

Planning Board Meeting Minutes – May 10, 2021

A meeting of the Town of Yorktown Planning Board was held on **Monday, May 10, 2021 at 7:00 p.m.** via Zoom video conference.

Chairman Rich Fon called the meeting to order at 7:00 p.m. with the following Board members present:

- Rob Garrigan
- Bill LaScala
- Aaron Bock
- Roxanne Visconti, Alternate

Also present were:

- John Tegeder, Director of Planning
- Robyn Steinberg, Town Planner
- Nancy Calicchia, Secretary
- James W. Glatthaar, Esq.
- Town Supervisor Matthew Slater
- Councilman Ed Lachterman, Town Board Liaison
- Dan Ciarcia, Acting Town Engineer

In accordance with the Governor’s Executive Order 202.1, the Town of Yorktown Planning Board will not be meeting in person until further notice. All Planning Board meetings will be held via video conferencing and will be uploaded to the Town of Yorktown’s website and Yorktown’s YouTube channel after the meeting. All meetings will be broadcast on the Town of Yorktown Government Channel.

Correspondence/ Liaison Reports

- Chairman Fon acknowledged John Kincart’s resignation from the Planning Board. On behalf of the Board, he thanked Mr. Kincart for all his years of service and wished him well.
- The Board reviewed all correspondence.
- There were no liaison reports.

Motion to Approve Meeting Minutes

Upon a motion by Bill LaScala and seconded by Roxanne Visconti and with all those present voting “aye”, the Board approved the meeting minutes of April 26, 2021.

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

Fusco Minor Subdivision

Discussion: Request for Reapproval

Location: 16.14-1-10; 3477 Stony Street

Contact: Laura DiGiovanni, property owner

Description: Approved 2-lot subdivision on 2.72 acres in the R1-20 zone, by Planning Board Resolution #19-11, dated May 20, 2019 and reapproved by Resolution #20-03 dated May 11, 2020.

Comments:

Laura DiGiovanni, property owner, was present. Ms. DiGiovanni is requesting a reapproval for the subdivision as the conditions set forth in the approving resolution have not yet been satisfied. There have been no changes to the property.

Chairman Fon asked the Board and Counsel if there were any comments and there were none.

Upon a motion by Aaron Bock and seconded by Rob Garrigan, and with all those present voting “aye”, the Board approved the resolution reapproving the subdivision plat titled Fusco Subdivision.

Village Traditions

Discussion: Request for Reapproval
Location: 15.16-1-32; 1821 East Main Street
Contact: Timothy Mallon, property owner
Description: Approved site plan by Planning Board Resolution #18-05, dated May 21, 2018.
Comments:

Tim Mallon, property owner, was present. Mr. Mallon is requesting a reapproval for the site plan. There have been no changes in any laws, regulations or rules of any jurisdiction involved in the process subsequent to the Board's approval of this site plan.

Chairman Fon asked the Board and Counsel if there were any comments and there were none.

Upon a motion by Aaron Bock and seconded by Bill LaScala, and with all those present voting "aye", the Board approved the resolution reapproving the site plan for Village Traditions.

Albert French Subdivision

Discussion: Decision Statement
Location: 48.06-1-24; 1762 French Hill Road
Contact: Site Design Consultants
Description: Proposed 2 Lot subdivision where there are three existing residences. A Zoning Board decision from 1983 supports this subdivision.

Comments:

Joseph Riina, P.E. was present. Mr. Riina stated that since the last Board meeting, the plan has been updated and submitted to the Planning Department. Per the Board's request, an alternate driveway plan for access to the rear two lots was also submitted for review. The existing driveway for the rear two lots currently goes through an easement as shown on the plans. He noted that to construct an alternate driveway would require an extensive amount of fill. In comparison, the existing driveway is moderately sloped and provides a safer and easier access especially for emergency vehicles to the two residences. The map has been modified to reflect the side yard dimension for the existing cottage which is approximately 17.4' where 10' is required. The placement of this side property line is at the bottom of the slope providing a more usable area for the cottage.

Chairman Fon asked the Board and Counsel if there were any comments. Mr. Tegeder thanked the applicant for the driveway analysis. He suggested to the Board that the resolution be revised to change the wording with respect to the driveway in the resolved section on page 3 to replace "significant construction" with "require significant grading and fill that isn't necessary" just to be more clear. Mr. Glatthaar agreed with Mr. Tegeder's comment and felt that the applicant has demonstrated that the alternate driveway is not practical. The Board had no issues.

Upon a motion by Bill LaScala and seconded by Aaron Bock, and with all those present voting "aye", the Board declared themselves Lead Agency.

Upon a motion by Aaron Bock and seconded by Roxanne Visconti, and with all those present voting "aye", the Board adopted the Negative Declaration.

Upon a motion by Rob Garrigan and seconded by Bill LaScala, and with all those present voting "aye", the Board approved the resolution approving the subdivision plat titled Preliminary Subdivision Map prepared for Albert A. & Debora T. French as amended.

Taco Bell – Mohegan Lake

Discussion: Adjourned Public Hearing Amended Site Plan & Special Use Permit for a Drive-Thru
Location: 15.16-1-21; 3571 Mohegan Avenue
Contact: JMC Site Development Consultants
Description: Proposed Taco Bell restaurant and drive-thru on 0.83 acres in the C-2 zone, at the corner of East Main Street and Mohegan Avenue.

Comments:

Upon a motion by Rob Garrigan and seconded by Aaron Bock, and with all those present voting "aye", the Board opened the Adjourned Public Hearing.

Paul Dumont, P.E. of JMC Site Development Consultants; Marc Petrero, Traffic Consultant of JMC Site Development Consultants; and Raghav Patel, applicant, were present. Mr. Dumont stated that since the last meeting they have submitted a comment response letter dated 4/21/2021 to the Planning Department. Mr. Petrero, traffic consultant, stated that he worked on both traffic studies related to this project. As discussed at previous Board meetings, various design improvements were constructed as part of the 2008 traffic engineering study for the initially approved bank and drive-thru use that was never constructed. In 2018, as part of the rezoning into the C-2 district, another traffic engineering study was prepared following the standard practices for all traffic studies with new counts and data. He stated that there was a question with the traffic report in relation to the current pandemic. He noted that the traffic report prepared previously is still valid and that the NYSDOT and other traffic engineers view the current pandemic as a temporary condition.

Chairman Fon asked how the stacking for the drive-thru at Mohegan Avenue would affect the day care center if it were to be backed up. Mr. Petrero responded that there would not be an interaction between the daycare and drive-thru because the vehicles would turn right directly to the drive-thru window. Chairman Fon asked if traffic calming practices could be put into place at this site. Mr. Petrero responded that there isn't much of a distance to implement traffic calming as there are too many turns and curves. Chairman Fon stated that there may be a likelihood of stacking during Taco Bell's busy time and noted that the daycare must be considered during pick-up in the later hours of the day.

Mr. Garrigan stated that the issue is for the Taco Bell and the daycare center to co-exist safely. The Board is concerned with the health and safety of the site between the drive-thru use and the daycare which is beyond the current pandemic. He also questioned if there were some type of traffic calming devices to increase the confidence of the families that use the daycare center. He noted that every vehicle driving to this establishment will have to pass by the entrance of the daycare center. Mr. Petrero stated that drive-thrus are being used more frequently as a result of the current restrictions that are in place but once the restrictions are lifted, patrons will also park and enter the restaurant. He noted that the 2018 traffic study states that in terms of the comparison for the bank and restaurant use, the traffic numbers are the same from an ITE standpoint to what was previously approved. The ITE data does factor in the peak timing for the different uses. Mr. Bock asked if there were certain times of the day when traffic is pushed to a worse level if the project were to go in. Mr. Petrero responded that the 2018 traffic study summarizes that the operations at the intersection would operate at a similar operation for both uses. Mr. Dumont added that when you compare the bank to the fast food use, the only level of service that changed was the east bound left turn lane on Route 6 in the peak pm hour, that delay increased by a second or two. All the other levels of service that were analyzed were maintained for the two different uses. In 2008 when the subdivision was originally approved all the traffic improvements were coordinated and completed with the NYSDOT to support the three different uses which included the bank use that was never built. Mr. Garrigan stated that he is more concerned with the entrance into the property and the traffic on site. Mr. Petrero responded that this was analyzed and that it was a level service B and better at that location. Discussion followed with respect to the traffic report.

Chairman Fon asked about the hours of operation and busy times. Mr. Dumont responded that the facility would operate between the hours of 7AM and 2AM. Mr. Patel responded that the busiest hours are Monday through Thursday between 5PM to 8PM and noted that there is a good lunch business. Friday and Saturday are also busy with dinner being very strong. Chairman Fon asked why the restaurant was open so late. Mr. Patel responded that the Taco Bell numbers show strong sales in the late night hours. However, some restaurants don't stay open late and noted that the Carmel location is open until 2AM on Friday and Saturday only. He noted that if this location is not busy in the late hours, they may end up closing earlier. Chairman Fon asked Counsel if the Planning Board would have the authority to limit the hours of operation for the restaurant. Mr. Glatthaar responded that they do have the right to limit to the hours of operation based upon their findings. Mr. Patel noted that they will have "line busters" which means that employees will meet the customers at their place in line to take orders to expedite the ordering process. They are also proposing a third production line to avoid backup. Chairman Fon noted that the Board wants to ensure that the three uses work together and it's the applicant's responsibility to show how this will work.

Mr. Glatthaar noted that one of the comments from the public expressed concern about pollution in Lake Mohegan and asked the applicant to explain what Taco Bell will do to minimize this as a potential concern for the Planning Board. Mr. Dumont responded that this area of the site has its own drainage system and SWPPP and is designed for the 100-year

storm. The site drains away from Lake Mohegan. Several trash receptacles are proposed to be placed throughout the site. Mr. Patel added that there is a standard policy in place for the employees to ensure that there is no litter or trash in the parking lot throughout the day.

Supervisor Slater stated that he recently spent time with members of the Mohegan Lake Improvement District as part of the Battle of Yorktown and noted that this area collects a lot of debris. He questioned, from a Taco Bell standpoint, if the cleaning would only apply to the parking lot or would they commit to a more robust program that includes the stretch towards the lake. Mr. Dumont stated that the applicant would only be responsible for the Taco Bell parking lot. Mr. Patel stated that they would monitor the four points of their property only. Mr. Ciarcia confirmed that the site is not tributary to Lake Mohegan. With respect to debris, convenient trash receptacles at the site would be warranted to help manage the trash in the area.

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

Jay Kopstein, resident – Mr. Kopstein stated that he doesn't believe the traffic study is independent as the engineer works for the company representing this proposal. He feels that this type of fast food operation usually attracts younger inexperienced drivers. West bound traffic turning south from the left turn lane on to Mohegan Avenue can be problematic and result in accidents for cars going east bound. He was surprised no one mentioned that drivers will try and cut through the residential area to try and beat the traffic on Route 6.

Evan Bray, resident – Mr. Bray stated that the 2018 traffic study was done by the applicant and feels that this is a conflict of interest and questioned if an independent traffic study could be conducted to confirm what was done by the applicant. He noted question #3 in the applicants comment letter stating that an entrance on Route 6 is not ideal and questioned who it is not ideal for? He questioned if this conversation happened with the NYSDOT and feels that this should be explored further. He asked about the loading area on the plan and what size trucks would be used for deliveries and questioned if the loading area is sufficient for deliveries. He was also concerned about the location of the refuse container. He will submit his comments in writing.

Mr. Dumont showed the plans to all and noted that the loading area is on the southern corner of the property within the access drive on their property.

Chairman Fon asked about the delivery schedule. Mr. Patel stated that the deliveries vary and could be in the morning when it's not busy or later in the evening when it's slower. He noted that they can request for a specific delivery time for the safety of the daycare.

Jaclyn Guerra, resident – Mrs. Guerra stated that according to the YPD, there have been 43 accidents at that intersection since the improvements were put into place in 2008. She noted that every day people are running the red light specifically going south on Route 6. Also when traveling north, how will the building affect that right on red. She sent a Business Insider article that discussed the late night hours of Taco Bell that specifically mentioned that their most important demographic is drunk customers and those customers are between 9PM and 2AM.

Alyssa Salvo, resident – Ms. Salvo stated 43 accidents in 13 years is an interesting number as its three accidents per year on average. She doesn't think it is fair to judge a business based on the type of people who go there. The traffic standpoint makes sense. She noted that the daycare and the fast food restaurant will probably overlap in time during the week between the hours of 4PM and 8PM as this would make sense. Most daycares are open later. She lives down the road and plans on having her children attend the daycare and also plans on being a customer of Taco Bell. There were questions about pollution and garbage but questioned if we are turning down businesses for good reasons at this point. Are we concerned with three car accidents a year and holding onto a number that prevents us from developing.

Randall Duggan, resident – Mr. Duggan stated that he lives at the intersection of Mohegan Avenue and Scofield Road. His concern is that the Taco Bell will divert traffic on Mohegan Avenue up the hill toward the Nabby day camp to the Lexington connection. At their intersection right now it is a stop, stop, yield intersection which is awkward and he thinks converting it to a stop, stop, and stop would help with speed control. He also feels that the installation of speed bumps going up the Mohegan Avenue hill would help with speed control. He is part of the Mohegan Lake Improvement District and noted that there is a section of the road from the Mohegan Highlands beach toward this area that is littered with debris in the woods and the wetlands. He suggested installing a camera to monitor the direction of the lake from Taco Bell to control litter. He stated that 15 years ago, he was in an accident at the intersection of Route 6 while making a left

onto Mohegan Avenue. He noted that this intersection is unusual because of the long stretch from the left turn to the crosswalk on the other side. He suggested changing the light to have a green arrow for left turns only and not allow a left turn with the normal green light. He also asked if the crosswalk could be brought in a little closer to the actual corner to shrink the distance.

Ms. Steinberg noted that an email was received from St. Mary's Church asking if the applicant would consider installing a fence along their border to control litter and avoid parking by potential Taco Bell customers in their lot. Mr. Dumont stated that the applicant is amenable to installing a fence on the property line and would also keep the proposed plantings designed in coordination with the Conservation Board and ABACA.

Chairman Fon asked the Board and Counsel if there were further comments. Mr. Glatthaar advised the Board to keep the hearing open until all questions are addressed. Mr. Tegeder stated that the Planning Department will work with the applicant to provide some responses and would also like to look at the accident data. Mr. Petrero responded that they did request the accident data from the State for the three years prior to the pandemic. He noted that there were 11 accidents which relates to a 3.66% rate of accidents per year.

Mr. Petrero noted that with respect to creating a second possible access on Route 6, the NYSDOT would not look favorably on this as this would introduce another leg into this intersection which could potentially increase vehicle conflicts. With respect to the crosswalk, if it were closer to the intersection it will lengthen the amount of time for a pedestrian to cross the intersection and the NYSDOT would not look favorably upon this.

Chairman Fon asked if the Board should consider the Town's new traffic consultant for this location. Mr. Tegeder stated that they could and noted that this entire site layout and intersection was not only looked at by JMC but also vetted by the Town's then traffic consultant, Jacobs Edwards Kelsey, at that time. The 2018 report was an update to that report to look at the difference between the bank and fast food uses. Mr. Garrigan advised the applicant to think about the health and safety of the site and to contemplate about whether there are some traffic devices that could be put into place. He also suggested the idea of adopting a road with respect to the litter.

Upon a motion by Aaron Bock, and seconded by Roxanne Visconti, Rob Garrigan, and Chairman Fon, the Board adjourned the Public Hearing. Bill LaScala opposed this motion.

Par 3 Golf Course

Discussion: Adjourned Public Hearing

Location: 16.07-1-38; 795 Route 6

Contact: James Martorano Jr., Parks & Recreation Superintendent

Description: Proposed Par 3 golf course and clubhouse with restaurant on Town owned Parkland.

Comment:

Upon a motion by Aaron Bock, and seconded by Bill LaScala, and with all those present voting "aye", the Board opened the adjourned Public Hearing.

James Martorano, Parks & Recreation Superintendent; Patrick Talbert, Parks & Recreation Commissioner; Joseph Falcone, Parks & Recreation Commissioner; Frank DiPeri; and Sean Murphy, were present. Mr. Murphy stated that a tree and planting plan was submitted to the Board for review. A total of 78 trees were removed from the property (*60 were cut down and 18 were already dead and on the ground*). The trees removed were at the advice of Arnold Palmer for the construction of the greens and tee boxes. The irrigation was installed for the greens to be maintained. They are proposing to install approximately 91 trees which is more than what was removed. The trees selected were for the design and safety of the course. The proposed plantings include 23 Red Oak, 10 River Birch, 4 Hemlock, 30 Norway Spruce, 11 Green Giant Arborvitae, 4 Holly, and 9 Forsythia. He noted that the forsythia could be changed as they are an invasive species. The existing trees consist of Oak, Ash, Maple, Hemlocks and Pine. Mr. Murphy asked the Board if they had the opportunity to review the 2008 Ray Arnold report that was commissioned by Susan Seigel for property analysis. He noted that this golf course was previously used as a dumping ground and they are in the process of restoring it back to its original use.

Mr. Martorano stated that the original parking plan showed a total of 49 spaces that included two spaces at the end of the lot. One space was removed to provide better circulation for the site. The proposed parking plan now shows a total of 48 spaces. He stated that there is additional parking to the north of the site. Mr. Tegeder stated that they are deficient

on the site by two parking spaces according to the code requirements but are suggesting that the commuter area will be able to pick up those two spaces. Mr. Martorano responded that this was correct.

Mr. DiPeri stated that with respect to the construction of the greens and tee boxes and greens, they installed two essential layers for drainage. Top soil was installed to the side of the greens and tee boxes that were stripped originally. Discussion followed with respect to the grasses on the site. He noted that from a design standpoint they consulted with Arnold Palmer. They have done an extensive amount of landscaping and created scenic tee boxes made of stone from the golf course.

Mr. Bock asked the applicant if they received the Tree Commission memo that was sent out today. Mr. Murphy stated that he read the memo and noted that this is just a restoration of the existing golf course and they are remediating what was removed. He noted that the forsythias are an invasive species and would be happy to replace it with something else if the Board requests. Mr. Martorano added that they were scheduled to meet with the Tree Commission at the site but the Tree Commission canceled at the last minute and sent this memo.

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

Susan Seigel, resident – Ms. Seigel stated that she supports the application and looks forward to the opening of this golf course as it will be a great asset to the Town. However, she feels that there are multiple problems with this application. She stated that work was done without any approved town permits or site plans and noted that the Conservation Board had never seen the application. She thinks that there are still two unresolved issues before the Board can even consider voting on an approval resolution which are the wetlands and the trees. The wetlands need to be acknowledged because there is an important stream that has to be crossed. How can the Planning Board issue a wetlands permit when they haven't seen one piece of paper dealing with the wetlands? She noted the Tree Commission memo. She feels that the application needs more review.

Phyllis Bock, Co-Chairperson of the Conservation Board stated that their Board did not see the mitigation plan that was recently referred to the Tree Commission. However, they did review this application in November, 2020 and submitted a comment memo to the Planning Board dated November 5, 2020.

Mr. Tegeder noted that as the Planning Board is reviewing this application they are also reviewing the impacts. The Planning Department will refer the mitigation plan to the Conservation Board and will work with the Tree Commission on the mitigation plan. This is a town project, the town owns the property, and has a license agreement with the applicant.

Chairman Fon noted that there were still some issues that needed to be resolved and suggested that a site visit be scheduled with the various Boards. Mr. Garrigan stated that this Board, including the Town of Yorktown, is trying to restore what was already there and he thinks that this a case where we are getting in our own way although we still need to be responsible. The golf course is being restored to what it was previously, it is not a change of use, and the stream will still be flowing. This is a good project that is all about restoration which in his mind is progress with preservation.

Upon a motion by Aaron Bock, and seconded by Rob Garrigan, and with all those present voting “aye”, the Board adjourned the Public Hearing.

Motion to Close Regular Session and Open Work Session

Upon a motion by Bill LaScala, and seconded by Rob Garrigan, and with all those present voting “aye”, the Board closed the Regular Session and opened the Work Session.

WORK SESSION

First Presbyterian Church of Yorktown

Discussion: Lighting Plan
Location: 26.20-1-8; 2880 Crompond Road
Contact: AJI Electrical Solutions, Inc.
Description: Proposed lighting upgrades to the existing parking lots.
Comments:

Vinny Wallace; Mark Maliszewaski of Delta Electric; and Dick Seymour, were present. Mr. Wallace stated that they are in the process of repaving the existing parking lot and are proposing to add lighting to the lot for safety purposes during the evening hours. A total of 10 lights are proposed (*6 lamp posts in the parking lot and 4 smaller lights along the*

walkway to the Sanctuary Church building). He noted that there are no lights in this lot currently with the exception of solar stakes that are used for landscaping. They currently have an electrical permit from the Town. The photometric lighting plan was shown to the Board.

Mr. Tegeder stated that it appears as though there is no light spillage over the property line on the plan and requested for the applicant to submit the manufacturer cut sheets for the lighting fixtures to the Planning Department for review. The Board had no issues and requested that the applicant follow up with the Planning Department.

McTaggart Residence (Spano Subdivision Lot 1)

Discussion: Site Plan

Location: 37.11-1-46.1; 2241 Saw Mill River Road

Contact: Fusion Engineering, P.C.

Description: Proposed changed to the approved subdivision improvement plan as a result of sewer being available.

Comments:

Paul Berte of ARQ Architecture P.C. was present. Mr. Berte reviewed the original subdivision approval from 2002 with the Board. The original site plan for this lot included an on site septic system design in the westerly high portion of the site. In 2002 there was no sewer, but since then the town sewer main has been extended and constructed to serve this lot and travels along the south and easterly boundary of the property. The survey was updated in 2015. The site plan has now been revised to reflect the changes as a result of the sewer connection. The proposed home has been relocated higher on the lot now that the septic system is no longer necessary. Originally there was a 40,000 sf disturbance boundary which has now been reduced to a 30,000 sf disturbance boundary. They mitigated the design flows for the pre and post conditions. The proposed home will now be served by Town water and sewer.

Chairman Fon if there were any comments. Mr. Tegeder asked if there was a difference from the proposed first floor elevation compared to the previous proposal. Mr. Berte responded that they are about 5 feet higher in the proposed plan since the house was relocated higher on the lot. He will provide the exact difference to the Planning Department. Mr. Ciarcia stated that a complete review of the stormwater will need to be done to ensure that there is nothing contrary to the original approval. The Board had no issues. Chairman Fon advised the applicant to follow up with the Planning and Engineering Departments.

Kitchawan Farm Solar Farm

Discussion: Site Plan & Special Use Permit

Location: 70.06-1-2 & 3; 716 Kitchawan Road

Contact: Ecogy Kitchawan Community Solar Farm, LLC

Description: Proposed 2 MW AC ground mounted large-scale solar energy system.

Comments:

Julia Magliozzo of Ecogy Energy; and Alexander Cochran, property owner were present. Ms. Magliozzo stated that the proposal is for the installation of 2 MW AC ground-mounted community solar system to be located at 716 Kitchawan Road. The property is composed of two parcels that is owned by Kitchawan Farms. The survey was shown with the existing conditions for the property that includes the existing houses, barns and greenhouses. On the southern side of the property the proposed solar array is set back approximately 120 ft from the road, and on the west end of the north side of the property they are setback 50 ft from the property line. There is a small wetland area located on the northern side of the property that they don't believe is jurisdictional but have provided a 25 foot buffer just in case. A native meadow seed mix is proposed to be planted underneath and in between the arrays. In addition, a permeable, wildlife friendly fence is proposed to be installed around the solar array. They also discussed with the property owner the possibility of adding bird boxes. On the west side of the property, they are proposing to run conduit underground to connect to the transformer to avoid the installation of poles and overhead lines. They met with the Conservation Board and received their comments. The majority of the trees proposed to be removed are located in the southern portion near Kitchawan Road to accommodate the modules and prevent shading. Kitchawan Farm has been looking for a way to expand their vegetable garden and will be using half of this cleared southern area for vegetable farming. They are proposing to leave a 40 ft deep row of trees along Kitchawan Road primarily for screening purposes. A graphic was shown with respect to the tree shading details. A preliminary landscape plan was prepared but noted that the trees proposed for the west side of the property may not be planted as they are trying to determine what is most appropriate

for the neighbor to the west. With respect to the visibility from the trails, the only area where the array may be visible is from the northeast corner so they are proposing to plant trees for screening. A final landscape plan will be submitted to the Board for review when complete.

Ms. Magliozzi stated that this is a community solar project and they are expecting anywhere from 330 to 450 subscribers that will include households and small businesses. They partnered with sustainable Westchester to market the system first and foremost to Yorktown residents and businesses. All subscribers are guaranteed a discount. In addition, they will be launching a public website showing the environmental benefits. Per their agreement with Kitchawan Farms, at the end of the system's life cycle, the land will be restored to usable condition.

Chairman Fon asked if there were any comments. Mr. Tegeder stated that the Planning Department will work with the applicant with respect to the screening. Mr. Garrigan asked about the acreage coverage for the solar array. Ms. Magliozzi responded that she believes the site itself is 12 acres but will report back with the actual acreage for the module area. Mr. Glatthaar asked the applicant about the possibility of pruning the trees as opposed to tree removal. Ms. Magliozzi responded that they are hesitant to consider pruning trees as it would add significantly to the maintenance cost over the years. In addition, the area to the south where the trees are located is fairly thick and overgrown and the logistics of getting in there to prune would be quite difficult. Chairman Fon asked the Planning Department to schedule a site visit.

Arcadia Farm Solar Farm

Discussion: Site Plan & Special Use Permit

Location: 47.11-1-4; 1300 Baptist Church Road

Contact: Croton Energy Group

Description: Proposed 800kW AC ground mounted large-scale solar energy system.

Comments:

Julia Magliozzi of Ecology Energy; and Michael Tarzian of Croton Energy Group was present. Ms. Magliozzi stated this proposal is considered phase 2 of the project as they have already installed a rooftop solar system on the existing barn at the site. The proposal is for an 800kW AC ground-mounted community solar system to be installed on the eastern side of the property. She noted that the adjacent property on the west side is also owned by the Arcadia Farm. The site plan was developed with the property owner to balance their continued use of the farm and horse riding operation. A native meadow seed mix is proposed to be planted below and in between the solar arrays. In addition, a permeable, wildlife friendly fence is proposed to be installed around the solar array. The existing paddocks that are proposed to be removed will be repurposed elsewhere on the farm. They met with the Conservation Board and received their comments. They are currently working on the tree inventory and landscape plan. The landscape plan will focus on the west and north side of the array for screening. They feel that the screening to the south is sufficient. She noted that the project will not be visible from Baptist Church Road. At the request of the property owner, they are proposing to plant fruit trees along the driveway. She noted that this is a community solar project and they expect to accommodate from 200 to 250 subscribers.

Chairman Fon asked if there were any comments. Ms. Visconti asked where the solar panels were manufactured. Ms. Magliozzi responded that they are manufactured in China but there are American manufacturers as well and will provide the manufacturer cut sheets once a decision has been made. Ms. Visconti asked about the disposal process of the system at the end of the life cycle. Ms. Magliozzi responded that all the components are separated and recycled including the glass. Mr. Bock noted that the Tree Commission submitted a memo today and should be addressed by the applicant. Chairman Fon asked the Planning Department to schedule a site visit.

Town Board Referral

Description: Purchase of town-owned property located on Meadowcrest Court.

Comments:

No representative was present. Mr. Tegeder stated that a request was made by Mr. & Mrs. Walling to purchase a small piece of town owned property located between their house (2977 Meadowcrest Court) and Meadowcrest Drive. This property was originally going to be a cul-de-sac but was never built as it was originally intended. They are the only house on Meadowcrest Court, all the surrounding houses have driveways facing Ferncrest Drive. If acquired, the Wallings are proposing to clean up and repave the road/driveway. He noted that the Planning Board is charged with laying out roads and also abandoning them. The Planning Board will need to make a recommendation to the Town Board as to whether or not this lot can be abandoned and sold off to a private entity.

Supervisor Slater informed the Board that this request occurred because the Wallings were looking to have their driveway on Meadowcrest Court plowed and paved by the Town. After speaking with the Highway Department, it was determined that it was not fully developed as a public road which led the homeowner to try and purchase this piece of property.

Chairman Fon asked if there were any comments. Mr. Tegeder noted that his concern was that the lot would be irregular shaped and suggested that pieces of the cul-de-sac could be portioned off to the surrounding properties to make regular shaped lots. Mr. Ciarcia noted that he is not sure if the neighbors are aware of this proposal and whether they would want to be participants for allocating this cul-de-sac. In addition, they need to identify if there are any utilities, water or sewer lines that may require an easement before conveying the property. The Board agreed that the application needs further review.

Motion to Close Meeting

Upon a motion Bill LaScala, and seconded by Aaron Bock, and with all those present voting “aye”, the Board closed the meeting at 10:00 p.m.