

Planning Board Meeting Minutes – June 9, 2025

A meeting of the Town of Yorktown Planning Board was held on Monday, June 9, 2025, at 7:00 p.m. in the Town Hall Boardroom.

Chairman Rich Fon called the meeting to order at 7:00 p.m. with the following Board members present:

Bill Lascala

Bob Waterhouse

Judy Reardon, Alternate

Also present were:

John Tegeder, Director of Planning

Robyn Steinberg, Planner

Ian Richey, Planning Assistant

Councilman Sergio Esposito, Town Board Liaison

Katie Krahulic, Esq.

Correspondence

The Board had no comments.

Motion to Approve Meeting Minutes of May 19, 2025

Upon a motion by Bill Lascala, and seconded by Judy Reardon, and with all those present voting “aye”, with the exception of Bob Waterhouse who was not present during this meeting, the Board approved the meeting minutes of May 19, 2025.

Motion to open Regular Session

Upon a motion by Chairman Fon, and with all those present voting “aye”, the Board opened the Regular Session.

REGULAR SESSION

Atlantic Appliance

Discussion: Request for Second One-Year Time Extension

Location: 37.15-1-31 & 35; 2010 Maple Hill Street

Contact: Site Design Consultants

Description: Approved site plan by Planning Board Resolution #20-10 dated July 13, 2020, and reapproved by Planning Board Resolution #23-09 dated June 12, 2023.

Comments:

Joseph Riina, Project Engineer and Principal of Site Design Consultants was present to request a second one-year time extension for the approved project. The applicant is currently working with the contractor with respect to scheduling. Tegeder asked about the clearing. Riina said they began the clearing thinking they were going to immediately start construction but then had to wait to clear up the financing. Tegeder asked if the Board granted a permit for the clearing. Riina said that they have a building permit and signed site plan. Tegeder thought that since they had a signed site plan they didn't need an extension. Riina said they requested the extension as a precaution. Fon asked the Board, Planning Department, and Counsel if there were any comments and there were none.

Upon a motion by Bob Waterhouse, and seconded by Bill Lascala, and with all those present voting “aye”, the Board approved the second one-year time extension.

Gardena Hotel

Discussion: Request for Second One-Year Time Extension

Location: 37.14-2-54; 1952 Commerce Street

Contact: Site Design Consultants

Description: Approved site plan by Planning Board Resolution #23-10 dated June 26, 2023.

Comments:

Joseph Riina, Project Engineer and Principal of Site Design Consultants was present to request a second one-year time extension for the approved project. Fon asked the Board, Planning Department, and Counsel if there were any comments and there were none.

Upon a motion by Bill Lascala, and seconded by Bob Waterhouse, and with all those present voting “aye”, the Board approved the second one-year time extension.

Curry Honda Solar

Discussion: Adjourned Public Hearing

Location: 35.08-1-10; 3845 Crompond Road

Contact: Destiny Garcia, Freedom Power Solar

Description: Proposed installation of a 253.17 kW photovoltaic solar system on an existing commercial building.

Comments:

Upon a motion by Bob Waterhouse, and seconded by Bill Lascala, and with all those present voting “aye”, the Board opened the adjourned Public Hearing.

Mason Ellis, Lead Subcontractor Relations Manager of Freedom Power Solar, was present. Ellis said that he received the draft resolution for review prior to the meeting. Ellis continued that the solar proposal was presented to the Board a while back and now that the moratorium was lifted they are moving forward with the project.

Fon asked if the proposal was for a roof-mounted solar array only and Ellis responded that this was correct. Fon noted that the Board did review this project previously and also conducted a site visit.

Fon asked the public if there were any comments and there were none.

Upon review of the draft resolution, both Fon and Ellis noted that the title was incorrect. Tegeder added that the section within the resolution noting that the public informational hearing was waived should be removed as special permits do not require a public informational hearing. Reardon asked if the May 16th resolution date was correct and Tegeder responded that it should be revised to today's date of June 9th. Fon asked Ellis if he had other edits and the response was no.

Reardon asked if the solar was proposed for the main building only and Ellis responded that this was correct. Councilman Esposito asked if different types of installations would interfere with short wave radios used by people behind the facility. Ellis responded that they would not unless they were photovoltaic waves.

Chairman Fon asked the Board, Planning Department, and Counsel if there were any other comments and there were none.

Upon a motion by Bob Waterhouse, and seconded by Bill Lascala, and with all those present voting “aye”, the Board closed the Public Hearing.

Upon a motion by Judy Reardon, and seconded by Bill Lascala, and with all those present voting “aye”, the Board declared themselves Lead Agency.

Upon a motion by Bill Lascala, and seconded by Bob Waterhouse, and with all those present voting “aye”, the Board approved the resolution approving a special use permit for a large scale solar power generation system at Curry Honda with revisions as discussed.

Upon a motion by Chairman Fon, and with all those present voting “aye”, the Board closed the Regular Session and opened the Work Session.

WORK SESSION

Town Board Referral - 1552 Paine Street

Location: 48.11-3-24; 1552 Paine Street

Contact: M. Mastro

Description: Request for a stormwater management permit to construct a single family home on a 20,000SF property in the R1-10 zone.

Comments:

Pat Constabile, associated with Steven A. Costa Consulting Engineer, was present. Constabile said that they submitted a copy of the variance for the Board's information.

Tegeder informed the Board that the variance was from 2001 (*ZBA Decision #107/00 dated 6/28/2001*) of which they did not have during their previous discussion. Fon asked if the variance ran with the property with no expiration and Tegeder responded that this was correct. Fon noted that the application is a referral from the Town Board for a stormwater management permit to construct a single-family house; the variance for the zoning has now been resolved and he believes that the Town Engineer had no issues.

Reardon asked about the ownership and setbacks for the garage/barn structure on the adjacent lot. Constabile responded that the lots are owned by separate family members and that this was not part of the application. Reardon noted that she was aware that it wasn't part of the application but felt it seemed to be large. Constabile said that it is deceiving because when you look at the back lot that there is an extended piece that is part of the property that goes past that area with a 25ft distance off that side that complies. Reardon asked about the side yard setback from the proposed building. Fon said it looked like 9.7ft. Constabile said it was almost 10ft and discussed the setbacks with the Board.

Fon asked Ciarcia, Town Engineer, if there were any issues. Ciarcia informed the Board that they did a preliminary review of the application and had no issues; a memo will be submitted to the Town Board with their comments. Fon noted that the applicant has a ZBA variance for the building and lot size; and the existing garage/barn is not in the same ownership. Fon asked the Board, Planning Department, and Counsel if there were any issues and there were none. Fon asked the Planning Department to submit a memo to the ZBA in favor of the application.

Yorktown Heights Fire District

Discussion: Site Plan

Location: 37.19-1-25; 1916 Commerce Street

Contact: Mark Blanchard, Esq.

Description: Proposed replacement of the existing headquarters and apparatus building.

Comments:

Mark Blanchard, Esq.; Martin McGannon, YHFD Commissioner; Dave Klaus, YHFD Commissioner; Joseph Riina, Project Engineer and Principal of Site Design Consultants; and Peter Helms, Architect and Principal of the Helmes Consulting, LLC., were present. Blanchard said that they were here this evening to provide an initial informal presentation to the Board with respect to replacing the main fire headquarters on Commerce Street. Due to the Fire District's unique status, under state law they will be acting as the Lead Agency but the town has some ancillary approvals. The plans are not final as yet and they expect to have a formal submission in the near future.

Klaus said that they are proposing to remove the existing firehouse to construct a new facility. During the course of the process they looked at many options that included additions for expanding the existing firehouse, however, they moved away from this option due to a variety of reasons that included the age of the existing structure, access, etc. The new firehouse is proposed to be three stories with four bays in front that will be significantly larger than what is existing to accommodate all fire apparatus. Additionally, the existing three bay barn structure is proposed to be removed as part of the project. Due to the elevations of the property the engineer and architect were able to get three additional smaller bays on the lower section behind the building that will be used primarily for utilities. The public entrance will be to the rear of the building and the front entrance is primarily for the firefighters. The interior of the building will have a staircase and elevator for access to the additional floors.

Riina discussed the existing site plan with the current access, parking layout, and barn structure. The proposed firehouse was shown overlaying the site plan. They are proposing to maintain parking on the west side and will gain additional parking to the rear as a result of the barn removal. The current access drive to the right side of the building will remain. It currently runs into the trailway DOT right-of-way but there is a license agreement in place for this. There is some parking to the rear that will be expanded and they are in discussion with the DOT. From a stormwater perspective this is going to be a redevelopment project and they are scheduled to meet with the DEP next week for the soil investigation. The existing utilities will be maintained as far as sewer and water; the electric service will be upgraded as needed.

Reardon asked if they anticipate the bays to remain the same size. McGannon said that they will be larger; the bays will be 14x14 which is the requirement to accommodate updated equipment. McGannon added that they chose the building design to blend in with the surrounding neighborhood.

Helmes said that they looked at various upgrades but the existing building is considered to be obsolete for current fire standards and apparatus. As a result, they determined that a new construction would be the most efficient. They

anticipate that it would take about 18 months to complete the project. They are proposing traditional architecture to create a historical and timeless look. Although the building is proposed to be three stories, the building front appears to read more like a two story as you won't see the setback. The mechanical equipment will be screened. All the fire operations will take place in front of the building where they have immediate access onto the street which is centered on the main intersection. The public will now have a more prominent entrance to the rear of the building. They are proposing green materials, and type II-B non-combustible construction according to the NYS Fire code. The building will be fully sprinkled for fire protection. It will meet and actually exceed the minimum energy code requirements with provisions for roof solar panels. All the electrical, plumbing, and HVAC systems will be state of the art energy compliant and efficient. Full ADA handicapped accessibility throughout the entire building is proposed with a stretcher size elevator to serve all levels. It will be a state of the art facility.

Fon asked where they will house themselves during the construction phase. McGannon said that they are looking into a temporary facility behind the existing structure to the rear of the property. Blanchard added that there is plenty of room to the rear for this activity especially with the barn removal. He noted that they would be required under SEQRA to provide a construction schedule and apparatus housing alternatives as part of their mitigation. Helmes said that there are temporary provisions available and noted that he did this for the Katonah firehouse several years ago with the use of temporary structures.

Waterhouse asked if they were changing the function in any part of the building. McGannon said that it would be modernized and up to date with the latest technology necessary for the fire service.

Tegeder asked to go through the SEQRA process and the town's involvement with respect to complying with zoning regulations if at all. Blanchard said that the process will be unique for the Planning Board as they will be adopting a different role; the Fire District will act as Lead Agency and follow the SEQRA process. The Planning Board will receive information from them as an involved agency; they will need approval for a curb cut at some point. There will be a financing part of this as the Fire District is its own tax district; their SEQRA process will satisfy the bonding process which will occur later on. They will provide an EAF, traffic and visual impact studies, and stormwater report. They are following the process much like what the Planning Board is used to however the Planning Board's position is that of an involved agency and not Lead Agency. The Fire District is exempt from municipal zoning but they believe they are compliant with the zoning for the height in the district. They will show the formal zoning table on the site plan. Tegeder said that his understanding was that they don't have to comply with the height restrictions. Blanchard responded that this was correct. Tegeder added that the Planning Board will also not have any approval authority and will just advise about the site plan. Blanchard responded that this was correct and they will look for their recommendations formally in writing. Tegeder asked when they will kick off the project. Blanchard said that they declared their intent to be Lead Agency in April. They will return to the Board once they have a finalized plan. Tegeder asked if they were going to have a public hearing at the firehouse and Blanchard responded yes. Blanchard informed the Board that they will also be presenting to the Town Board. Fon thanked the YHFD for their service to the town.

Lamp Subdivision

Discussion: Minor Subdivision

Location: 70.08-1-8; 357 Crow Hill Road

Contact: Zarin & Steinmetz, LLP

Description: Proposed 2-lot subdivision of a 4.463-acre lot in the R1-80 zone.

Comments:

Jody Cross, Esq., was present. Cross informed the Board that the application was before the Zoning Board of Appeals on May 22nd and the Board unanimously granted their variances. The minutes have not been adopted as yet but they did make a vote. They are now requesting to move forward with a public hearing on the subdivision application only for the June 30th Board meeting. She is aware of a separate application submitted by her client to perform work on their existing residence (septic upgrade and addition of garage) and that there was discussion back and forth as to whether it was an administrative permit. It has now been determined that it is a non-administrative permit. She had a discussion with the Planning Department as to whether they should combine the two applications for the public hearing. However, after consulting with her client, it was determined that they are not prepared to move forward with the application for the existing residence and would like to proceed with the subdivision only.

Fon asked if the proposed work on the existing residence would affect the subdivision application. Tegeder said that when they see work being done that is either in support of or ancillary to an application it is typically folded in together. The Town Engineer issued a memo suggesting that the two applications be processed by the Planning Board. He noted that their discussion with Cross went along the lines of whatever work the applicant is hoping to do on their property gets included in the public hearing so that if anything goes differently it was addressed in terms of notice and SEQRA requirements. Cross agreed that this made sense but noted that her client understands that they won't be able to do the work if it is not included in the application. They do not want to hold up the subdivision and they understand that they will need to return to the Planning and/or Town Board for a public hearing if and when they decide to improve their existing residence. Fon asked Cross if the ZBA placed any conditions on the variance and the response was no.

The Board agreed to schedule a public hearing for the subdivision only for the June 30th meeting.

MJM Subdivision

Discussion: Major Subdivision

Location: 17.18-2-2; 3232 Gomer Street

Contact: Site Design Consultants

Description: Proposed 13-lot subdivision in the R1-20 zone. The proposed lots will be accessed by two proposed town roads on the east and west sides of the lot.

Comments:

Joseph Riina, Project Engineer and Principal of Site Design Consultants; and Steve Marino, Wetlands Consultant and Principal of Tim Miller Associates, were present. Riina said that when they were last before the Board they were seeking direction as to which alternative to move forward with. Three alternatives were presented that included a plan off of Gomer Street and accessing the rear of the property; another plan coming off of London Road into the site splitting in both directions; and the final alternative showing a split plan with Gomer Street serving the front side of the property and Cordial Road serving the back side of the property which was the Board's preferred layout. Per the Board's direction, the plan shown this evening is the split plan with some modifications to the property lines, house and driveway locations, etc. They moved forward and prepared the engineering studies, including a formal survey reflecting the wetland line, trees and topographic information. They performed the stormwater testing with the DEP. The stormwater design is almost complete; the utilities are laid out. He knows there was discussion about the Cordial Road access. There are no impacts to the wetlands but they are encroaching the buffer areas in some locations.

Marino said the wetland delineation was confirmed by the Town's consultant. They reviewed the buffer encroachments and impacts. There is disturbance within the wetland buffer for an access road from Cordial Road and some rear yard grading for homes proposed to be built at the end of the cul-de-sac on either end to provide more of a rear area. A mitigation plan was provided that includes the removal of invasive species in addition to a dense buffer enhancement planting plan for the areas between the new construction and the wetland. A total of 432 trees were identified and surveyed for the property. Of those trees, about 100 are listed in the code as being invasive or non-native. 49 trees are proposed to be removed for the road construction; and they anticipate about 200 to 250 trees to be removed for the house development. A planting plan was provided for the wetland buffers and they have a schematic planting plan for the street trees to meet the code. The eastern part of the property is considered a woodland under the town code. The western part of the property is improved with the existing home, outbuildings, and a mowed lawn area and does not meet the woodland criteria. As they put together their final landscape and mitigation plan in accordance with the code, they will have more information on additional plantings and trees for the site.

Riina asked the Board as a topic for discussion if they would consider breaking out the tree mitigation in two areas with one being the main infrastructure and the second being the individual lots. The individual lots would file their own building and tree permits. He added that they are theoretically showing house sites and driveway locations but they are not showing pools, decks or patios. He thought that this would be more real when the individual site plans come in. The road infrastructure would have to be done but to offer mitigation for what they don't know could be considered at the time of the building permit.

Fon informed the Board that when he worked for North Castle, they had a pre and final site plan approval where the subdivision was approved and then each lot would come back individually as discussed. Fon noted that the Board did this for the Santucci project where each lot came back individually. Tegeder said he was correct and that there were particular lots identified that came back. Fon added that they would also be required to return with respect to grade

change. Riina said that this was standard practice if there was more than a 2ft grade change. Marino said that some of the lots would come back for wetland permits due to potential buffer encroachments. Tegeder asked about the mitigation. Marino said that the mitigation would be handled by the individual lots. He added that they identified 49 trees to be removed for the areas of disturbance (road, stormwater management, and utilities) that would be proposed up front for this mitigation. Fon asked if the developer's intent was to do the infrastructure and sell the lots individually. Riina said that the developer is planning on building it but they are thinking about the straight dollar contribution for something that may not be built for another five or six years depending on the economy. Also, depending on the individual lots, more trees may come out for the potential installation of a pool, deck, etc. Marino added that generally the trees on the property are smaller, 12 inches or less, with about 20 to 30 larger trees that potential buyers may also want to preserve on a particular lot. Tegeder said he understood but the Board would need a general mitigation plan and good sense of the numbers in terms of approval. Marino said that they know the amount of trees proposed to be removed for the infrastructure and have a general idea of the amount of trees to be removed if the lots are developed the way they are currently laid out. They can put together an estimate as to what the final number will be but they won't know the final number until each lot is developed. Tegeder asked about the tree mitigation currently. Marino said currently they are about one to one for the tree mitigation associated with the trees being removed. There will be a combination of landscape and screening trees as well as a contribution. Fon said that he liked the idea but they would need a basic understanding of what the mitigation will be limited and final. Riina said another alternative is to show conceptual pools and limits of disturbance and if it exceeds this at the time of the building permit they would have to come back. Riina added that he pitched this idea for discussion. Discussion followed with respect to Cordial Road and the right-of-way width. Riina said that he recalled the width was discussed with the previous Planning Board attorney. Fon suggested that a meeting be scheduled with Planning, Town Engineer, Highway Superintendent and applicant to discuss the road width. Krahulic stated that she will inform Chen of the short and long term plan discussed this evening.

Meeting Closed

Upon a motion by Bill Lascalea, and seconded by Judy Reardon, and with all those present voting "aye", the meeting closed at 8:10PM.