

Planning Department Meeting February 10, 2014

A meeting of the Planning Board, Town of Yorktown, was held on February 10, 2014, at the Yorktown Town Hall, 363 Underhill Ave., Yorktown Heights, NY 10598. The Chair, Rich Fon, opened the meeting at 7:30 P.M. with the following members present:

John Savoca
John Flynn
John Kincart
Ann Kutter, alternate
Darlene Rivera, absent

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

Correspondence: Joe Riina requested a public hearing in March for Yorktown Auto Body; the Board agreed.

Liaison Report: No reports were submitted at this time.

Meeting Minutes – January 27, 2014

Upon motion by Kutter, seconded by Kincart, and with all those present voting aye, the Board approved the minutes of January 27, 2014.

Regular Session

Fieldstone Manor

Decision Statement

Decision Statement

SBL: 15.11-1-17

Location: Strawberry Road

Contact: Site Design Consultants

Description: A proposed 21-lot cluster subdivision on 22.94 acres in the R1-20 zone.

Joe Riina, project engineer, and Phil Grealy, traffic consultant were present. Riina stated a memo from the Town Engineer dated Feb 10, 2014, was just received. This memo listed points in the EAF that needed to be addressed. Riina provided his response to each of the 12 EAF questions.

Page 4 #11: Provide Natural Heritage Report. A memo from NYS Fish & Wildlife stating there were no species of concern on site.

Page 5 #17: Is the site served by public utilities. Yes, and there is sufficient capacity. We are taking the water main through the site and across to West Road, as there are significant issues at Strawberry Rd. The Yorktown Water Dept. states there would not be sufficient water supply to service the project from the water main at Strawberry Road. The service at Strawberry Road has reduced capacity and is dead ended. The new water main would run along Lexington Ave. This would benefit the neighborhood by increasing protection, water quality, and supply.

Page 6 #15: Is the project within the 100 year flood plain. Yes, however, no improvements will occur near the flood plain.

Page 7 #18: Explain the use of pesticides. Pesticides will be used for routine landscaping.

Page 8 #25: Any response from local agencies. Yes, there has been response from other local agencies.

Page 12 #1: Indicate other impacts. There are no other impacts.

Page 12 #4: Indicated impact to 100ft buffer.

Page 13 #5: This box was checked incorrectly.

Page 14 #8: Effect on threatened or endangered species. There is a memo from NYS Fish & Wildlife stating there were no species of concern on site.

Page 15 #9: Effect on non-threatened or endangered species. The same memo from NYS Fish & Wildlife stating there were no species of concern on site.

Page 16 #12: Effect on any historic structures. There is a letter from SHPO indicating there are no archeological concerns.

Planning Department Meeting February 10, 2014

Page 18 #15: Effect on existing transportation. See additional information under other impacts.

As for other comments, Riina stated the Town Engineer reviewed an older set of drawings and the majority of those comments had been addressed.

Grealy stated the applicant was asked to provide additional warrant analysis for the intersections of Strawberry Rd and Lexington Ave., and the intersection of Lexington, Foothill and Red Mill. Grealy explained that signalization is based on satisfying traffic signal warrants, which are determined by volume during a continuous 8 or 4 hour period. The study included 2 8-hour warrants and 2 4-hour warrants. The study looked at conditions with and without the project, and found none of the warrants were satisfied. As the study satisfied the warrant for 5 of the 8 hours, Grealy concluded traffic was building up, but not yet at the level to require signalization. At Strawberry and Foothill the issue is left turns out of Foothill. At Red Mill one has to look at geometry, volume, and grades. Grealy felt there were no clear cut solutions at this time. Grealy stated all of this would change were the Town to install the Route 6 by-pass. Steinberg, having reached out to the Town of Cortlandt, found that a 22 lot subdivision was granted preliminary approval. In their resolution, Cortlandt required the applicant to install traffic calming measures on Red Mill at Mill Court, add the Route 6 by-pass through the property to the plat, and provide funding to be used for future sidewalks on Lexington or traffic improvements at the Strawberry Rd and Red Mill intersection. A memo from the Recreation Commission, dated January 21, 2014, states the best use for the recreation area within this subdivision would be for three tennis courts, one basketball court, and a small gravel public parking area.

Upon motion by Kutter, seconded by Savoca, and with all those present voting aye, the Board declared lead agency under SEQRA,

Upon motion by Flynn, seconded by Savoca, and with all those present voting aye, the Board issued a negative declaration.

Upon motion by Flynn, seconded by Savoca, and with all those present voting aye, except Kincart, who abstained, the Board approved the preliminary resolution for the major subdivision.

BJ's Wholesale Propane Facility

Decision Statement

SBL: 36.06-2-75

Location: 3315 Crompond Road

Contact: John Meyer Consulting

Description: Construction of an outdoor, above ground propane filling facility within the parking lot of the existing BJ's Wholesale Club.

Rob Aiello, project engineer, was present. Aiello stated he had reviewed and agreed with the conditions of the draft resolution. The resolution included the Fire Advisory Board recommended signs for "No Smoking" be placed on sign posts on three sides and on the back fence; and the following:

1. No shrubs/plantings should be placed around the propane filling facility;
2. There is to be video surveillance of the propane facility area;
3. Training of the propane filling employees should be kept on file on site for review by the Fire Inspector;
4. Annual inspections of the facility must be done by the Propane provider and monthly safety audits should be done by BJ's. A log book with documentation should be kept on site for review by the Fire Inspector;
5. Additional propane sensors should be installed in the area of the trench drain as well as within the fenced enclosure and inside the loading dock doors.

Flynn stated he would be voting against this resolution despite assurances from the Fire Advisory Board. Having worked in the chemical industry from 1985-1995, he had never seen hazardous materials contained in pressurized tanks located in a shipping/receiving driveway.

Planning Department Meeting February 10, 2014

Upon motion by Savoca, seconded by Kincart, and with all those present voting aye, the Board declared lead agency under SEQRA for this Special Use Permit.

Upon motion by Kincart, seconded by Savoca, and with all those present voting aye, except Flynn, the Board issued a negative declaration.

Upon motion by Savoca, seconded by Kincart, and with all those present voting aye, except Flynn, the Board approved the Special Use Permit.

Staples Plaza-Burger Fi

Public Informational Hearing

SBL: 36.06-2-76

Location: 3333 Crompond Road

Contact: John Meyer Consulting

Description: Proposed amended site plan for renovation to former Emigrant Bank building.

Present were Tony Romano, project architect, and Rob Aiello, project engineer.

Upon motion by Kincart, seconded by Savoca, and with all those present voting aye, the Board opened the public informational hearing.

Romano stated we are here to make a formal presentation and answer any questions the Board may have. Romano stated the exterior will be designed to emphasize the new tenant and the improvements reflected in the rest of the shopping center. Aiello addressed pedestrian access and road improvements. Aiello stated this is the site of the former Emigrant Savings Bank. Burger Fi is 2500sf, taking up approximately half of the former Emigrant Bank space. The proposal is an upgrade to the façade and pedestrian circulation around the building. Included in the proposal are new elevated walkways (sidewalks), removal of one of three access drives, green space for stormwater management, and installation of additional handicap parking spaces. We have incorporated stairs, a ramp, and modified pedestrian access. Kutter asked if there would be outdoor dining, and was told 16-outdoor seats were planned on the east side of the building. Kutter requested the applicant consider installing planters along the proposed sidewalks. Aiello stated they would consider installing planters for aesthetic purposes. They would not be for any stormwater purpose. Aiello stated the shopping center has not been renovated since 1993 and the construction of BJ's. Fon opened the meeting to the public. No one came forward.

Upon motion by Kincart, seconded by Savoca, and with all those present voting aye, the Board closed the public informational meeting.

Tegeger stated the applicant should return to the Board to review any additional steps, and then return for a public hearing.

Kiederer Subdivision

Request 1st 90 Day Time Extension

SBL: 27.14-2-4

Location: 362 Granite Springs Road

Contact: Ciarcia Engineering, P.E., P.C.

Description: A 2 lot subdivision approved by Planning Board Res #05-21 dated September 12, 2005.

Dan Ciarcia, project engineer, was present with the applicant. Ciarcia stated as all conditions of the approving resolution have not been met, therefore, the applicant was requesting the 1st 90-day time extension. Ciarcia stated at this time we have the actual house footprints. Kincart asked if matters had been worked out with the neighbors, and was told they had.

Upon motion by Kincart, seconded by Savoca, and with all those present voting aye, the Board granted the 1st 90-day time extension.

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

Planning Department Meeting February 10, 2014

Work Session

Yorktown Police Department

SBL: 37.09-1-4

Location: 2281-2295 Crompond Road

Contact: Rahul Verma

Description: Stormwater Retrofit Project.

Discussion Approved Site Plan

Rahul Verma, East of Hudson Executive Director, was present. Verma explained that the stormwater retrofit project fill could be used to fill an area of the site along Crompond Road where the town has looked to expand the Police Department's parking lot. There will be in excess of 3,500 cubic yards of fill removed to construct the approved basin. Not all would be needed to fill the area for the parking lot. The Board felt this could save the Town money were they planning to expand the parking lot in the future. The Board requested the Town provide a parking layout, preliminary grading, and drainage that could be added to the plan so they could evaluate the impacts of the expanded parking lot. Tegeder stated the Board should complete a SEQRA hard look and adopt a revised resolution for the project. The applicant should submit a letter and or revised EAF to reflect the changes.

Yorktown Farms Subdivision

SBL: 17.06-2-32.11

Location: Route 6 & Town of Somers

Contact: Ciarcia Engineering

Description: A 22 lot subdivision approved by Res #08-03 dated February 11, 2008.

Revised Site Plan Lot 11

Dan Ciarcia, project engineer, was present. The lot was originally approved on October 7, 2013. There is no change to the approved finished floor elevation of Lot 11, which is 607ft. The prospective buyers selected a larger home therefore the residence was brought a little closer to the front of the lot and minor grading changes were made at the rear to accommodate a large deck. The Board had no objections to the changes and would adopt a resolution at their February 24th meeting.

Upon motion by Kutter, seconded by Savoca, and with all those present voting aye, the meeting was adjourned at 8:30 pm.