

Planning Board Meeting December 3, 2012

A regular meeting of the Planning Board, Town of Yorktown, was held on December 3, 2012, at the Yorktown Stage, 1974 Commerce St. Yorktown Heights, NY 10598. The Vice Chair, John Flynn, opened the meeting at 7:35P.M. with the following members present:

John Savoca

Ann Kutter

Darlene Rivera

John Kincart

absent: Rich Fon

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

Discussion	No discussion took place at this time.
Correspondence	No discussion took place at this time
Liaison Reports	No reports were submitted at this time.

Minutes: November 19, 2012

Upon motion by Rivera, seconded by Savoca, and with all those present voting aye, the Board approved the minutes of November 19, 2012, except for Kutter who abstained having recused herself from the Costco hearing.

REGULAR SESSION

PEG Realty Corporation

Request for Reapproval of a Site Plan

SBL: 16.8-1-2

Location: 3699 Hill Boulevard

Contact: Architectural Visions, PLLC

Description: Approved 11,600 SF one-story commercial building by Res#09-30 dated Dec.14, 2009.

Joe Greenberg, project architect was present. Greenberg stated the requested easement language has been submitted to the Board. Flynn asked if there were any changes to the project, and Greenberg relied no changes have occurred since the Board reviewed the proposal.

Upon motion by Kutter, seconded by Kincart, and with all those present voting aye, the Board reapproved the site plan.

Lake Osceola Realty Corp.

Public Hearing

SBL: 17.5-1-11

Location: 505 East Main Street

Contact: Site Design Consultants

Description: Proposed 27,000 SF office building and associated parking. Demolition of one existing residence.

Al Capellini, project attorney, Joe Riina, project engineer Steve Marino, project wetland scientist, Joseph Greener, project planner, Frank Guillano, project landscape architect and David Sauers, architect, were present. Capellini stated the project requires site plan approval and a wetlad permit. The site is located south of Ceola Manor and east of Lake Osceola. The proposal calls for a 27,000sf office building with associated parking of 113-115 spaces. The applicant has an agreement for shared parking with the adjacent Ceola Manor. The project will disturb 47% of the site while leaving the remaining 53%

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undisturbed. The shoreline will be donated to the Town, and a conservation easement will be placed on a portion of the undisturbed 53%. Capellini stated there is also a need for a flood plain permit from the building inspector.

Joe Riina stated the lake Osceola Realty property is located adjacent to Lake Osceola, with frontage along Hill Blvd. The site is 4.4 acres, of which is 2.38 acres is wetlands and wetland buffer, of which, a portion contains a DEC wetland and an AE flood plain. There is an existing residence on the site, which will be demolished, and any parking for Ceola Manor, currently on the site, will be removed. There is a pump station on the site for the residence and Ceola Manor which will be replaced. The proposal is for a three story, 27,000sf office building having a 9,000sf foot print. The proposal calls for a cross easement that will exist to allow the applicant and Ceola Manor to share for overflow parking. The project will result in improvement to the existing parking lot, retaining wall and drainage. There are going to be two parking areas for a total of 113 parking spaces, where 135 spaces are required. The applicant is aware, however, that the Board can allow the a 25% reduction in required parking. Inside the parking area the grade is 2%. Riina stated the Fire Board review stated the plans were adequate and for fire fighting, and a letter stating this will be sent to the Planning Board. Aware that this proposal will result in wetland encroachment of 48,000sf, the applicant will donate 1-acre to the Town. Additionally, there will be a conservation or recreational easement which the town could use for trail development or other public access, or could be used in the future for a raised observation platform or a dock. The applicant has prepared a SWPPP as required, showing that water quality will meet or exceed water quality requirements with the use of a bio-retention area. This area is a planted depression with a soil media that makes up the planting bed and purifies the water. Additionally, the applicant will install porous pavement, and a pre-manufactured water purifying system. The proposal will attenuate up to, and beyond, the 100-year storm event. Water will be maintained at a rate that is 30% over requirement, which brings attenuation to the 200-year storm event. The proposal calls for capturing runoff from the Ceola Manor lot which currently, just runs off the site untreated. This is yet another improvement. The designated FEMA flood line also runs through the site. Mitigation includes providing 12275 sr of flood storage area under the parking, resulting in no negative impact to the area. The proposal calls for abandoning the existing outdated pump station and installing two independent pump station with high level alarms, capable of handling excess capacity, and install hydrant adjacent to the site.

Frank Guillano stated the applicant met with with ABACA and addressed their request for additional ground cover. The plan calls for native species which will greatly reduce the need for maintenance with trees that filter parking from the street. Tegeder requested street trees using species installed on E.Main St.

Steve Marino stated the applicant has worked with DEC and Town to confirm the wetland delineation. Currently, the applicant is conducting a wetland functional analysis. Marino explained the site wetlands were part of a 100-acre wetland. As part of the analysis processes, standard methods were used. Water quality is important for Lake Osceola as this is a nutrient loading area. Wildlife and vegetation As you move closer to the lake, the area has a more beneficial function for wildlife and vegetation. Primary wetland disturbance for this site includes removing and replacing invasive. Kutter asked what type of deer protection will be used. Marino stated a deer fence while work is in progress, and ig and deer repellent for the first few years. Vegetation along the waterside shows a variety. Along the edge there is a retaining wall and there will be wetland planting soften the edge. There is a mix of elms and red maples, as we restore to native plantings. Marino stated the wetland performs a number of functions, therefore, mitigation should be address disturbance to wetland function. The off-site parking lot will capture, detain

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and treated water before it goes into the lake. A number of parking spaces will have porous pavement. It is our plan to have several points where water goes into the ground. Kutter why not the porous pavement is not used more, and Riina explained it is not recommended for travel lanes. Marino stated for flood control we will have rain gardens, and our stormwater management includes open bottom systems so water can get into the ground during bigger storms. Tegeder stated on the landscape mitigation plan the applicant is proposing shrubs and trees which might block public access. Marino stated any trees and shrubs could easily be relocated. Marino stated we are placing trees in the north where Barber requested them. Kutter asked if this was a detriment to birds. Marino stated with the thicket, birds are not coming ashore at this point. Marino listed the areas of mitigation being offered by the applicant:

Approximately 1-acre of untreated runoff at Ceola Manor will be treated

Three parking spaces three being relocated away from the lake

Installation of pervious pavement

Improved hydrology to the wetland, with storm water management having an open bottom, allowing water to enter into the ground and recharging the wetland and using a sand filter

Planting and restoration of the buffer (as per submitted planting plan)

Removal of invasives along the northern section and proper seed mixture

New pump station

Riina stated the applicant is required to install retaining walls and retaining structures are needed along the property line as there is a sharp drop off. The highest point of the wall is approximately 13ft, at an elevation of 434ft high point. Normal elevation is between 418ft-420ft. Flynn asked about the plan for lawn chemicals and salt, and will the water retention system provide for that. Riina felt the bioretention could handle much of this. Marino stated using native species cuts down on any use of pesticides. Kutter asked if the planting plan had gone back to Conservation Board, and was told it had not. Tegeder asked if the 13 foot wall contains a guard rail. Riina stated in certain locations there where there is a need there will be a Timber Face guard rail

David Sauers stated the building entrance has a canopy, the exterior is clapboard, and there are fiberglass windows for low maintenance, and a mansard roof. All three levels will be used as office space. The height of the building is 39 feet, and the Building Inspector has given his height interpretation as the average height is 31.95ft and the high point is 41 ft.

Capellini stated the applicant will require a DEC permit, and a Town wetland permit. Capellini explained that the cross easement existed when Sinapi purchased the site. It provided for 12 parking spaces for the benefit of the Ceola Manor. Capellini stated the easement language has not yet been submitted to the Town Attorney for review.

Flynn opened the meeting to the public. No one from the public came forward.

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

Upon motion by Kutter, seconded by Savoca, and with all those present voting aye, the meeting was adjourned at 9:00pm.