

Planning Board Meeting April 25, 2011

A regular meeting of the Planning Board, Town of Yorktown, was held on April 25, 2011, the Yorktown Community & Cultural Center, 1974 Commerce Street, Room 104, Yorktown Heights, NY 10598. The Chair, David Klaus, opened the meeting at 7:30 P.M. with the following members present:

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

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

Discussion	Kincart stated after a site visit to the Faith Bible Church, he felt once the house was removed, there would be ample room for parking on site.
Correspondence	King Gates & Fence. The Board discussed the Planning Dept. Memo dated April 12, 2011 regarding the granting of a Special Use Permit for Outdoor Services. At its April 11, 2011 meeting, the Board review a memo from the town's Code Enforcement Officer dated April 7, 2011 which reported none of the improvements required by the special use permit have been implemented and that outdoor service is being conducted in front of the location. The applicatn was given notice to appear at the Planning Board's next public meeting, which will be held on May 9, 2011.
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 Kincart, and with all those present voting aye, the Board approved the minutes of April 11, 2011

Work Session

Thyme Restaurant
SBL: 36.5-1-16

Special Use Permit Outdoor Seating

Location: 3605 Crompond Road

Contact: Ciarcia Engineering, P.C.

Description: The applicant is proposing five (5) tables for a total of twenty (20) outdoor seats. An application is being made to the Planning Board pursuant to Chapter 300-80(B)(2) of the Town Code.

Dan Ciarcia, project engineer, was present with restaurant owner Tom Costello. Ciarcia stated the applicant met with Snap Fitness, owner Lorna Graham, and discussed parking and screening. Ciarcia reviewed Joe Hughes' memo regarding patron safety as well as the Fire Inspector's

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memo. Ciarcia stated he was showing eight parking spaces in the rear of the property, near the Snap Fitness exit, as employee spaces for Thyme. The applicant eliminated the proposed flower pots that were meant to segregate the dining area from the front walk and is instead proposing to plant into the ground in raised planting beds. Tall grasses which can grow 6-8 feet and can be cut down in the off season, are proposed for the beds. Ciarcia stated the applicant met with Snap Fitness owner Lorna Graham and the project landscaper to develop an acceptable landscape plan. Ciarcia stated with regard to the safety concerns the Fire Inspector found that as long as there is available egress from the rear emergency exit, he had no objection. Both Joe Hughes and the Fire Inspector had found that seating was too close to Route 202 without any safety devices to protect patrons. Klaus explained that the Board needs a memo from the Inspectors when you have satisfied their safety concerns. Costello stated parking counts were problematic during restaurant week, but we could use a valet. Costello felt the restaurant and the health club infrequently had high usage at the same time. Tegeder asked what the additional square footage was as a result of the outdoor seating. Ciarcia stated the previous plan showed 380 SF and the new plan shows 420 SF, but with the same number of tables and chairs. Tegeder stated the proposed stacking does not meet with the town code. Ciarcia felt the parking issue only occurred during discrete period of time, and during these times employees can block themselves in. Kincart asked for signage for clarification of where patrons can park and where the employees will park. Costello stated he did not believe there was a parking problem during Saturday evening. Tegeder explained that with regard to parking spaces, there is either enough parking on site or the Board makes a determination that there is not going to be a problem with the existing number of spaces. Tegeder explained that the applicant cannot take advantage of valet parking under the code, as it applies only to banquet halls. Fon stated we spoke about parking on the adjacent parcel. Ciarcia replied there are two owners, Salerno being one, and we have not been able to discuss this yet. Ciarcia stated with regard to safety, the size of the wall was thickened. Because bollards would not be attractive, we are proposing steel rods placed within the wall. Klaus requested this be discussed with the Fire Inspector. Ciarcia explained that outdoor seating has been spread out, by sliding it over and expanding the area. The area will have pervious pavers. Ciarcia stated the width has changed as the patio edge was moved six feet toward the road. Klaus requested the narrative regarding parking be submitted. Additionally, and discuss the plan with the Code Enforcement Officer.

Fusco Minor Subdivision

SBL: 16.14-1-10

Location: 3477 Stony St.

Contact: Ciarcia Engineering, P.C.

Description: Proposed 2-lot subdivision on 2.720 acres in the R1-20 zone.

Discussion Subdivision

Dan Ciarcia, project engineer, was present with the applicant. Klaus stated the Mohegan Fire Inspector memo, dated April 20, 2011, requested a 28 foot radius to allow for trucks to enter. Ciarcia stated the memo would be reviewed. Ciarcia explained the applicants were requesting bonds be posted when a building permit was requested and not when the plat is signed because the property owner does not plan to build the new home immediately. As the applicants are

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homewoners, not a developers, they would like to reduce the financial burden. The Board was agreeable to this. Klaus stated the Town Engineer requested the stormwater pollution prevention plan. Kincart asked if there would be a standard driveway bond in place. Ciarcia stated the erosion control plan will be part of the stormwater pollution prevention plan. Klaus asked that the driveway turning radius be shown. Tegeder asked that this be submitted the next time the applicant is before the Board. Tegeder requested the limit of disturbance should be shown on the plan to avoid unnecessary removal of trees.

Upon motion by Rivera, seconded by Kincart, and with all those present voting aye, the meeting was adjourned at 8:00pm.