

## **Planning Board Meeting November 19, 2012**

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A regular meeting of the Planning Board, Town of Yorktown, was held on November 19, 2012, at the Yorktown Stage, 1974 Commerce St. Yorktown Heights, NY 10598. The Chair, Rich Fon, opened the meeting at 7:35P.M. with the following members present:

John Flynn  
John Savoca  
Ann Kutter  
Darlene Rivera  
John Kincart

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

Discussion                      No discussion took place at this time.  
Correspondence                The Board reviewed correspondence including:  
Liaison Reports                No reports were submitted at this time.

### **Minutes: October 15, 2012**

**Upon motion by Kutter, seconded by Savoca, and with all those present voting aye, the Board approved the minutes of October 15, 2012.**

### **2013 Planning Board Meeting Calendar**

Savoca request a change to the Calendar with two meeting in July 2013, on July 8 and 22 and eliminating the August 12, meeting.

**Upon motion by Savoca, seconded by Rivera, and with all those present voting aye, the Board approved the revised 2013 Meeting Calendar.**

### **REGULAR SESSION**

#### **Kiederer**

#### **Request for Reapproval**

#### **SBL: 27.14-2-4**

*Location:* 362 Granite Springs Road

*Contact:* Ciarcia Engineering

*Description:* A 2 lot subdivision approved by Resolution #05-21 dated September 12, 2005.

Dan Ciarcia, project engineer, was present. Ciarcia stated this project has not changed, and change in storm water regulations have not affected the project. Tegeder stated the Planning Department had no issues at this time. Wagner requested the expiration date on the approving resolution be changed from 2012 to 2013.

**Upon motion by Kutter, seconded by Savoca, and with all those present voting aye, the Board reapproved this minor subdivision.**

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### **Aspen & Mill Street Subdivision**

### **Request for Reapproval**

**SBL: 16.5-1-13**

*Location:* 3810 Mill Street

*Contact:* Al Capellini

*Description:* Four lot subdivision approved by Res #10-23 dated October 18, 2010.

Al Capellini project attorney, was present. Capellini stated nothing within this proposal has changed . Tegeder stated the Planning Department had no issues at this time with this project .

**Upon motion by Kutter, seconded by Savoca, and with all those present voting aye, the Board reapproved the subdivision.**

### **Mongero Properties, LLC**

### **Request for Reapproval of a Site Plan**

**SBL: 37.14-1-44**

*Location:* Saw Mill River Road

*Contact:* Al Capellini

*Description:* Site Plan approved by Res #09-28 dated November 9, 2009 and granted 2 one-year time extensions.

Al Capellini project attorney, was present. Capellini stated AT & T cable must still be moved and this will be done by A T&T. Tegeder stated the Planning Department had no issues at this time with this project .

**Upon motion by Rivera, seconded by Savoca, and with all those present voting aye, the Board reapproved the site plan.**

### **Costco Wholesale**

### **Adjourned Public Hearing Draft EIS & Site Plan**

**SBL: 26.18-1-19**

*Location:* 3200 Crompond Road

*Contact:* Retail Store Construction Co, Inc c/o Breslin Realty Development

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

Kutter and Wagner recuse themselves from this public hearing. Lisa Hockman, Planning Board attorney for the Costco project, joined the Planning Board. Fon explained that the Planning Board is the lead agency for this project. Fon stated each person or organization will have an opportunity to be heard. All written comments can be submitted tonight or send to the Planning Department.

Fon opened the meeting to the public. Of the 76 people who signed up to speak, 26 spoke at the Oct 15, 2012 meeting. Speakers continued with Number 27, Ben Falk through to 76, Al Capellini. The list of speakers is included with these minutes. Additionally, a transcript of this meeting "Public Hearing of

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Draft EIS and Site Plan for the Applicant Costco Wholesale Retailer was taken by Carbone & Associates, and is available along with all public records.

**Upon motion by Flynn, seconded by Savoca, and with all those present voting aye, the Board closed the public hearing, leaving 30-days open for public comment.**

**Upon motion by Savoca, seconded by Flynn, and with all those present voting aye, the Board closed the regular session.**

### **Work Session**

#### **Town Board Referral**

Proposed Local Law to Amend Article XIX, Chapter 300 of the Code of the Town entitled ‘\*Zoning,\*’ concerning the parking and off-street loading zone requirements in commercial districts and Commercial Regional Center special districts.

Al Capellini and Robert Roth from John Meyer Consulting. 1) Change to Gross Leasable area because the mall has more ‘\*space\*’ inside the building that does not consist of stores. 2) Define landscaping as a ration of trees to parking spaces. The mall needs trees not grass islands and would request more trees in the parking lot based on the standard of for every 12 parking spaces there would be 1 tree planted in the parking lot area. Can add trees without losing spaces by using ‘\*tree diamonds\*’ within parking lot to provide a tree. John Kincart had the Conservation Board memo that commented on landscaping the Conservation Board requests that the ratio between the landscaped square feet per square feet of GLA be stated in the new zoning law resolution. Roth – there will also be landscaped islands that are depressed to act as filters. Kutter – I’m in favor of more trees, but not looking to create another parking lot like Turco’s that does not have a good parking situation. JT confirmed parking at Turco’s is less than 5 per 1000 parking spaces. Roth - 3) Signs should be approved under a master sign package so as stores come and go, new tenants can conform to the approved sign package. Signs on the building. The mall needs come life and identity on the outside and the new design will be more of an inside out approach. The sign package will be a part of the approved plan by the Town Board. Capellini – New plan will have more entrances to the mall, modified burm so mall is exposed more, but the parking will be seen less. JT want to know and understand existing landscaping, need to understand what this change does to the site. The site has X amount parking now with Y amount SQ FT, when you take out common areas that is a large amount so reducing almost 20 going down to 4/1000 and removing sq ft at the same time is a significant reduction so what will this new calculation will do for the site. Before you make a recommendation to the board you should understand that. Kincart – Kiosks are also leasable sq ft. Paganelli – what about movie theater. Roth – will be moth-balled. Paganelli – But is still leasable area and should be included in parking count. Roth – yes kiosks are included. Kincart – should not have tree, rug, and art sales in parking lot. Macy’s & Sears are driving the bus and will not go for inadequate parking. The equate parking to GLA. Roth – Phase 1: theater out of commission and bringing in other uses to take up that amount of sq ft. Turning mall inside out. Phase 2: more of an expansion with a site plan review. Would also develop additional parking spaces on site that are not built. JT – submit analysis so we can have a discussion on Dec 3<sup>rd</sup> so you can go back to the TB. JT - Town Board also

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relaxing retail parking from 5/1000 to 4/1000 based on gross floor area for all other commercial zones is also in this proposed law.

### **Town Board Referral**

Request for a temporary Certificate of Occupancy (extension) from the Building Inspector for St. George's, Winery- Applicant waiting for or just received the DEC permits. Paganelli felt the applicant was working with DEC. The applicant is asking for a 1-year extension. Tegeder stated our concern is to develop a safe and efficient plan. The Planning Board wanted this to be a 6-month expiration.

**Upon motion by Kutter, seconded by Savoca, and with all those present voting aye, the meeting was adjourned at 11:20pm.**