

Planning Board Meeting Minutes – June 30, 2025

A meeting of the Town of Yorktown Planning Board was held on Monday, June 30, 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:

Aaron Bock
Bill Lascala
Bob Waterhouse
Judy Reardon, Alternate

Also present were:

John Tegeder, Director of Planning
Robyn Steinberg, Planner
Ian Richey, Planning Assistant
Nancy Calicchia, Secretary
Councilman Sergio Esposito, Town Board Liaison
David Chen, Esq.
Katie Krahulic, Esq.

Correspondence

Fon asked Tegeder if the Hidden Valleys referral was scheduled for the July 1st Town Board meeting agenda and if the Planning Board was expected to send a response back for that meeting. Tegeder replied that it is and noted that the narrative is about 9 to 10 pages with the rest being exhibits. He noted that the Planning Board could request more time to review the documents.

The Board reviewed all correspondence and had no comments.

Motion to Approve Meeting Minutes of June 9, 2025

Upon a motion by Bill Lascala, and seconded by Bob Waterhouse, and with all those present voting “aye”, with the exception of Aaron Bock who was not present during this meeting, the Board approved the meeting minutes of June 9, 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

Lamp Minor Subdivision

Discussion: Public Hearing
Location: 70.08-1-8; 357 Crow Hill Road
Contact: Zarin & Steinmetz, LLP
Description: Proposed 2-lot minor subdivision of a 4.463-acre lot in the R1-80 zone.
Comments:

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

Jody Cross, Esq.; Paul Lynch, Project Engineer; and Evan Lamp, property owner, were present. Cross stated that they are present this evening for the proposed 2-lot minor subdivision. Additionally, the applicant is proposing work to the existing house on the property which requires a separate approval from the subdivision application. The property is a total of 4.463-acres in the R1-80 zone and is presently improved with a 3-bedroom single-family house. The proposal is to subdivide the property into two lots; the existing home would become a 2.6-acre lot and the new lot would become a 1.837-acre lot. These lots would be more consistent with the surrounding lots that tend to be between one and two and half acre lots and not four acres. The property has access over a common driveway that is owned by the applicant. This driveway is subject to an easement and is shown on the subdivision plan. The houses that share the driveway are lots 7,

9 and 10 also known as 355, 367 and 271 Crow Hill Road. The easement agreement was previously provided to the Board and contemplates that another house could be built. They are proposing with the subdivision plan that the new house retain ownership of the driveway and the existing house would be granted easement rights over that. They secured a variance from NYS for the width of the road so long as they have a dead-end fire apparatus turn-around which was provided. The state determined that increasing the width of the drive was not necessary for health and safety in this situation. They were also granted variances from the Zoning Board of Appeals on May 22nd for the frontage requirements to allow for 30ft and 0ft frontage where 200ft is required as well as a 280-a since there will be no direct access from the existing lot.

Separate from the subdivision application they are proposing improvements to the existing residence that includes the construction of a new garage and septic field upgrade. The new garage is proposed to be re-oriented at a 90 degree turn to allow for cars to turn around and easy access for delivery vehicles. The septic field is proposed to be expanded and the bedroom count will be increased from 3 to 5 bedrooms.

Cross requested for the Board to close the hearing this evening, adopt the negative declaration under SEQRA, and grant the approvals they are seeking.

Fon asked the public if there were any comments. Public comments as follows:

1. Peter Elliot, 170 Colonial Hill Road – Elliot is concerned about the southern part of Yorktown and noted that the zoning was increased to two and four-acre zoning. Lamp's property abutts 4-acre zoning; the other houses pre-exist that are maybe 1 or 2 acres. He is concerned about the granting of the frontage variances for 0ft and 25ft where 200ft is the zoning requirement. Had they listened to the Fire Department originally with a cul-de-sac at the end it would have taken away property and the two lot subdivision would never have been permitted due to a lack of square footage. He noted that at a previous meeting the applicant's engineer talked about improvements to the existing residence and quoted a square footage of 3,000sf. His understanding this evening based on the new plan shows a 4,525sf home not 3,000sf as previously stated. He is concerned about the frontage and feels that the down zoning is not looked upon favorably and will open doors for others to follow suit. This is a concern for both himself and his neighbors.

There were no other comments.

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

Toll Brothers

Discussion: Public Informational Hearing

Location: 35.12-1-2 & 35.08-1-45; 2302 & 2448 Catherine Street

Contact: Zarin & Steinmetz, LLP

Description: Proposal to subdivide the 50.51-acre lot into two parcels (48.05-acre parcel and 2.46-acre parcel). The 48.05-acre parcel is then proposed to be developed with a 118-unit townhome active adult community with associated amenity clubhouse and pool, roads, utilities, stormwater management infrastructure, landscaping and related improvements. The smaller 2.46-acre parcel will remain with the existing Field Home building.

Comments:

Upon a motion by Bob Waterhouse, and seconded by Aaron Bock, and with all those present voting "aye", the Board opened the Public Informational Hearing.

David Cooper, Esq.; Kevney Moses of Toll Brothers, Inc.; Diego Villarealle and Paul Dumont, Project Engineers of JMC, were present. Cooper stated that Toll Brothers is the contract vendee for the 50.51-acre portion of the Field Home aka Holy Comforter property located on Catherine Street. The applicant is proposing to redevelop a portion of the property with a 118-unit townhome active adult community. They are before the Board seeking site plan, special permit, minor subdivision, tree and wetland approval. They went through several public hearings and presentations and will recap the project this evening. The project started in 2022 as a 130-unit townhome plan that has been reduced to 118-units over the course of the review between 2022 and 2024 where initially the site was proposed to be rezoned in the RSP-2 district. Much of the review was before the Town Board acting as Lead Agency for SEQRA purposes and the Planning Board serving as an involved agency. In August of 2024, the Town Board held a prolonged public hearing on both the rezoning and project itself in addition to several meetings before the Planning Board. In December of 2024,

the Town Board completed the SEQRA process by adopting the Negative Declaration for SEQRA purposes and rezoning the site to RSP-2. The 118-unit site plan before the Board this evening is a result of the SEQRA review. The applicant has also agreed to file a restrictive covenant against 14.3-acres of the property as a conservation area that is shown on the plan on the right side of the property. The proposal is also going to preserve the Field Home building. The subdivision application before the Board is to carve out the Field home and about 2.5 acres around it to allow the town to adaptively reuse the property and the building. The applicant has offered to contribute \$150,000 towards maintenance of the Field Home building while the Town Board evaluates potential adaptive reuses for the building. Some of the benefits include developing an under-utilized property and noted that this property was approved a while back for a senior living facility for 102 apartment that never moved forward. The fiscal analysis that was undertaken during the SEQRA process estimated about \$1,017,702 annual net taxes; the proposal will provide housing for 55 and older with no school age children, and meets a critical need identified in the Town's Comprehensive Plan for housing needs. In addition to the contribution toward the maintenance of the Field Home, the applicant has agreed to a \$150,000 contribution towards upgrading the upper Hunterbrook soccer field as identified by the Recreation Commission and Town Board that would be in addition to whatever recreation fees required as part of the Planning Board's review if they find the on-site recreation numbers aren't sufficient. There is a full suite of on-site recreational amenities for the community that contains a clubhouse and pickleball courts, however, the applicant is prepared to also pay the \$472,000 in recreational fees if the Planning Board requires it which will result in a \$622,000 total contribution toward recreational facilities.

Villarealle showed the aerial photograph of the existing conditions. The red line surrounding the property is the overall boundary of the property which is a little over 50-acres in size. As part of the application, a two-lot subdivision is proposed. The subdivision plat included in the submission shows the two and half acre parcel on the southern portion of the property that will occupy the existing Field Home building; the balance of the property will occupy the Toll Brothers development; and the shaded area off to the right side represents the conservation area that will have a deed restriction. The overall layout is a combination of the zoning and design process that they went through including some improvements that needed to be constructed on the property itself along Catherine Street. There are two access points directly off of Catherine Street; one on the northern side, the driveway loops in and around and comes to another access point on the southern side. All of the homes would be accessed from those two driveways and all of the driveways have been designed to accommodate emergency vehicles. The overall site plan has been designed to work with the topography of the property; the topography slopes down towards the conservation area into the wetlands. The roadways and units are situated to work with the grade of the property and allows them to consolidate the development area and maintain a significant portion of the property as open space. Some of the buildings are designed as walkouts and some are designed as tuck unders. There are a series of retaining walls along the back portion of the property. As part of the submission they developed a full stormwater pollution prevention plan that includes a number of areas reserved for stormwater management, a combination of bio-retention areas, stormwater basins and infiltration systems. They made their initial application to the DEP and have already received feedback and are in the process of responding. They also met with the Town Engineer a number of times. There is a full utility plan incorporated into the package; all new water and sewer improvements will be constructed as part of the project; all utilities will be installed underground. A detailed lighting package and landscape plan that includes the tree mitigation was also included in the submission. They performed the required tree calculations showing the breakdown of trees to be removed all of which was incorporated into the plan resulting in a robust planting plan. A comprehensive phasing plan is proposed for the construction to limit the disturbance.

Villarealle said that based on initial comments received from the Planning Department they recently submitted a response and revised plans but noted that they have more work to do as they received an updated comment memo. The revised plans submitted incorporate an emergency access driveway from the cul-de-sac to the Field Home building just to the south as requested in the initial comments. They also updated some of the tree removal calculations and quantified the wetland mitigation.

Cooper asked if there were any questions. Reardon said that she wanted to be clear that the \$150,000 contribution to the Fieldhome is separate and apart from the \$150,000 contribution for the Hunterbrook soccer field. Cooper responded that this was correct. Reardon asked for a distinction between age-targeted and age-restricted and also asked what is being proposed for this project. Moses said that the project is age-restricted meaning noone under the age of 19 will be

permitted to live within the development so it will create zero school age children. He noted that in 1970 the average median age in the United States was 28 and it is now 38.7 and rising so the need for this type of housing is becoming more important. Reardon asked if the offering plan will prohibit the occupancy of a school age child. Moses said anyone under the age of 19 will not be allowed to live in the community permanently. Cooper noted that this will be in the HOA. Moses said that they will have visitors but no permanent residents under the age of 19. Tegeder asked about other ages. Moses said above 19 will be allowed. Tegeder said that RSP-2 is limited to 55 and over. Moses said that there has to be one eligible 55 and older individual living in each domicile and no one under the age of 19. Cooper said there were two different questions; the HOA will restrict school age children and there is also the age restriction, fair housing law. Reardon asked if there would be a prohibition if the 55 year old had a school age child. Cooper said it would be in the HOA and wouldn't work. Tegeder said that his understanding is that 100% of the units will be 55 and over restricted and 100% of the units will be restricted by the HOA for 19 and above. Cooper said that this was correct. Waterhouse asked about the utility upgrades specifically if any money was earmarked to upgrade the Hunterbrook pump station. Cooper said that the plant itself is operating ok except during rainstorms when the inflow and infiltration (I&I) increases the amount of flow. Waterhouse said its operating on its limited capability and not operating up to full speed as far as its pumping capacity. Cooper said the issue is that during rainstorms there is additional inflow into that system which overloads the pump systems. In this case Toll Brothers has identified areas removing 60,000 gallons of I&I in the system not at the site but in the surrounding area. There won't be any I&I from the new development. This project is only adding 59,000 gallons into the line. The I&I mitigation will take out more flow than this development will be adding to the system. The improvements are along the line to reduce the demand on the pump station. Waterhouse said that the pumping station needs to be upgraded not just the infiltrator. Cooper noted that the Town Engineer said to make sure that their inflow does not increase the overall capacity. The I&I mitigation will reduce what is going on at the station currently and the Town Engineer said it was proper mitigation for this project.

Fon asked the public if there were any comments. Public comments as follows:

1. Susan Siegel, resident – Siegel said she is speaking as a resident and not on behalf of the Town Board. She is concerned about the sewer issue. She noted that the town recently authorized a tv inspection on the Hunterbrook system but that effort is only to identify the problem; there is no commitment to fix it. Once they find the problem then they have to commit money to fix it. She also has some concerns with respect to the subdivision line and the adaptive reuse for the Field Home. The Town Board recently signed an agreement with an architect to do a study on the adaptive reuse for the Field Home. Without knowing the reuse they don't know what the parking needs might be. She is not sure how the Board will deal with the proposed subdivision line pursuant to parking needs. She also doesn't know how the Board will deal with the site plan as some of the townhomes on the lower left corner are very close to the subdivision line should the Field Home parcel need additional land. She has no concerns about the development itself.

Bock asked the applicant to clarify the sewer contribution. Moses said that this was studied during the SEQRA process and it was determined that the fee for the I&I mitigation was satisfactory for this development. They are committed to contributing \$160,000 towards the I&I mitigation within sewer districts 11 and 12 which are contributory sources to the Hunterbrook system and was all that was required through SEQRA. He noted that these are pre-existing issues. The pumps were recently replaced and their hope is that the tv inspection study will find the major contributory I&I sources and their monetary contribution will go towards solving those issues. Cooper added that Toll Brothers performed their own study of the line to identify the spots that could be mitigated and then provided a contribution towards upgrading the system. Ciarcia, Town Engineer, clarified that two separate things are in process, the first is that the pump station itself is in the process of being upgraded. The pump station based upon what projected flows should be, indicate that the substantial contribution goes beyond what should be and is getting there. They currently have a contractor to perform the tv inspection of the line to identify the issues; once this is complete they will inventory what they find. Prior to Toll Brothers being on board with the mitigation they had already found a number of issues that they repaired and suspect that they will find more. Ciarcia continued that the objective is that Toll Brothers has to at least displace the flow that they are adding and based upon the amount of money they are contributing it will probably go beyond that and they are in agreement with this mitigation plan. Tegeder asked if they will be able to remove the 60,000 gallons of I&I. Ciarcia said that should be the case, the leaks already detected were substantial. Bock asked if the contribution was negotiated as a condition of the rezoning. Cooper responded that it was part of the SEQRA analysis as the applicant's obligation is to offset the potential impacts of their project and in this case it was found that a development of this size would add

59,000 gallons into the line so they were tasked with finding at least that much I&I within the system that could then be mitigated to offset that impact and is how the monetary contribution was calculated. Cooper clarified that the actual contribution is \$170,500 and not \$160,000 as previously stated. Tegeder asked if this will remediate more than what they are putting in and Cooper responded yes.

2. Susan Siegel, resident – Siegel asked to clarify the study that they did anticipating that they would remove 60,000 gallons was based on manholes. She thought this might be separate from the what the tv inspection may come up with.

Moses said that the I&I is a sum of parts not one thing; it is inclusive of many things that contribute to I&I within the system. Their development produces 38,940 gallons and they have to offset by 1.5 getting to the 60,000 gallon number so they are offsetting above and beyond what their development produces. The manhole study showed that the manholes have leaks. Those leaks allow water to get into the sewer systems contributing to the I&I. It is still a problem and one that they have identified and put a number towards. Their contractor, Weston & Sampson, who is also a contractor to the town, performed this study and put a budget together to fix the manholes and mitigation of the I&I that was deemed sufficient during the SEQRA process.

There were no other comments.

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

Cooper asked to move forward with a public hearing for the July meeting. Tegeder felt that more information was needed with respect to the tree mitigation before moving forward with a hearing. He noted that with respect to the wetlands there was some modification to the stormwater from what was originally produced. They need to determine whether they want to bring in the consultants to review this. Cooper responded that this information was provided in the revised submission. He noted that this project has been in the works since 2022 and feels that it is a well vetted project. He added that they are not opposed to keeping the hearing open and understand that more information may be required. Tegeder agreed but noted that the Planning Board is in the process of their review. Tegeder also recommended that a site visit be scheduled with the applicant and Board members.

Moses asked how delaying the public hearing prohibits them from addressing whatever questions they may have. He noted that they submitted revised plans showing the wetland and tree mitigation plans. Villareale informed the Board that the initial submission did include a full landscaping plan that included the wetland mitigation and is also summarized in a chart. They appeared before the Conservation Board on 5/7/25 with their initial submission and received positive feedback. He noted that there is a watercourse parallel to one of the stormwater basins that they are proposing to modify but they feel that it will not impact the site plan in any way. He thinks that the plan before them will remain consistent and give them an opportunity to hear from the public while continuing to work with the Planning Board. Tegeder said that they should compare the quantification for the wetland and buffer disturbance in the most recent plan for the record.

Tegeder informed the Board that the architect for the Field Home adaptive reuse is not yet signed but will be soon. He noted that one of the items they asked for was to look at the site impacts with respect to the adaptive reuses. Toll Brothers did provide conceptual drawings of additional parking areas, etc. that is in the most recent submission. He added that the architect for the adaptive reuse should look at their drawings and determine if there are differences in the recommendations that will help the Board determine what the site and lot line needs to look like. The start date is July 7th at this point. He feels that that they cannot move towards an approval without the lot line knowledge. Bock thought they could focus on the site plan. Cooper said that in the worst case scenario if the subdivision line changes significantly they would just renotice for the subdivision. Cooper noted that the offer is a finite amount of acreage and not for them to take as much property as they want off of the Field Home. He felt that there really isn't much room to change the lot line significantly that a new hearing would have to occur. Moses informed the Board that as part of their SEQRA process, they commissioned a historic study to look at what potential the Field Home parcel could be in the future. There were three scenarios that were suggested as part of the this study. Toll Brothers, at the behest of the Planning Department, created some site feasibility analysis on those three suggestions and noted that all three suggested uses were adequately served with parking and stormwater options.

The Board agreed to schedule a public hearing for the August 11th meeting.

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

AMS, LLC *fka Contractors Register*

Discussion: Site Plan
Location: 5.19-1-15; 800 East Main Street
Contact: Janet Giris, Esq. of Dibello Donnellan Weingarten Wise & Wiederkehr, LLP
Description: Proposed redevelopment of a 35.53-acre parcel with 180 dwelling units in two 4-story buildings consisting of 60 one-bedroom units and 120 two-bedroom units. The property was rezoned from OB to RSP-2 by Town Board Resolution dated May 13, 2025.

Comments:

Mark Weingarten, Esq., Ryan Sutherland, Director of Design and Development; Joseph Riina, Project Engineer and Principal of Site Design Consultants; Colin Grotheer, Architect of Beinfield Architects; and Jason Williams, Senior Principal Landscape Architect of SLR Consulting, were present. Weingarten said they commenced the project more than two and half years ago by filing a petition to rezone the property from OB to RSP-2 and to increase the height from 45ft to 55ft within the zone. The zone change was approved by the Town Board at its meeting on May 6th and now permits AMS to proceed with their plan to redevelop the parcel with 180 apartments in a beautiful new neighborhood from what is now a vacant office space. They are before the Board this evening seeking site plan and special permit approval for the proposed project. They presented the project to the Planning Board on May 19th that calls for the demolition of 63,000sf of existing vacant office buildings and replace it with 180 luxury multi-family senior residences consisting of 74 one-bedroom units and 106 two-bedroom units restricted to 55 years of age and older. The rezoning process included a full environmental review, DEIS and findings that were adopted with significant conditions. The proposed plan preserves over 26-acres of open space which is more than 70% of the site. During the review process, there were many changes; 250 units were originally proposed that was subsequently reduced down to 180 units. The redevelopment project is to be located in the already disturbed area by the previous office park development. Weingarten added that they recently hosted a site visit with two of the Board members and would be happy to schedule another site visit for the other Board members.

Colin Grotheer, Architect, showed the renderings to the Board. He noted that the inspiration for the site was taken from the site’s natural beauty and sweeping views. The idea was to take inspiration from NYS parks, grand hotels in the area and upstate Adirondack region and infuse that with a modern design that works with the existing terrain. The grand entry creates a focal point with a large gable and welcoming porch. Site sections were shown for both the north and south buildings. The two buildings will be connected by walkways creating differentiation between the the north and south wing with a circle courtyard that creates a natural space. Amenities include an upper level pool, water elements, and many different zones with active and passive recreation creating an internal oasis with the feeling of a luxury retreat. Proposed are 74 one-bedroom units and 106 two-bedroom units with about 270 parking spaces on grade. The total square footage for the proposed buildings is about 246,000sf. Various elevations from all levels were shown. At the lowest level they have single corridor units to the south building and the rest is natural grade and mostly unexcavated except where they need to pour foundations. The next level up in the south building has access to the courtyard with a smaller amenity space. It is a relatively grand space with a double height allowing for more light. This space also transitions to corridors with views to the south, internal use of the courtyard, and connecting bridge to the north building. The fully encircled courtyard provides a great sense of entry; the pool will be visible through the amenity space. The pedestrian bridge to the north will have a dramatic overlook over the courtyard. A typical floorplan was shared with the Board. They are proposing a depressed roof area to conceal the mechanicals with a gable roof appearance. Traditional primary materials relating back to the upstate NY traditions in the Adirondack region are proposed that includes lap siding shingle and stone. They are proposing a modern color palette that is yet to be determined.

Jason Williams, Landscape Architect, reviewed the landscape plan and decorative features for the site. The drive up will remain in the same location but is proposed to be widened so that emergency vehicles can meander from the ingress and egress lanes. The center median will be planted and interspersed with flush decorative colored asphalt. There is existing overstory woodland with a lawn that will be planted with native shrubs and they will build upon the existing dogwoods. The entry will have a decorative turn around area with a bluestone patio. To the south of the upper parking lot is a mown

hillside that does nothing so they are proposing to remove the lawn and turn it into a large wildflower meadow that ecologically links into the two yellow detention basins. They are proposing to plant pioneer species such as aspen, birches, small oaks and white pines to essentially rebuild that forest and tie it into the existing tree area. Permeable pavers are proposed within the drop-off parking area. The project amenities include open spaces, walking trails, extensive landscaping and recreational areas. The outdoor recreational areas (yoga, tennis courts, pickleball courts, small putting green, fire pits, outdoor kitchen, etc). were described in detail. A faux bridge is proposed at the end of the end of the pool area. Just below the pool a retaining wall with a linear waterfall that spills down to a little pond area. He noted that the surrounding woodland is known as an Appalachian oak-hickory forest so the proposed planting plan is basic; they see what exists within the ecological community and bring it into development which matches the architecture perfectly. They are proposing native shrubs to increase the pollinator species and songbirds within the area. The perennials and ornamental grasses will play off the vision of the architecture creating an alpine feel. With respect to the lighting, they are proposing a soft approach. All of the lights are proposed to be full cut-off LEDs, Dark Sky compliant. The average foot-candle for the parking lot walkways and drive lanes are 1.62 which they feel is appropriate. There is no light spillage off the property.

Joseph Riina, Project Engineer, said that they are maintaining the existing access point off the end of Old East Main Street, however, for the purpose of emergency access they are proposing to widen the access way and add a center median based on their meeting with the Fire Commission. There are four existing parking lots on the site. The south and west lots will be maintained; the north lot is proposed to be expanded, and the east lot is proposed to be reduced. There is an offset parking area to the north side of the access road that will be removed and become a recreation area. For the most part they are staying within the existing footprint. They will continue to use the existing sewer system. The sewage currently goes to a pump station to the east of the cul-de-sac that services the site and some of the homes along East Main Street. They are proposing to replace the pump station with a new station adjacent to the existing pump station that will tie into the existing discharge line. The water system is a loop system around the buildings and access road and will also have a second connection point to provide redundancy in case a portion of the main goes down. There are three existing stormwater basins; the two main basins are proposed to be resized and retrofitted to a state of the art stormwater management system. There is an existing smaller stormwater basin that currently services the parking lot to be replaced with a recreation area that they will continue to use to treat the stormwater in that area. There is existing underground electric to the site that has adequate capacity for this project. They are working on the mitigation proposal for the tree removal.

Waterhouse noted that it was a beautiful site. Weingarten said it was a unique and secluded site that will be redeveloped to create a much needed housing market that services people 55 years of age and over. Fon noted that the architecture and landscaping was very impressive and the Board agreed.

The Board agreed to schedule a public informational hearing for the July 14th meeting.

Town Board Referral - Hidden Valleys (Navajo Street)

Location: 3000 Navajo Street; 6.14-1-2

Contact: Joe Eriole, Esq. of Abrams Fensterman, LLP

Description: Proposal to add the 49.6-acre parcel to the Lake Osceola Planned Design District Overlay Zone for the purpose of redeveloping the site into a mixed-use commercial, recreation, and multi-family residential development. A 23,000SF athletic facility, 5,500SF clubhouse, and 242 units of multi-family housing is proposed to be constructed.

Comments:

Michael Grace, Esq., and Zachary Pearson, Project Engineer of Insite Engineering, were present. Grace stated that they are here this evening on a Town Board referral with respect to extending the Overlay District map to include the Navajo Street parcel. They are scheduled for a public hearing on the Town Board meeting agenda for tomorrow evening. Procedurally they provided an application for the extension to the Town Board which is only the first step. Subsequent to this, there would have to be a determination as to whether or not the applicant can apply for permission to use the Overlay District for the development of the parcel. The proposed development would include 242 multi-family residential units on about 50 acres. They have performed extensive environmental reviews and studies. The application before them this evening only has to do with the extension of the map; if this should occur they would then appear before the Town Board again and if approved move on to the Planning Board.

Waterhouse asked about the entrance and exit. Grace said it was out to Navajo Street and to 6N and noted that they performed extensive traffic studies. In terms of the traffic he thinks it is fairly benign. Grace continued that the bonus to the town and community is the proposed installation of the sewer infrastructure along the 6N corridor which they believe would be a major contribution and positive impact to the corridor. The existing corridor consists of very small lots and was historically a bungalow and summer community; none of the lots are big enough or have critical mass to contribute to the infrastructure that is necessary to revitalize this area. The town in adopting the Overlay District for the Lake Osceola area had always considered looking for a bigger parcel to hopefully contribute to the infrastructure necessary for the revitalization of this area and thinks that the parcel they had in mind is now a solar farm (Old Hill Farm). They believe that this project not only creates a positive impact to the town with the necessary infrastructure but it will also set the tone for proper and good development within the area; revitalization of commercial properties along 6N, and positive impacts to the mall and businesses in Jefferson Village. It will set the town for good and proper development rather than industrial commercial uses which predominates the Navajo Street area. With respect to the proposed development there is great attention to the architectural details, a large recreational component, and the ecological benefit of the sewer line. It should improve the water quality of the lake and also allow for development and redevelopment of the smaller parcels. They are enthusiastic about this project and hopes the Board feels the same.

Bock asked what the applicant would gain in terms of development potential by being included in the Overlay District that they don't have now. Grace said currently it is predominantly a recreational use and thinks the underlying zone allows for a residential single-family home development which doesn't make sense as they would still have to put in the infrastructure for the roadway, etc. There is a substantial return to the applicant with a greater unit count. Bock then asked about going to a multi-family zone not part of the Overlay District. Grace said they looked at different scenarios one of which was a straight rezoning but based upon what is on the books and the issue with the code as a lot of the multi-family zoning districts were designed 50 years ago, the flexibility under the Overlay District allows for a better development. It is an already existing procedure that the Town Board adopted and is one of the reasons that they did the Overlay District to begin with. He added that when the town studied and identified certain lots that would or could benefit from the Overlay District, it seemed odd that this property wasn't included. The area needs substantial infrastructure and lots of the properties along the corridor don't have the ability to rehabilitate themselves. The town would have to search for the resources to address these issues and this project would bring in that infrastructure but there has to be return on the investment to provide it. Bock said he didn't have a chance to review the most recent submission received this evening but did look at the previous submission. He asked how far out the traffic study went. Grace said that a traffic study was produced by the town's consultant, Transpo Group, and they found no issues with the traffic study produced by the applicant's traffic consultant, Collier's Engineering. The actual traffic count on the north is quite negligible for the number of units; adding one or two cars an hour off this site. There are two access points and the proposed improvements include turning lanes onto 6N; the only alternative on Rt 6 and Navajo Street would be a traffic light but he feels it doesn't make sense given that there is an existing traffic light on Curry Street which is close and the DOT may not approve this being so close. The traffic issue has been examined and there seems to be a minimal impact.

Fon asked if the referral was just about extending the Overlay District to include this parcel with the second part being the proposed development. Bock asked if this was an interim step. Tegeder responded that the action is to remap and add this property to the Overlay District. He added that the interim step would be for them to go to the Town Board and ask to be processed under the Overlay District; the Town Board would then evaluate the project against the 8 criteria in the law and if approved would then come to the Planning Board. In this case, the direction is for the rezoning only. He feels that they can't logically separate the parameters of the project from the request nevertheless it is in the latest submission that they will conduct their SEQRA environmental review when they get to the site planning. Grace said that they are trying to follow the legislative guideline but it is a multi-step process. Fon asked if they will have a chance to review it. Tegeder said they will be able to do their own SEQRA process unlike the previous project (AMS) which performed a full EIS that they are bound to. He added that they are bound to what's here but there is a lighter touch because the path laid out is to focus on the rezone and leave the environmental to the Board. In this document they will not find wetland mitigation plans but they did go through some analysis to let the Board know that there is room on the property to adequately mitigate the disturbance.

Bock asked the Board from a planning standpoint on the northern side of town how this project fits into their views. There are housing needs considered as well as economic benefits or not as he is not sure. He lived there for over 40 years

and knows what is going on with the lake and he thinks an improvement on the district should focus on the lake. The eastern side of the lake has been silting in for years. Reardon asked if the proposed rezone would give the Board flexibility for that kind of review. Bock felt those impacts should be considered. Waterhouse asked if the property was rezoned and the residential project didn't go forward would the rezoning stay. Bock said yes. Grace said that the anomaly on this one is that all they are doing is extending the map; taking advantage of the overlay flexibility is another step. He added that many of the issues, traffic, ecological and economic have been looked at.

Fon asked if the Board needed to provide a memo to the Town Board prior to their meeting. Tegeder said given the size of the project and the issues surrounding it he is guessing that the Town Board will not be rendering a decision tomorrow so he thinks there is time to get their comments in. Bock noted that he would point out planning issues that are important to them. Reardon said that there is a traffic concern. Grace noted that a thorough traffic report was provided in their submission. Reardon asked if their studies incorporated traffic studies that were done by other proposed developments. Grace said that their traffic studies predate the traffic studies done by the AMS project and thinks that AMS incorporated traffic studies done by this applicant. He added that the traffic report was also reviewed by the town's traffic consultant, Transpo Group. Reardon asked how old the traffic study was and Grace responded he thought it was only a few months. Councilman Esposito said that the public hearing's focus is about extending the map not approving the project. There will be plenty of time to look at the traffic should the project go through.

Waterhouse asked if they were limited to the scope for this project or could they expand it past the borders of the boundary for the district. Tegeder said if they expand it they would have to study the area and associated impacts; those areas are not under an applicant and owner request so therefore it would become an action of the Town Board which muddies the process. They recommended that they focus on the applicant's property only so that it remains the applicant's request and not a Town Board action.

Bock noted that he would like to see the economic benefits more defined as he is not sure how many parcels are affected as well as where the traffic study ended up in terms of the stretch. Density was another concern. Tegeder said that in the most recent submission provided the traffic study is the easiest document to follow. A paper submission was provided to the Board this evening as well as an email providing a link to the electronic submission. He noted that they will find that the narrative is concise and continuous to one another and can go through it quickly to develop their comments.

The Board agreed to submit a memo to the Town Board requesting a time extension to review the submitted documents. The Planning Department will prepare a draft memo to the Town Board for the Planning Board's review and comments.

Poggioreale (ZBA Referral #35-24)

Discussion: Site Plan

Location: 26.20-2-3; 2829 Crompond Road

Contact: Vincent & Christina Poggioreale

Description: Proposed daycare center/pre-school on a 33,403SF lot in the R1-80 zone.

Comments:

Steve Marino, Environmental Consultant of Tim Miller Associates; and Vincent and Christina Poggioreale, property owners were present. Marino said that since they were last before the Board they received comments from the town's traffic consultant (Transpo Group) dated 6/25, wetland consultant (Weston & Sampson) dated 6/20/25, DEP dated 6/23/25, and the Westchester County Planning Department dated 6/30/25. The plans were revised to include a number of recommendations received. The traffic study shows that the traffic in the morning is approximately the same as what they would expect from the ITE calculations. The afternoon peak hour was a little less because the period of pick-up is longer than the morning. The traffic consultant and the DOT suggested moving the site access further to the east which is now depicted in the latest site plan; they are now showing one access with two lanes. They added a turn-around at the end of the parking area and increased the parking spaces from 12 to 19 as suggested. All the parking spaces are proposed to be pervious pavement. As a result of the revisions they moved the retaining wall slightly to the east further away from the stream and a little further into the south of the site. As mentioned previously, the DEC confirmed that the stream on the property is not a DEC wetland but there is a DEC wetland on the town park property to the south so there is a 100ft buffer. The new turn-around and proposed playground is included within the buffer but that area is currently maintained as lawn so it would not change the cover type. The stormwater plans are conceptual in terms of infiltration or run-off. There is no stormwater treatment on the site currently so this would be considered an improvement. They are still proposing a right in and right out as it seems to be the safest approach unless the DOT has a different idea. More

discussion needs to be had as is whether a left turn into the site in the morning is a good idea. The town consultant seems to think it's a good idea and will be worked out with the DOT. They are now asking to move forward with a public hearing.

The Board agreed to schedule a public hearing for the July 14th meeting.

Lowe's Rooftop Solar

Discussion: Site Plan

Location: 26.18-1-19; 3200 Crompond Road

Contact: Michael Landler of Powerflex Solar, LLC

Description: Proposed 754 kW Photovoltaic Solar System on the existing Lowe's.

Comments:

Miguel Gomez of Powerflex was present. Gomez stated that the proposal is for a 754kW rooftop solar system at the existing Lowes. At the Board's request, they provided elevations showing views from the Taconic State Parkway. Gomez asked to move forward with a public hearing.

Bock asked if the technical issues discussed in their memos were addressed. Gomez said that they were and that the view from the parkway was minimal. Fon asked if there were concerns from the DOT about the viewshed. Tegeder said that the DOT was part of the process when the site was under review and their focus was on signage because there were deed restrictions on signage. The deed restrictions preceded the Taconic Parkway designation as a state highway. He noted that the Planning Department will route it to the DOT for their review and comments. He noted that you can see the roof if you are looking to the right as you drive by the ramp and the Taconic parkway and feels that it's not a terrible impact as it currently stands. They may want to consider some sort of screening depending on how high the panels are. Waterhouse asked if they have access to the east between the building and the Taconic parkway to provide landscaping. Tegeder said that they may be able to do something on the roof itself that may be more pleasant to look at than the solar array. They may also find that the solar array isn't much more objectionable in terms of what they already see on the roof.

The Board agreed to schedule a public hearing for the August 11th meeting.

Town Board Referral – Mohegan Lake Biological Treatments

Contact: Ken Belfer of the Mohegan Lake Improvement District

Description: Proposed treatment of Mohegan Lake with an automated system of biological treatments to accelerate the decomposition of accumulated organic matter in the lake bottom organic sediment.

Comments:

Ken Belfer of the Mohegan Lake Improvement District, was present. Belfer gave an overview of the proposed biological treatments to the lake. After discussion, the Board had no issues with the proposed treatments. The Planning Department will submit a memo to the Town Board.

Meeting Closed

Upon a motion by Bill Lascala, and seconded by Rich Fon, and with all those present voting "aye", the meeting closed at 9:30PM.