

## Planning Board Meeting September 27, 2010

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A regular meeting of the Planning Board, Town of Yorktown, was held on September 27, 2010, in the Yorktown Community & Cultural Center, Room 104, Yorktown Heights, NY 10598. The Chairman, David Klaus opened the meeting at 7:30 P.M. with the following members present:

John Savoca  
Darlene Rivera  
Richard Fon  
John Flynn  
John Kincart

Also, present were: John Tegeder, Director of Planning, Robyn Steinberg, Town Planner, and Karen Wagner, attorney to the Planning Board, and Ann Kutter, Conservation Board Co-Chair.

Discussion	No discussion took place at this time
Correspondence	No discussion took place at this time
Follow-up Correspondence	No discussion took place at this time
Liaison Reports	No discussion took place at this time
Courtesy of the Floor	No discussion took place at this time

**Upon motion by Savoca, seconded by Rivera, and with all those present voting aye, the Board approved the minutes of September 13, 2010.**

### **Bonsignore**

### **Minor Subdivision**

#### ***SBL: 36.5-2-57***

*Location:* 2483 Hunterbrook Road

*Contact:* Brian Bonsignore

*Description:* Subdivide existing 3.422 acre lot with an existing 2-story dwelling into 3-lots with 2 1/2 story dwellings.

Dan Penella, project engineer, was present with the applicant. This is a 3.4 acre lot with one existing structure, and the applicant is proposing to create one more lot. Bruce Donahue has been hired to flag the wetlands. Klaus asked about the length of the driveway, and Flynn asked about the on site wetland. Klaus stated the Town will have to verify the wetland flagging when Bruce Donahue is finished. Penella stated driveway grades will be approximately 10 percent. Flynn discussed common driveways. Flynn asked the applicant to review the adjacent subdivision plans which were filed in the Planning Department. Klaus wanted the Board to consider moving the house closer to the wetlands to reduce disturbance. This review could only take place after complete plans were submitted. The Board was not adverse to this, but would not say more without seeing all the information on the plan. Tegeder asked where the sewer main was and was told it was the main going down Hunterbrook Road.

### **Silverman. Elizabeth**

### **Minor Subdivision**

#### ***SBL: 5.17-1-18***

*Location:* 1195 Williams Drive

*Contact:* Site Design Consultants

*Description:* A 2 lot subdivision approved by Planning Board Resolution 07-15 on Sept. 2007.

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Al Capellini, project attorney, and Joe Riina, project engineer, were present. Riina stated that at the last meeting the applicant we brought up the idea of changing the access location. Currently the applicant is proposing the use of the access road. Using this plan, will reduce the disturbance and excavation from 12,800sf to 4,500sf. Additionally, this access serves other properties in Putnam Valley. Savoca asked what objection Putnam Valley had. The Board had no objection to the proposal and will send a letter to Putnam Valley. Klaus asked about driveway grades, and Riina stated the site was relatively flat. Kincart felt emergency vehicles could use this access. Riina stated the driveway is approximately 16ft wide. Capellini stated this proposal will not overburden the easement, which was a former concern for the Board. Tegeder requested the applicant submit a summary of changes.

### **Curry Automotive**

### **Commercial Site Plan**

#### **SBL: 36.5-1-11**

*Location:* 3493 Crompond Road

*Contact:* Architectural Visions, PLLC

*Description:* Amend approved site plan since the previous building was destroyed by a fire. Joel Greenberg, project architect was present. The Board was not certain of the applicant's proposal to block one of the existing curb cut. Greenberg stated additional cars, and planters would be installed, and the area would be striped. Greenberg stated the applicant has added the requested pedestrian connection to Grandmas Restaurant, and the landscaped islands have been improved with higher plantings. Tegeder asked what the applicant would do when there were no cars to be parked. Greenberg felt there would always be enough cars. Tegeder stated in this corridor the DOT has conducted an analysis of access management. Greenberg reiterated that large planters would be placed in front of the parked cars. The applicant will return for a decision on October 18, 2010.

### **Marricco**

### **Minor Subdivision**

#### **SBL: 5.20-1-9**

*Location:* 3880 Indian Hill Road

*Contact:* Architectural Visions, PLLC

*Description:* Proposed 2-lot subdivision on 9.31 acres in the R1-160 zone.

Joel Greenberg, project architect was present with the applicant. Greenberg stated this is an approved 2 lot subdivision, however, the applicant lots did not have demolition on his lot as part of the approval. This current plan minimizes the regrading by using the existed driveway, additionally, the septic remains the same. The new septic will be installed before the new house is started. Greenberg explained that the site contained newly planted trees that the applicant wants to transplant. The Board requested the applicant return to the Oct 18, 2010 meeting for a public informational hearing, and Nov. 8, 2010 for a public hearing.

### **Croton Overlook**

### **Application for Rezone**

#### **SBL: 70.15-1-2**

*Location:* Dell Avenue

*Contact:* Zarin & Steinmetz

*Description:* Currently zoned R1-80 petitioner requests a RSP-1 zoning.

David Steinmetz, project attorney, Larry Pagi, project engineer, Bill Canavan, hydrologist, were present with applicant Kim Calandriello. Currently we are reviewing this project with The Dept.

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Of Health (WDOH), Dept. of Environmental Conservation (DEC) and the Dept. of Environmental Protection (DEP). These agencies were reviewing what has been happening, the permitting process, test results, and what the next step is. Steinmetz felt that with a Long EAF and supplementals the applicant hopes to move toward a negative declaration. Pagi discussed the proposed sanitary sewers. Pagi stated the applicant met with these agencies as far back as 8 months ago asking for an outline and pertinent steps the applicant would have to take. We discussed criteria soil testing with DEP and WDOH. Today the applicant is submitting a detailed set of preliminary drawings. The proposal demonstrates that the system would work and we that we are on the path these agencies wanted us to go down, regarding size, and capacity. The waste treatment plant will be a tertiary system, and will be to DEP standards. Klaus asked how this project would be funded. Steinmetz explained that the applicant would create a transportation organization to be held by the homeowners. Steinmetz stated that this is not an unusual procedure. The transportation organization will be operated and administrated by professionals, via DEP, DEC and the County. Klaus stated there have been homeowner associations that have failed to fund these organizations. Steinmetz stated this will be approved by counsel. Tegeder requested that the Town Engineer be involved in all meetings. The applicant agreed and apologized for the oversight. Flynn asked about ground water going into the Croton Reservoir. Canaban stated the applicant is conducting a mounting analysis including the Croton Reservoir and intermittent stream. Flynn asked in what direction the water flowed, and Canaban stated the model has all of this data. Flynn asked if the applicant thought that one was allowed to dump the effluent into the ground. Canavan stated no, and from the model we know how long the flow is, a couple of feet per day. Canavan stated the water is treated waste water and it goes into the fractured bedrock. The applicant must discharge to highest levels, to surface standards. Ultimately, the DEP has to approve this model. Flynn asked if the soils could take the impact, and was told the soils are sandy loam and water moves through quickly. Flynn stated the challenge is pushing the volume through the soils. Canavan stated there is 5feet to discharge, using a flow galley.

Tegeder felt the process was somewhat scattered, as the concerns of the Planning Board have not been fully determination. The lead agency should be assigning the topics for discussion. There is a traffic study that we have not discussed, and areas of concern that should be reviewed. It is the Planning Board must send a recommendation to the Town Board. Steinmetz stated the Town Board has declared themselves the lead agency, however, we are before the Planning Board to let this Board know what has been done, and to provide some governmental oversight. Klaus stated partially, the amount of technical information is not helpful on the rezoning request. Information should be more broad based, with greater latitude to review alternate scenarios, beyond the requested proposal. Calandriello stated we are technical because this is the biggest issue. Steinmetz stated there is a stream through Random Farms (adjacent subdivision), which runs through the applicant's land. The applicant is proposing to give the DEP ownership of the area with the stream. Klaus stated the only zone comparison you have submitted is R1-80 (2-acres, single family). Calandriello stated we have investigated drainage in light of the new Town, DEP and DEC drainage regulations. Klaus explained this analysis will be deferred to the Town Engineer. The Board asked if the cluster formula was used in the applicant's analysis, and was told it was not used. Tegeder requested the applicant look at the current and proposed zoned, Calandriello stated they have looked at it. Tegeder stated the applicant must discuss with the Board what needs to be studied. The Board requested the following comparison

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R1-80, Cluster, and why RSP1, why is this the zone.

The traffic implications

Taxes

Construction traffic.

Consequence if this does not work as age restricted, what can be done.

Tegeder stated your expanded EAF can still result in a positive declaration. Tegeder you should spend time developing a list of topics to be studied. The Board requested the applicant return to the Oct. 18 2010 meeting. Kincart asked about stormwater along the 2,530ft length of road.

John Fitzpatrick attorney for Random Farms asked if he could speak. The Board requested a written submission at this time. Steinmetz stated my client asked the Random Farms Homeowners Association to meet, however, they refused. Steinmetz stated he has been in contact with Fitzpatrick.

### **Costco Wholesale**

### **Commercial Site Plan**

#### **SBL: 26.18-1-19**

*Location:* 3200 Crompond Road

*Contact:* TRC Solutions

*Description:* Application to construct a 151,092 SF Costco Wholesale Club retail store and club member available filling station.

Wagner recused herself from this discussion. Al Capellini, project attorney, Bob Rosenberg, Breslin Realty, John Brann, Costco representatives, Tom Holmes, project engineer, and Phil Greeley, traffic consultant, were present. Capellini stated the applicant has submitted a draft scope. Klaus requested that as part of the scope the applicant review: traffic, building demolition, and the impacts of the site work. Flynn requested the applicant also review the town's biodiversity study, with regard to the site, and the economic impact, including both positive and negative impacts. The Board will compile a list of additions to the applicant's proposed scope. (See attached). Tegeder also requested land use be evaluated in light of what was envisioned in this area throughout the Comprehensive plan, and The Sustainable Development Study. Steinberg requested the visual analysis include Stony Street. Additionally, the Board wants to know what will and will not be seen, and how the applicant will address the scenic byway status of the Taconic. The Board wants to know how the site will appear as one travels along Route 202. Flynn wanted the applicant to address the contaminated soils mentioned by DEP. The applicant should address remediation and any health implications, and discuss removal methods. The Board also wants the applicant to address tying into adjacent the recreational trail system. Klaus stated, as stormwater is a critical issue, the applicant should address how stormwater runoff will move through this property. Stormwater management will be a critical issue. Steinberg stated both the Town Engineer, and the Environmental Consultant have been sent relevant sections for review. The applicant is looking to expand the sewer district and be incorporated into the Peekskill sewer district. This will allow the neighbors to also benefit with hooking up. Tegeder stated traffic should be studied as it comports to the Sustainable Development Study. The applicant should evaluate adding bike lanes under the Taconic Parkway and develop connectivity to the FDR State Park. The Board wanted to review the intersections of Old Crompond Road and Route 202. There has been discussion of closing it. But it allows access by the Stony St residents. Greeley stated the traffic study will use Lexington Ave. as our western boundary. Klaus stated the Taconic and Strang Blvd. traffic lights were not well synchronized. The Board stated the proposed parking plan will require a variance. Tegeder

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stated the applicant must substantiate the parking request. Holmes stated peak is Saturday between 6-7 pm, and right before a holiday. Tegeder requested information on the expected region the applicant will draw customers. Flynn asked for the route for truck deliveries, and the frequency, and size of trucks coming to the site. The Board asked about utilities and the applicant's efforts for doing anything green. Additionally, the Board was concerned with demolition and the applicant's plan for remediation or removal of asbestos. The Board wanted the applicant to be aware that the Taconic State Parkway was a scenic byway. The Board wanted the applicant to analyze impacts on existing businesses, including alternatives such as a hotel, or motel. The Board stated that the Comprehensive Plan talks about a village like area, and the applicant should make this specifically to their proposal. The Board scheduled a public hearing on the scope for November 8th.

### **Town Board Referral**

**Proposed Local Law to Amended Stormwater Pollution Prevention Chpt 248**

### **Town Board Referral**

**Proposed Local Law Illicit Discharge and Detection**

**Upon motion by Savoca, seconded by Rivera, and all those present voting aye, the Board adjourned the meeting at 10:50 pm.**