

Planning Board Minutes February 13, 2017

A meeting of the Planning Board, Town of Yorktown, was held on February 13, 2017, at the Yorktown Town Hall Board Room, 363 Underhill Avenue, Yorktown Heights, NY 10598. The Chair, Richard Fon, opened the meeting at 7:00 pm with the following members present:

John Savoca
John Kincart
William Lascala
Anthony Tripodi
Rob Garrigan, Alternate

Also present were: John Tegeder, Director of Planning; Robyn Steinberg, Town Planner; Tom D'Agostino, Assistant Planner; Kristen Wilson, Planning Board Counsel; and Greg Bernard, Town Board Liaison.

Correspondence: The Board received no additional correspondence.

Meeting Minutes: Upon a motion by LaScala, seconded by Kincart, and all those present voting in favor, except Savoca who was not present at that meeting, the January 23, 2017 minutes were approved per the chair's corrected copy.

REGULAR SESSION

Fieldstone Manor

SBL: 15.11-1-17

First 90 Day Time Extension

Location: 3680 Lexington Avenue

Contact: Site Design Consultants

Description: A 21-lot cluster subdivision on 22.94 acres in the R1-20 zone that received Final Subdivision Plat Approval by Resolution #16-16 on August 8, 2016.

Joseph Riina, the project engineer from Site Design Consultants, was present. Riina explained the applicant was waiting on a Baseline Data Report that has now been completed and recently submitted. The applicant is almost ready to have the plat signed.

Upon a motion by Tripodi, seconded by Savoca, and all those present voting in favor, except John Kincart who abstained, the Board approved a First 90 Day Time Extension for the Fieldstone Manor Subdivision.

Shrub Oak International School

SBL: 26.05-1-4

Public Informational Hearing

Location: 3151 Stony Street

Contact: David S. Steinmetz, Esq.

Description: Proposed site plan, a special use permit for a helistop, and a special use permit for a private school, for autistic children at the former Phoenix House Academy.

Upon a motion by Kincart, seconded by Savoca, and with all those present voting aye, the Board opened the Public Informational Hearing.

Present were: project attorneys, David Steinmetz and Michael Cunningham from Zarin & Steinmetz; project engineer, Steve Hyman, project traffic engineer, Ron Hill, and project architect, Renee Marcus and

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Maria DiNatale, from H2M Architects & Engineers; project helipad engineer, Ray Syms, from Helixperts; construction manager, Joseph D'Alonzo; and the applicant Michael and Brian Koffler, were present.

Steinmetz stated the applicant is proposing to turn the existing Phoenix Academy into an elite school for autistic children. The school would have 300 students, primarily from adolescents to early 30s, on the autism spectrum. The site will be fully staffed with a variety of teachers, experts, staff, administration, etc. There will never be less than a core staff of around 60 on the site. During core instruction time there will be approximately 200 staff members on site. The school hopes to integrate animal therapy and education, which will include horses and sheep. Steinmetz stated the applicant is taking advantage of the new provision in the private school special permit section of the code that allows a helipad. The proposed helistop will be the first helistop in the northern Yorktown area. Though the helipad is not proposed to be heavily utilized or a crucial part of the education plan. Steinmetz stated the applicant would like the school to be open for the September 2018 school year. The school will have a state of the art security system to protect the students. Not a lot of site changes are proposed. There are proposed improvements to parking, onsite stormwater management, code upgrades to the building, a new porte-cochère at the building entrance, and an enclosed pool on the south side of the building. Steinmetz stated the school is a continued quiet use and puts property back on the tax rolls. In addition there will be a number of jobs created. The school wants to partner with local school districts to offer services where needed. Steinmetz stated the applicant is seeking approval of a special permit for the private school, special permit for the helistop, and site plan approval. The applicant is not currently proposing a subdivision of any of the property. The applicant is willing to work with the town and improve the southerly entrance to the site, which is currently the entrance to the town park. Steinmetz stated the applicant foresees improving this access and continuing the public access to the proposed new town park. A full-time head of the school and head of maintenance will reside in the existing homes on the property that will be renovated. Steinmetz asked at the conclusion of the hearing if the Board would declare its intent to be the Lead Agency.

Steve Hyman, project engineer, described the site modifications. The site entrance will be reconfigured for visitor entry and exit. The southerly entrance will be reconfigured as well. The applicant will need to coordinate efforts with the town on the southerly entrance. If a left turn lane into the site is needed, the town will most likely need to allow the applicant to widen the right-of-way along the park property. The driveway will be widened. There will be supplementary parking added to the southeast and easterly portion of the building. Parking will also be added to the north circular parking areas. Hyman pointed out the fenced in animal areas. Two small 1,000 sf barns are proposed adjacent to the animal areas. A porte-cochère entrance is proposed at the front of the building and an enclosed pool on the south side of the building. Hyman stated the stormwater for the site has not yet been designed. The stormwater will probably be supplemented with a practice south of the southern parking area. There are 344 parking total stalls proposed.

Renee Marcus, project architect, displayed a sample rendering of the porte-cochère addition. Marcus stated all of the windows in the building will be replaced. The windows are in need of replacement, but the applicant also wants to increase the efficiency of the building and make it look less institutional. Along with the window replacement will be replacing or repairing all lintels. Water is currently coming in the parapets. Water infiltration is affecting the windows and lintels. There will also be miscellaneous brick repointing. This damage is also as a result of water infiltration. Marcus stated there will be building signs, however they have not been designed yet. The pool enclosure has also not yet been designed. Marcus stated that the existing building layout is almost perfect. The bulk of work will occur in the wing areas. There has been no asbestos abatement in these wings yet. The bathrooms will be in the same space, but reconfigured to be more private instead of the existing gang shower/toilet arrangement. There will be the same number of fixtures. The main work in the wings will include the asbestos abatement, repairs to

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plumbing, a complete upgrade of the electrical service, and finish upgrades. There will be installation of air conditioning in the entire building. The applicant's plan is to maintain the existing steam boilers. Some changes may need to be made to the energy use more efficient. All lighting will be replaced. New fire alarm system. A full building fire sprinkler system will be installed in the wings. The stairs will remain in the same locations. Marcus stated the applicant is looking at creating an ADA accessible entrance on the southeastern wing. There will be a medical suite in the core of the building. The kitchen will remain in the same place. The gym and cafeteria will be switched back to their original floors. Insulation will be added to all exterior walls.

Ron Hill, traffic engineer, stated all employees and truck deliveries will enter the site using the southern entrance. The main entrance will be for visitors only. The traffic study will include the intersections of: 1) Route 6 at Barger & 132; 2) Route 6 at Strawberry Road; 3) Route 6 at Stony Street, including a traffic signal warrant study for this intersection; 4) Stony Street at Crompond Road; 5) Stony Street at the Bear Mountain Parkway; and 6) the Bear Mountain Parkway at Route 202.

Ray Syms, helipad engineer from HeliExperts International, LLC, presented the proposed helipad. The FAA looks at a 4,000 square foot circle around the helipad. This is also where Heliexperts looks to determine the approach/departure paths. Helicopters will predominantly come from New York City up the Taconic State Parkway and then go to the site as directed by the FAA. Syms stated there are three approach/departure paths used for this site; northeast, northwest, and directly south. When winds are really howling, it is usually from the northwest so that is why this path is shown. A helicopter takes off into the wind. A round helipad is proposed. This will be a concrete or concrete paver pad 46 feet in diameter. This size accommodates all medivac type helicopters. Syms stated there are significant benefits to having an established formal helipad with formal briefing, training, and plans. This is a safer situation for all emergency personnel and the public. The NFPA (National Fire Protection Association) will review the plans through the fire marshal. The NYSDOT will review the plans. Tripodi asked about the three access paths and at what height would a helicopter be along those lanes. Syms stated that the FAA minimum obstacle clearance is 500 foot high, 4,000 feet away. In practicality because of flying neighborly policies, this height is usually doubled. So 4,000 feet away, the helicopter would be 1,000 feet up. Steinmetz questioned if there were trees that needed to be removed. Syms stated that some pruning or removal would be needed, but nothing significant.

Jay Kopstein, 2239 Van Cortlandt Circuit

Kopstein stated he will reserve his formal comments until the regular public hearing. Kopstein stated he did not think the applicant needed a special use permit for the helipad for a medivac. Nor do law enforcement need a special use permit. In Kopstein's opinion, the school is asking for the permit because they want to use the helipad. Kopstein requested to know how many flights would be anticipated. Kopstein was also concerned about the helicopter lights being an additional distraction to drivers. Kopstein further questions why the applicant needed to conduct flight operations on the site.

Alan Goidel, 3174 Amelia Drive

Goidel stated that the school is located in a residential community and asked the applicant to explain how a helicopter is quiet in the surrounding neighborhood. Why is the helipad needed for the school? Goidel is an educator and understood the use of animals within the program, but questions what will happen to the animal waste. Goidel stated he is not interested in living next to a farm. Goidel asked if trees would be planted along the entire length of the property line and asked if a fence be added as well. Autistic people tend to wander and there should be a more solid barrier to stop them from wandering off the site.

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Pat Moretti, 3182 Amelia Drive

Moretti stated his house is located directly behind the overflow parking lot and the one animal area also seems very close to his house. Moretti stated he lived here when Nancy Reagan landed in a helicopter and the whole area shook. He is not interested in living in that condition.

Susan Siegel, 419 Granite Springs Road

Siegel asked about the improvements to the southern access and if this was a temporary access or is it being considered as a permanent access to the town park. Siegel stated the traffic study should include an analysis of the traffic at the southern entrance if it will be for both town park access and the employee entrance for the school.

Steinmetz addressed several questions asked. Steinmetz stated the applicant has discussed with the town making the southern entrance a permanent access to the town park. The applicant is willing to accommodate this if that is what the town wants. The entrance would then end up being a public road. No decisions have been made. Steinmetz stated the applicant will analyze the comments brought up by the neighbors including the animals, noise, fencing, etc. Steinmetz stated the helipad is meant to be used minimally if ever by the school. It was designed in the event of an emergency and is an amenity. The code does allow this use on a property this size. The applicant will analyze the noise and include distraction studies, etc. to address these comments.

Kincart stated the Board has had the helipad discussion in the past with IBM. The special Permit is revocable should the use of it become a nuisance to the neighbors.

Jay Kopstein stated that the southern helipad approach comes in directly over the proposed new ball fields therefore he stated for safety sake that would necessitate the suspension of any activity on the fields during flight activity.

Upon a motion by Kincart, seconded by Savoca, and with all those present voting aye, the Board declared their Intent to be Lead Agency.

Upon a motion by LaScala, seconded by Tripodi, and with all those present voting aye, the Board closed the Public Informational Hearing.

Upon a motion by Tripodi, seconded by Savoca, and with all those present voting aye, the Board voted to move into the work session portion of the meeting.

WORK SESSION

Pied Piper Preschool Addition

SBL: 37.14-2-8

Discussion Site Plan

Location: 2090 Crompond Road

Contact: Site Design Consultants

Description: Proposed 14,022 square foot addition to the existing 3,618 square foot preschool, for a two-story building with total square footage 17,640 square feet, on 0.68 acres in the R1-10 zone.

Present were: project engineer, Joseph Riina of Site Design Consultants, project architect, Michael Piccirillo; and the applicant Kathy Dineen-Carey. Fon stated the Board seems to be struggling with the

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overall mass of the building on the site. There is a memo from the Fire Inspector concerned with emergency vehicle access. Fon stated a traffic management plan will be needed. Riina stated that the applicant's traffic engineer, Phil Grealy, was not able to attend tonight's meeting to discuss the submitted traffic study. Fon asked how the site is licensed by the state and if uses outside the daycare are allowed, such as a karate instructor, dance instructor, and sports in gym. Would the instructors only be teaching the Pied Piper students? Fon stated the site needed landscaping and may need screening. Fon thought the Board should make a site visit. Kincart stated he thought the site is tight and traffic circulation is tight. Kincart stated the proposed building is 5 times the size of the existing building. Dineen stated the size is much larger however the school would only be adding 46 additional Pied Piper students. Special education students will come from the schools at 9:30 am and be dismissed a half hour before the regular students, back to the school. Then after school kids will come on buses after the Pied Piper students are picked up. Dineen-Carey thought the different students were a complimentary use of the building and therefore would not create additional impacts. In Dineen-Carey's opinion, the traffic will be the same as it is now. Dineen-Carey did not understand how the fire concerns change because the area fenced in will be the same. Fon stated there is an increase in the size and intensity of the use on the site. Fon asked how event parking is handled. Dineen-Carey stated they stagger these performances so they do not occur at their peak times. Piccirillo objected to hearing about the size of the building now after 8 months of review with the town. Tegeder stated these concerns have been discussed all along. The submission of a zoning compliant plan should be a matter of course. Fon stated the Board would like to discuss traffic with Phil Grealy at another meeting. Tegeder stated the parking is already shared. Kincart questioned how the additional programs could generate more use, especially with the current school's success rate. Tripodi requested a chart be submitted that shows each type of student and when they will be in the building. Piccirillo stated that it's in the business' interest for the traffic and parking to work well or no one will want to use the school. Savoca stated the Board needs to make a site visit together. Riina suggested the Board members also visit the site during the student drop off, which is very efficient. Quinn suggested the applicant meet with staff regarding the fire access items, while the Board makes the site visit. The Board scheduled a site visit for Saturday, February 25th at 10 am.

Weyant Site Plan

SBL: 37.14-2-32

Discussion Site Plan

Location: 2040 Crompond Road

Contact: Site Design Consultants

Description: Proposed zone change from R1-10 to R-3 or Transitional Zone to allow two three-story multi-family residential buildings.

Present were: project engineer, Joseph Riina, and contract vendees, John & Kyle DeVito. The existing building is vacant and in disrepair. Riina stated the applicant is pursuing a Transitional Zone to build apartments. The stonewall along Route 202 will remain. The large trees in the front of the site will also remain. The building shown on the concept plan are at a 30 foot setback from the road. Riina stated the applicant looked at the C-2R zone and determined the density that zone allows would be too intense for the site. The access off Hamblyn Street would be left turn only exit. The driveway shown to Route 202 would only be for emergency access and would be gated. A sidewalk is proposed along the entire frontage of the site inside the stonewall. The street scape will mimic the town's Commerce Street streetscape. There are 36 proposed one and two bedroom units, in two three-story buildings. The one bedroom would be approximately 750 square feet and two bedrooms would be approximately 1,200 square feet. The building coverage is less than 15% on the 2.6 acre site. The alternative plan shows the 2nd building, southernmost building, turned.

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Kincart stated he preferred Alternative A and liked the left turn only onto Hamblyn Street. Fon asked if Riina had a chart of the different zones analyzed. Riina stated he did not, but stated the R-3 would reduce the size and number of units significantly. The units would be small, all one bedrooms; or even fewer units a little larger. The R-3 zone is not economical. Riina stated the multi-family development would bridge the gap between the commercial and the R1-10. The C-2R would create 20,000 square feet commercial and 60 apartments. Again, the applicant thought this was too dense for the site. The building were set closer to the road to stay away from the existing R1-10 neighborhood.

Tegeder stated the Transitional Zone works in this location. It provides a diversity of housing near the hamlet center, which is recommended in the Comprehensive Plan. If left alone, this property would probably end up the subject of a commercial rezone request, which would bleed the commercial up into the residential area. Tegeder preferred the one building turned to open up the site and prevent a solid street wall.

Kyle DeVito stated the proposed height of the buildings is only about 5 feet taller than the 334 Underhill Avenue buildings across the street from Town Hall. The potential rents for the proposed units would be about \$1,500 - \$2,000/month; one-bedroom and two-bedroom respectively.

The Planning Department will draft a memo for the Board's review. The Board would like to request additional site plan review during the Town Board's more detailed review of this project.

Town Board Referral – Featherbed (Colangelo) Sewer District Expansion

SBL: 35.16-1-4

Location: 1805 Jacob Road

Description: Proposed Sewer District Expansion of the Hunterbrook Sewer District to accommodate the proposed 6-lot Subdivision.

Joe Riina was present regarding the Sewer District. The Board has been reviewing the subdivision application and agreed there were no issues with the request for a sewer district extension. The new district will be Hunterbrook Sewer District #21 (not 20). Riina stated that while processing the sewer request, the applicant will continue to work on the engineering of the alternative road layout and stormwater plan.

Michael represented Colangelo in regards to his plan to grow wildflowers on the property this spring. Michael stated that if the sewer district approval is not granted, the site would be used for a flower farm. The area shown on the sketch is approximately 2 acres. Tegeder stated his impression from Mr. Colangelo was that he wanted to plant wild flowers this spring, not if the sewer district isn't approved. A stormwater permit would most likely be needed to clear the 2 acres. Tegeder was not sure if it would require DEP approval. Barber suggested the clearing be phased so only 1 acre is cleared at a time which would be below the threshold for a full stormwater permit.

Town Board Referral – Qwick Stop Gas Station

SBL: 36.06-1-25

Location: 3451 Crompond Road

Description: Applicant is requesting to remove and replace the underground storage tanks and related piping, the fuel dispensers, the concrete tank pad, the island drive pad the dispenser's island, and install a canopy.

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Tegeder reviewed the memo he wrote on the proposal and recommended the Board request more information. There is no existing special use permit for the gas station use. The Board agreed with Tegeder's memo and requested the Planning Department send a similar memo to the Town Board.

Town Board Referral – Heyward Street Cell Tower

SBL: 15.16-3-32

Location: 3491 Heyward Street

Description: Request from the AT&T Wireless Telecommunications to alter, remove, and install ground level and monopole mounted equipment.

The Board asked if the existing site plan is compliant and if there were photo simulations submitted for the proposed changes. Tegeder stating the changes were being made to an existing pole. The Board requested more details on the proposal.

Upon a motion by Savoca, seconded by LaScala, and with all those present voting aye, the Board voted to close the meeting at 9:30 pm.