

## Planning Board Meeting May 23, 2011

A regular meeting of the Planning Board, Town of Yorktown, was held on May 23, 2011 at the Yorktown Town Hall, 363 Underhill Ave, Yorktown Heights, NY 10598. The Acting Chair, John Savoca opened the meeting at 8:45 P.M. with the following members present:

Richard Fon  
Darlene Rivera  
absent: John Flynn

Also, present were: John Tegeder, Director of Planning, Robyn Steinberg, Town Planner, and Karen Wagner, attorney to the Planning Board.

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 one came forward at this time

**Upon motion by Rivera, seconded by Fon, and with all those present voting aye, the Board approved the minutes of May 9, 2011.**

### Regular Session

#### **Hudson Valley Islamic Community Center SBL: 15.11-1-17.1**

#### **Discussion Site Plan**

*Location:* 3680 Lexington Avenue

*Contact:* Site Design Consultants

*Description:* Amended site plan approved by Resolution #10-09 dated May 10, 2010. Applicant proposes to remove approximately 12,500 SF of impervious parking lot and return it to lawn area which can still be used for overflow parking.

Al Capellini, project attorney, and Joe Riina, project engineer, were present. Riina stated the applicant is requesting a change to the approved plan that will reduce the impervious surface, by reducing the approved parking. Capellini explained that the applicant's two high holy days, were the only time the parking count was overflowing. This situation was provided for by valet parting and parking lot attendants. Tegeder asked if the applicant will create new curbing and was told they would. Tegeder asked about new drainage and was told there was no plan to install additional drainage, as no catch basins were affected. Tegeder felt the proposed parking proposal was adequate for the congregation. Fon asked if the proposed parking conformed to all Town regulation and was told it did. Tegeder stated if the spaces being discussed were conservation spaces, the Board could approve this at our June 13, 2011 meeting.

#### **Fieldhome Expansion SBL: 35.12-1-3**

#### **Discussion**

*Location:* 2300 Catherine St.

*Contact:* Site Design Consultants

*Description:* Proposed continuum of care facility consisting of independent living units and skilled nursing home replacing existing home with a common facility supporting both communities.

Al Capellini, project attorney, and Joe Riina, project engineer, were present with John Ahearn, CEO of Fieldhome – Holy Comforter. Capellini stated the current proposal before the Board was dramatically different than the one submitted in January 2011. Ahearn stated want to construct all elements to build a

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continuing care retirement community (CCRC), which will require the addition of an independent living component. Ahearn stated the prior plan had too much construction visible in the front yard. Currently we are trying to take advantage of the open fields near the Fieldhome. Ahearn stated the plan will allow us to preserve the front wing of the historic Fieldhome. Currently, Skilled nursing uses 209 beds. This would be reduced by to 100 beds and independent living would have 100 beds. This shifts income away from the limits of medicare. Additionally, a future phase might include an additional 25 independent living units. There is a current daycare center for 30 children housed in the skilled nursing unit. The current plan moves this to a separate building. Ahearn stated he met with the Planning Department and this lead us to preservation of the historic wing of the Fieldhome, while demolishing the rear portion. Riina explained that the proposal exceeds the Town's Floor Area Ratio (FAR) for the current zone. Capellini stated the applicant will be meeting with the Town Board to change the text for FAR within the existing RSP3 zone. The applicant stated a conservation easement will be placed on the 30-acre parcel Fon asked how this would affect the town sewer easements. Riina stated adjustments will have to be made for the town sewer easements. Capellini reminded the Board that the Fieldhome installed the sewers. Riina stated during the last 10-years the area did get sewers. However, the Fieldhome did the majority of work to extend the sewers to the community. Savoca felt this was a better plan. However, it was still visible to the adjoining properties. Ahearn felt the slope of the land will hide some of it, as well as the vegetation. Ahearn stated the nursery school program is inter-generational and should be preserved. Ahearn explained that 72% of the profits are from medicaid and medicaid pays providers at 2005 cost. The Board asked about other CCRCs and Ahearn replied that there were two CCRCs in Westchester. This project is geared to the demographics of the area and to match the market in Yorktown. Prices are starting at 420,000 to 650,000 depending on the size of the apartment. There is guaranteed accessibility to the skilled nursing and assisted living facilities. Fon asked about the environmental review, including stormwater. Riina stated the applicant has spoken with the NYS DEC and they are aware of the project. Ron Buehl of the Yorktown TCAC asked for this to be referred to the Tree Commission. Riina stated the plan was still preliminary and would be sent to the TCAC along with a tree survey. Tegeder asked if the applicant was recommending any improvements to Catherine St. Riina stated we are moving the emergency exit away from Glassbury court. Capellini stated the applicant would like to work the site plan and textural code changes in tandem, within the next four months. Tegeder asked for a revised EAF to begin the environmental review. Tegeder asked what the Board's feeling were about the applicant's request to amend the text of the FAR for RSP3. The Board was in agreement.

### **Homeland Towers, LLC and T-Mobile, LLC**

### **Zoning Board Referral**

**SBL: 48.07-1-56, 48.11-1-52**

*Location:* 1401 Front Street

*Contact:* Snyder & Snyder

*Description:* Special permit application for a proposed public utility wireless telecommunication facility.

Doug Warden, applicant's attorney, was present. Warden asked the Board for their observation of the balloon demonstration. The Board asked for pictures, Warden stated he did not have any photos but will submit a full visual analysis to the Zoning Board, and Planning Board as soon as possible. Steinberg stated she had made the observation and could not see the balloons except once on Front St. Wagner asked for other comments beyond visual. Warden stated the visual analysis should be ready by Thursday. The Board wanted pictures and cross sections of the actual tower and antennas. Wagner asked whether the applicant had submitted the analysis of alternate sites enumerated by the Board at the last meeting. Wagner stated the applicant had not submitted anything new. Warden stated the sites suggested by the Board already housed equipment. Fon asked if there was any opposition from the public and was told the Zoning Board meeting would be held on May 26, 2011. Warden stated the project is outside of the DEC wetlands. Tegeder stated that although the applicant was outside of the wetlands, they were still within the watershed

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and the DEC Mainstreet area requiring you to go through the DEC process for any additional disturbance. Tegeder asked for the written report before the Planning Board submitted any recommendations to the Zoning Board. Warden felt a recommendation could be submitted to the ZBA for the May 26, meeting. Tegeder felt this would not be prudent.

### **Crompond Crossing**

### **Discussion Site Plan & Subdivision**

**SBL: 26.18-1-7**

*Location:* Crompond Rd

*Contact:* Neil Deluca

*Description:* Proposed project includes two commercial buildings of 8,500 SF (retail) and 4,200 SF (restaurant/retail), a 26 unit multifamily residential site plan, and a 29 lot subdivision.

Present were Al Capellini, project attorney, Steve Marino of Tim Miller Associates, environmental specialist, Karl Ackermann of Sullivan Architects, project architect, Tim Allen of Bibbo Associates, project engineer, Phil Grealy of John Collins Engineers, traffic engineer, Melanie Voelker of Studer Design Associates, landscape architect, and Neil DeLuca, the developer and applicant. DeLuca asked each team member to give a presentation to the Board.

Ackermann - A pedestrian friendly atmosphere is being developed. The 26 unit residential has in excess of 2 parking spaces per unit. Commercial restaurant and retail building will face Route 202 with a walkway system. The project is tying in with a sloped walk connecting to the pedestrian walkway connecting the commercial and residential area. We added an additional walkway to a third parcel. The project will include a berm, not a wall, to keep it pedestrian friendly. The architecture is the same as earlier submissions, but will reflect the actual tenent. The residential 4 and 6 unit buildings have not changed from prior submission. LED lighting will be installed

Greely - In coordination with DOT, DOT will have sidewalk up Stony Street along a portion of the project. The applicant will build a portion of sidewalk to join into Chase installed sidewalks. There will be crosswalks to BJs and the the bus stop. The DOT project is in preliminary design and they want to get it out to bid in one year. The Bear Mtn Parkway will have an acceleration lane which will extend beyond Parkside corners and Thyme restaurant. The DOT will also build a right lane turn into BJs shopping center. Savocca asked about the construction timeline. Deluca stated if we start this fall we will finish before DOT, and our portion will be complete. Fon asked if the project would be phased. Fon felt landscaping to be a key to the success of this project.

Voelker - The project is trying to create a real streetscape, blending red maples and pin oaks. We have equal amounts of deciduous and evergreens, with approximately 185 trees being added. Some of the detension areas will have a very effective seed mix. Currently, there are 588 trees, 352 will be removed and 188 replanted. Tegeder asked that the tree survey and tree mitigation plan be submitted.

Tegeder asks that the area between the street trees and the curb include a grass base and ornamental shrubs.

Allen - The tree survey was described. The Board asked how the applicant would fund maintenance. DeLuca stated there will be homeowners association and dues. Once the trees and shrubs are established it should take one year to be establish this. Allen stated the applicant has addressed the Engineering Department comments. The Water Department questioned the

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individual taps but this was explained. With regard to the floodway zone, Joe Riina will be hired, as he completed the flood study for the adjacent Chase Bank.

Marino - Bruce Barber and I confirmed the wetland delineation. We found a new section of wetland in the center of the site, but did not find portions of the older wetlands. The new wetland is a pocket wetland of about 700 SF, under the town regulations. One issue is the Hunter Brook. This is a regulated stream with a sandy bottom. This is a trout stream being encroached upon, and requires a DEC Article 15 Permit to install the two basins. Another issue is a grassy area which was once an old pool area with concrete lined walls. The new structures to be installed are within previously disturbed areas. A linear swale may be installed in the residential area. The only encroachments are the two basins. Tegeder asked if the mitigation would be upgraded. Marino stated the applicant is working with the DEC before the mitigation plan is finalized. Fon asked about the silt. Stormwater management has allowed us to keep the water cool. All the runoff from residential will go into the ground and cool. We are looking into green roofs and other energy saving measures. Tegeder asked about removal of silt and sediment. Tim Allen stated the DEC has very strict rules about allowing sediment. Tegeder requested a tree survey and tree mitigation plan as well as any EAF items that need to be updated. This project is scheduled for a public hearing at the Board's June 13th meeting.

**Upon motion by Rivera, seconded by Fon, and with all those present voting aye, the meeting was adjourned at 10:30pm.**