applicant has completed testing septic with the Dept. of Health and the NYS DEC for the SPPPP. The significant trees, and the limit of disturbance have been marked on the plan. The Board requested the applicant return Jan. 24, 2011.

Yorktown Auto Body

Pre-Preliminary Amended Site Plan

SBL: 37.19-1-81

Location: 1798 Front Street

Contact: Site Design Consultants

Description: The proposed addition of approximately 1,500 sf to the existing auto body repair shop for the installation of two paint spray booths.

Al Capellini, project attorney, and Joe Riina, project engineer, and Luigi Vucchek, spray paint expert, were present with the applicant. Riina stated that currently there were trailers up against the building. The site is currently zoned C-4 proposed in the Comprehensive Plan to be rezoned to I-2, the applicant is proposing to add approximately 1,500 sf. for the installation of two paint spray booths. Vucchek stated the current spray booth is very old, and does not allow for the use of safer, more ecologically friendly paint. Vucchek stated the proposed booths will be state of the art. Additionally, the trailers will be removed, and the retaining wall moving back. The spray booth will have in and out one will just have in. Luigi spray booth expert. The current r wall is 3-4 feet. Vucchek explained that the less toxic water-base paint needs heat, the old booths cannot supply heat, however, the proposed booths can. It was explained that the proposal would result in reduced emissions, and fire suppression. The applicant stated the proposed spray booth was a downdraft booth, and the applicant will install sprinklers throughout the shop. Riina stated the proposal will add 6 parking spaces for a total of 37, where 20 parking spaces are currently required. Tegeder suggested the applicant submit a formal application.

Adler Subdivision & Residential Site Plan

Pre-Preliminary Application

SBL: 16.9-2-7

Location: 1360 New Road

Contact: Site Design Consultants

Description: Proposed subdivision of property into 4 lots for duplex residences and 1 conservation space lot on 5.00 acres in the R1-20 zone.

Al Capellini, project attorney, and Joe Riina, project engineer, were present with the applicant. Riina stated the site is zoned R1-20, and there is public sewer and water. Riina stated wetlands were flagged 2 years ago. Riina explained that the owners would like to construct three 2-family units. The applicants would consider

affordable housing. The owner would prefer 2-family, and would include road improvements as part of the proposal. The Board requested the applicant return to the January 24, 2011 meeting.

Fieldhome Expansion

Pre-Preliminary Application

SBL: 35.12-1-3

Location: 2300 Catherine Street

Contact: Site Design Consultants

Description: Proposed continuum of care facility consisting of independent living units and skilled nursing home replacing existing home with a common facility supporting both communities.

Al John Avery Joe. Gofski PRESENTLY WE HAVE TWO LOTS 30 acres. The Holy comforter and the field hall, utilized minimally. The site is currently zoned RSP-3 and is appropriate for a CCRC.

Continuing care retirement communities(CCRCs) and fee-for-service continuing care retirement communities(FFSCCRCs) are residential alternatives for adults that offer, under one contract, an independent living unit (an apartment or cottage), residential amenities and access to a continuum of long term care services, as residents' health and social needs change over time. Residential and health care services include:

Independent housing including meals, social activities, scheduled transportation, housekeeping and maintenance; Access to physician, prescription drug and rehabilitation services; Supportive housing and services provided in an adult home, an enriched housing setting, or an assisted living residence (FFSCCRCs must provide residents with access to this intermediate level of care; while CCRCs generally provide access to this service, it is not required under the CCRC statute); Skilled nursing facility (nursing home) care for residents who become temporarily ill or who require long-term care. Skilled nursing care may be provided in an on-site facility or in an off-site nursing home affiliated with the CCRC/FFSCCRC.

Upon motion by Kincart, seconded by Savoca, and with all those present voting aye, meeting was adjourned at 11:00pm.