

Planning Board Meeting June 24, 2013

A regular meeting of the Planning Board, Town of Yorktown, was held on June 24, 2013, at the Yorktown Community and Cultural Center, 1974 Commerce St., Room 209, Yorktown Heights, NY 10598. The Chair, Rich Fon, opened the meeting at 7:30P.M. with the following members present:

John Flynn
John Savoca
Darlene Rivera
John Kincart
Ann Kutter

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	Correspondence from the Town Board regarding Fieldstone Manor, from ABACA regarding BJ Propane Station, Navajo Fields, and the St. George Winery
Liaison Reports	Kutter reported on Conservation Board memos to be circulated.
Courtesy of the Floor	Al Capellini, project attorney for Osceola Realty discussed the parking layout. Capellini stated the applicant is waiting on the easements to be approved. Discussion of holding a public hearing in July, caused the Board to change the July meeting date to July 15, 2013.

Upon motion by Kincart, seconded by Rivera, and with all those present voting aye, the Board rescheduled the July Planning Board meeting to July 15, 2013.

Upon motion by Kincart, seconded by Flynn, and with all those present voting aye, the Board scheduled a public hearing for Creative Living Development for July 15, 2013.

Minutes of June 10, 2013

Upon motion by Kutter, seconded by Kincart, and with all those present voting aye, expect for Rivera and Flynn, who abstained, the minutes of June 10, 2013 were approved.

Hilltop Associates

SBL: 37.6-1-25

Location: Hilltop Road

Contact: Jack Goldstein, PE

Description: A 3 lot subdivision approved by Planning Board Resolution 08-02 on January 14, 2008.

Discussion Subdivision

Al Capellini, project attorney, and Jack Goldstein, project engineer, were present. Goldstein stated when the Board last reviewed this project, they requested the house on Lot 25 be provided with

Planning Board Meeting June 24, 2013

sufficient usable backyard space. To illustrate compliance with this request, the plan indicated a 15' x30' pool. The pool is located 25ft from the septic system, as required. Goldstein stated if the Board agrees to this change, the plans will be revised. The Board was favorable and requested the applicant make the changes and return to the July 15, 2013 meeting. Jamie Lintner, forest biologist, stated he had conducted a site visit to review storm damage to the 13-acre site. Lintner recommended removing and salvaging the down trees following best management practices. Lintner stated he submitted this proposal to the Westchester Agricultural Council-WAC (see WAC memo dated 6/24/2013). Kutter asked if Lintner disagreed with anything recommended in the WAC memo. Lintner did not disagree, and stated it was standard operating procedure. Tegeder asked how many trees were being removed, and Lintner stated approximately 120. These trees have all been marked. Lintner stated the thinning will allow the sugar maple under story to develop and thrive. Kutter stated regrowth and replanting could be considered mitigation. Kutter asked if invasives would be a problem. Lintner stated no, as there is already an establish sugar maple undergrowth. Kutter felt working with the WAC could make this a good demonstration project. Tegeder felt this proposal could muddle the subdivision, and might be considered segmentation. Tegeder requested the applicant analyze this project by considering both the removal of the down trees and the removal of trees required for the proposed houses. Kutter stated this could be a non-administrative tree permit. Lintner stated 30%-40% of the tree removal was due to storm damage. Fon stated the Board needs to find out the legal requirements of the tree ordinance. Lintner stated he would prefer to remove trees in the summer. Tegeder stated the Planning Department will conduct a site visit with the Town's Environmental Consultant. Goldstein will prepare a revised map showing the new lot line between the two building lots.

Triangle Shopping Center

SBL: 48.18-1-2&3

Location: Saw Mill River Road

Contact: Romano Architects

Description: Proposed pavers in existing parking lot.

Discussion Site Plan

Tony Romano, project architect, was present. Romano stated the applicant is proposing to replace the landscaping with regular pavers beginning at the area across from Mrs. Greens. The applicant finds the landscape strip difficult to maintain. Kutter suggested the applicant install pervious pavers. Tegeder felt Planning Board approval could be accomplished by a resolution approving the changes to the parking lot. Romano stated no trees will be removed. Tree wells will be installed around all the existing trees. The Board suggested the applicant add additional trees to adjacent rows in the parking lot to mitigate for the removal of the landscaped island. Romano said he would investigate adding diamond tree wells and trees in the adjacent parking rows. The applicant will return to the July 15, 2013 meeting.

Planning Board Meeting June 24, 2013

Emerald Hills LLC

Discussion Subdivision

SBL: 69.19-1-3

Location: 1339 Kitchawan Rd.

Contact: Hudson Engineering

Description: Proposed 6 residential lots on 30.88 acres in a R1-80 zone with domestic wells and septic systems.

William Lachenauer, project engineer, and Neil Alexander, project attorney, were present. Lachenauer reported meeting with Mary Galasso, NYC DEP to witness a series of perctest. Additionally, a SWPPP has been prepared and will be reviewed by the Town Engineer. Lachenauer stated this proposal includes green technology, as it directs water to the retention basins and uses an existing culvert and NYS DEC approved devices. The proposal will reduce the rate and volume of run-off. Pavers are standard pavers. Kincart asked if the driveway crossing will be curbed, and was told it would. Kincart asked about a turn around for emergency vehicles. Lachenauer suggested using grasscrete. Fon stated if pools were being considered, if so, the proposal should include a dry hydrant. The Board requested the applicant return to the July 15, 2013 meeting for discussion, with a public hearing possible in August 2013. The Board requested the applicant address the NYS Parks & Recreation memo requiring a Phase I Study be performed. The Board requested the plans be referred to the Fire Inspector.

Dubovsky, Michael

Discussion Site Plan

SBL: 59.14-1-18

Location: 702 Saw Mill River Road

Contact: Dubovsky, Michael

Description: Application to construct a main building with 2 commercial spaces below with 2 residential apartments above and a secondary garage/barn structure in the rear of the property.

Present with applicant Michael Dubovsky were Joe Riina, project engineer, and Al Capellini, project attorney. Riina stated since the last time the applicant was before the Board, a more detailed site plan has been submitted to the Planning Board, and a stormwater management plan submitted it to the Town Engineer. Riina adjusted the front walkways to be handicapped accessible. The proposal is for 2 one-bedroom apartments on the 2nd floor of the front building. Additionally, the applicant responded to the NYC DEP memo. Dubovsky felt the project was not large enough to require a NYC DEP review. Riina stated the most significant change to the plan was eliminating a basin, adding a subsurface water management plan, and porous pavers. Although the applicant was asked to provide elevations, this has not been completed. When asked what the proposed building would look like, Riina replied that it would be very similar to the adjacent building. The building will house commercial on the first-floor with residential on the second-floor. Riina explained that peak flow would be less than what is going through now. Flynn wanted to ensure the garage/barn structure would not become apartments. Dubovsky stated the building is a pole barn, without a foundation. Town code requires a full foundation for residential use. For the barn Dubovsky would

Planning Board Meeting June 24, 2013

like a half bath and the height of the garage doors to be 10 ft high to allow vans to be parked inside. The 2nd floor of the barn would be for storage only. Flynn wanted to ensure the potential for illegal apartments be eliminated. Riina stated the applicant has installed curtain drains and can move forward with deep hole test and perctest probably in August. Riina felt that this project would result in less flow then a 3 bedroom house. The applicant is working on elevations to submit.

Yorktown Auto Body

SBL: 37.19-1-79,81,87

Location: 1798 Front Street

Contact: Site Design Consultants

Description: Proposal to expand parking lot with 13 additional parking spaces.

Discussion Amended Site Plan

Al Capellini, project attorney, and Joe Riina, project engineer, were present. Capellini stated the amended site plan is for 13 additional parking spaces. Riina explained the owners had all the necessary permits and began construction on the original approved plan. Currently, the applicant is installing the approved spray booths. When the owner approached the owner of the adjacent property to the rear of the site, that property owner offered to sell the adjoining parcel to the Auto Body. This opened the prospect for more parking and would allow the owner to square off the existing building with a 1450sf addition. The applicant has removed all storage trailers from the site. 49 parking spaces are proposed, where 22 spaces are required. The amended plan includes two 9ft retaining walls that will require Zoning Board variances due to the height of the walls. The Board requested landscaping between the two walls. The Board felt cars now parked on the street could be parked on the site. This is an amended site plan, within a DEP Main Street. The applicant will need to have a public informational hearing.

Greenwood Street Culvert Repairs

Location: Greenwood Street

Description: Installation of sheet piling at the discharge ends of double culverts to prevent further scouring and the filling in of the scour hole.

Town Board Referral

After reviewing the project, the Conservation Board suggested plantings to soften the the area and asked why the entire bridge is not being replaced. The Planning Board thought it was due to financial constraints. The Board felt there were no Planning comments for this application.

Upon motion by Rivera, seconded by Savoca, and with all those present voting aye, the meeting was adjourned at 9:30pm.