

# Planning Board Meeting June 25, 2012

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A regular meeting of the Planning Board, Town of Yorktown, was held on June 25, 2012, at the Yorktown Community & Cultural Center, 1974 Commerce Street, Yorktown Heights, NY 10598. The Chair, Rich Fon, opened the meeting at 7:30 P.M. with the following members present:

John Savoca

John Flynn

John Kincart

Ann Kutter, alternate

Absent: Darlene Rivera

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

Discussion

No discussion took place at this time

Correspondence

Town Board Referral Allow Recycling as a permitted manufacturing use in the I-1 Zone.

Follow-up Correspondence -  
Liaison Reports

No discussion took place at this time.

Kutter reported the Conservation Board Secretary position was no longer filled.

NYC DEP commented on Sierra Bella Minor Subdivision Amendment to the Zoning Code to remove residency preferences from the eligibility requirements for certain affordable housing units.

Courtesy of the Floor

No one from the public came forward at this time.

**Minutes:** May 21, 2012      June 11, 2012

**Upon motion by Kincart, seconded by Savoca, and with all those present voting aye, the Board approved the minutes of May 21, 2012.**

The minutes of June 11, 2012 could not be approved as the Board lacked a quorum.

## WORK SESSION

### PEG Realty Corporation

### Discussion Easements

#### SBL: 16.8-1-2

*Location:* 3699 Hill Boulevard.

*Contact:* Architectural Visions, PLLC

*Description:* Approved 2-Lot subdivision and Site Plan for 11,600 SF one-story commercial building.

Joel Greenberg, project architect was present. Greenberg stated an easement exists to allow the bowling alley patrons to use the new site. Currently the applicant is requesting an amendment to allow a cross easement. The bowling alley patrons are allowed to park in the new lot, and the

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patrons of the new lot may use the bowling alley parking lot. Greenberg stated a note will be added to the site plan for these ROW access and parking easements. Savoca asked which property would be burdened by this easement, and Greenberg stated both properties. Greenberb explain that a sidewalk was approved around the lot as well as a 30- foot easement. Kutter asked if the new agreement preclude the green islands that were approved. Greenberg explained it did not, and that no additional paving could be introduced without Board approval. Any change to the site plan would have to come back to the Planning Board. Greenberg stated there are 6 green islands and additional buffering. Wagner requested the approval contain the phrase “ in accordance with the approved site plan as this apprval will extinguish the original easement, the site plan should have a note stating same.

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

**Upon motion by Kincart, seconded by Savoca, and with all those present voting aye, the Board approved the resolution amending the ROW access and parking area easement.**

**Upon motion by Savoca, seconded by Kincart, and with all those present voting aye, the Board closed the public hearing.**

## **Fieldhome Expansion**

**SBL: 35.12-1-3**

*Location:* 2300 Catherine Street

*Contact:* Site Design Consultants

*Description:* Approved continuum of care facility request for temporary sales building and associated parking.

Al Capellini, project attorney, Joe Riina, project engineer and John Ahearn, Fieldhome CEO, were present. Riina discussed more specific plans then presented at the last meeting. Riina stated the applicant is requesting installation of a marketing office where a residential structure and parking area currently exist. The applicant anticipates using the existing driveway entrance and installing a 50x60 foot structure. The plan reflects the applicant’s attempt not to disturb 3 maple trees on the site by reducing parking from 16 spaces to 14 spaces. The plan also calls for the use of porous pavers, an ADA ramp and attractive landscaping, grading and a 2-3 foot retaining wall. Riina stated there is an existing 26" spruce tree which we will keep if we can make the grades work. This structure will remain until the applicant installs a permanent sales office. Flynn asked about the proposed retaining wall. Riina stated this is needed to attain the ADA requirements in the parking lot. Tegeder asked that the cut and fill be quantified. Riina 2-3 feet of cut is anticipated. This is a small area and the soil will not be taken off-site. Riina explained that the number of parking spaces was determined by the Fieldhome marketing department. Kutter asked where the bio-detention was located, Riina stated within the large lawn area. Tegeder stated the Board can request a note for a sunset clause on the site plan. Capellini stated the temporary structure permit can require a yearly renewal. Capellini stated the Town Board is reviewing the size constraints required for the temporary building. The existing code allows for structures of 1,500 sq. ft., while the applicant is requesting 3,000 sq. Flynn stated the pictures of the temporary structure was not too appealing. Ahearn stated the structure will look as much like a house as possible. Kutter asked how long the building would be in place and Ahearn stated with installation of the building in the fall will probably remain for 3-years. Fon stated a note regarding a sunset clause, and tree location should be placed on the plans Riina felt the work could encroach a little on the tree roots and still not damage the tree. All the existing utilities will be used. Flynn

## **Town Board Referral**

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requested a demolition schedule to include dust, trucks traffic, and noise. Riina stated the applicant has not completed this yet. Riina stated the existing structure will require asbestos abatement done. Debris will be removed and contained in one day. The applicant will be courteous to the neighbors and work within business hours. Kincart asked that the applicant diligently try and save the 26-inch spruce tree. The Planning Department will send a memo to the Town Board stating the Planning Board has no issue with the Town Board's change in the code to regarding size of a temporary building, and allowing review on a case by case basis.

## **IBM Helipad**

**SBL: 69.16-1-1**

*Location:* 1101 Kitchawan Road

*Contact:* Nicolette Visalli

*Description:* Proposed helipad on grounds facing Route 134.

Don Snyder and Don Chess, IBM engineers, were present. Snyder discussed delays with the project as IBM submitted our application in January to the the Town Board as code modifications had to be made. The helipad would be constructed with a honeycomb grass paver system, contain a light system, and an irrigation system. Flynn asked about the proximity to the front entrance of IBM. Snyder stated the helipad will be adjacent to the front entrance, and will contain a small amount of pavers. Steps will be built into the existing wall. The helipad will be 250 feet away from the front entrance. The proposal includes service mounted lighting that only comes on when a vehicle comes in. IBM needs to plant grass, otherwise there will be just mud in front of the building. Tthe flight corridor including a path across the Taconic Parkway and residential units. The Board asked where do the flights originate from. Synder stated any airport that is in the area. Kutter asked what was the noise level residents would have to deal with. Residents are concerned with the safety factors and noise. Snyder stated there would most likely be a maximum of 10 flights a year, with each take-off and landing lasting only minutes. Kincart asked if nosie could be reduced for residents if the helipad was installed more to the north, Snyder stated IBM is concerned with tree removal. Flynn stated the Board would like to review the noise level much like we review light levels, decibels instand of candlefoot. Fon asked where the closest hydran was as he was concerned with fuel accidents, Snyder stated there are emergency response procedures and equipment on site. Snyder stated the applicant had anticipated approval in august to allow for planting in September. Flynn stated the Bord does have responsibility to IBM, but also to the other property owners in the vicinity to ensure due diligence in their reviw. Tegeder stated the Board should expand the review to WestChess County, New Castle, and Ossining. Additionally, the Board will contact NYC DEP, Taconic Parkway Authority, Yorktown Fire and Police Departments. The Board requested both published data and real time data for the decible readings. Synder felt that the Board's questions would have to be answered by the pilot, and he would attend the next meeting. Tegeder stated the town and the applicant must work together to establish number of flights and hours of operation. The Board direced the applicant to the Building Department for any code issues. The applicant could return to the July 16, 2012 meeting if the pilot and the requested information were available.

## **Request for Special Permit**

**Upon motion by Savoca, seconded by Kincart and with all those present voting aye, the meeting was adjourned at 8:45pm.**