

Planning Board Meeting February 11, 2013

A regular meeting of the Planning Board, Town of Yorktown, was held on February 11, 2013, at the Yorktown Town Hall, 262 Underhill Ave. Yorktown Heights, NY 10598. The Chair, Rich Fon, opened the meeting at 7:35P.M. with the following members present:

John Flynn
John Savoca
Darlene Rivera
John Kincart
Ann Kutter

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 regarding Trump Plaza and Costco

Liaison Reports Kutter reported the Town Board is looking to digitize records.

Minutes: January 28, 2013

Upon motion by Flynn, seconded by Rivera, and with all those present voting aye, the Board approved the minutes of January 28, 2013.

Regular Session

Sierra Bella fka Samsel Minor

Request 1st 90 Day Time Extension

SBL: 47.5-1-13

Location: 1860 Hunterbrook Road

Contact: Terra Firma NY, LLC

Description: A 2 lot subdivision approved by Res #09-24 on September 14, 2009.

This project was tabled, as no representative came forward.

Planet Storage at Staples Plaza

Public Informational Hearing

SBL: 36.6-2-76

Location: 3333 Crompond Road

Contact: UB Yorktown, LLC

Description: Request for a Special Use Permit for a self-storage facility in the lower level of the existing main building pursuant to Town Code Section §300-75.

Tony Romano, project architect was present with Barry Poskanzer, architect, and Bob Aiello, project engineer. Romano stated this is an application for a special use permit. The purpose of this public informational hearing is to inform the neighbors, Romano submitted proof of mailing. The applicant has reached out to the neighbors who have made requests. The applicant has addressed lighting, car noise, disrepair of the fence line and glare. The applicant has provided neighbors with the towns noise ordinance. Additionally, the site will have prohibition on ideling and will address overnight parking. Romano described the project as reuse of the lower level of the Staples Plaza as self storage. The first stage will include installation of approximately 400 storage units, and an office. Aiello stated there are 4 large parking spaces for vans. The second phase will also be self storage. The prior use was assessorly storage. Presently the applicant is requesting storage as a main use and this can only be allowed with a special permit. Aiello reviewed the site plan. The 90,000sf storage facility will be installed below the retail building. There is a 9,000sf reduction of pervious pavement accomplished with gravel and landscaped islands. New striping will allow for 9 more parking spaces, and greening up the area will make patron feel more welcoming. The islands will create a corridor to guide patrons the loading area. The proposal calls

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for construction of a 4ft retaining wall and planting of trees and shrubs. The construction will separate customer and truckload areas, and angeling the parking spaces to improve traffic flow. The proposal also calls for the installation of two biofiltres and landscaped islands, recommended by the Conservation Board. The lighting will be improved to reduce glare with down lighting fixtures and shields. Postanza stated the area would become modern and friendly with a a more retail builing ambiance. The applicant wants the entire rear improved with a unified concept. This proposal will not include any additional square footage. Romano was asked to describe changes the applicant made Romano stated the new Autoparts warehouse made small changes to the stairs, and an ADA ramp was installed as well as a new railing. The proposal calls for new modern glass doors, security and fencing. Currently, the rear portion of the driveway is used to return to BJs or for trucks making large deliveries. The applicant is proposing a gate so not allow any large trucks to use the area over night. Fon opened the meeting to the public.

Nadine Mastandrea, 2374 Pine Grove Ct. Ms. Mastandrea stated she had written to the Planning Board about truck noise, lights, and fumes. She met with UB Realty and requested noise abatement be addressed. She was concerned with safety as this was a 7-day a week operation, and there is the issue of garbage..

Tim O'Connell, 2522 Pine Grove Court. Mr. O'Connel was conserved with removal of trees on property line, and the gate at his property. He requesting the proposed perimeter lights be moved to the center of the site. Mr. O'Connell asked about the approval process. Flynn stated when the Staples Plaza was installed the same complaints were issued. The ZBA included the ant- noise in the approval

Andria OConnell, 2522 Pine Grove Court. Ms. O'Connell asked if the green area on the applicant's plan indicated tree removal. Aiello stated the existing curbline will be maintained. Ms O;Connell questioned the availablity of storage for the former Bed Bath and Beyond space, and was told storage for this space still will remain. Aiello stated the applicant will enforce no ideling restrictions, and .is offering the option of a stockade fence which is a more substaintial 6ft fence along the entire side and rear property line.

Andrea Jacoby, 1336 Lynn Ct Ms Jacoby stated there is a problem with lights and noise. She stated people walk through my yard to get to the shopping center. She asked why we need another storage facility when we have one down the street. Additionally, she reported no one reached out to me or my neighbors.

Richard Woodruff, 2504 Pine Grove Court. Mr. Woodruff reported that trees are not being taken care of. Nadine Mastandrea, 2374 Pine Grove Ct. asked if this project was already approved, and was told no. Ms. Mastandrea stated she met with the Supervisor and the shopping center representatives. Fon stated the Planning Board is here to broadcast the information to the public.

JD Francois, Conservation Board member, stated this has come to the Conservation Board twice, and the planting plan has been made specific. Francois asked if the traffic istudy and air quality nformation has been completed. Romano asked for public Hearing on March 11. Tegeder stated the Board just received the applicant's information and wanted the applicant to return at the work session before a public hearing date was determined. Kincart requested the Board conduct a site visit. Flynn stated the ZBA was involved with the original appoval because of the cross easements, but wouldwant the anti-nosie, and neighborhood safety conditions adhered to. The Planning Board will review the compliance conditions set by the ZBA .

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

Upon motion by Flynn, second by Savoca, and with all those present voting aye, the Board closed regular meeting.

Work Session

Lake Osceola Realty Corp.

Discussion Site Plan

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SBL: 17.5-1-11

Location: 505 East Main Street

Contact: Site Design Consultants

Description: Proposed 27,000 SF office building and associated parking. Demolition of one existing residence.

Present were Joe Riina, project engineer, and Steve Marino, environmental scientist were present with the applicant. Riina stated the applicant is looking at a draft resolution. Additionally, the applicant, professional team and Town staff met with the DEC. The DEC requested the applicant pull back a portion of the parking lot, by moving away from the wetland and creating a larger buffer, resulting in less wetland disturbance. Riina stated the plan shows a wall going as high as 8 feet. The current plan shows the loss of several parking spaces, with 3 public access spaces remaining, and the addition of plantings. Tegeder asked if there would be adequate space available between these plants to view the lake. Marino stated the proposal calls for the removal of invasives and reseeded to fill in the gaps. Marino explained it could take just one growing season, but we go back for three years to ensure growth. Riina stated we still have to locate existing trees on the plan. Once we get acceptance from the DEC regarding this new limit of disturbance, we will move forward with more detailed engineering. **The walking trail is along the western edge of the parking lot and could lead to a kayak launch.** Tegeder wanted to discuss the lighting. Riina explained the lighting that spills off the property is on the Jefferson Valley Professional building and not on the lake side. Tegeder asked to revisit where and how the lights were mounted. Marino stated some of the light will spill into the wetland. Kutter asked if that will affect the wildlife in the wetland area. Tegeder asked about the stairs at the Sinapi lots and if they can be moved. Tegeder asked if the Board wanted the trail and the dock installed now, or as a future improvement. The Board wanted the trail installed now and the dock held for the future. Kincart suggested a kayak launch. The proposed trail will follow the western edge of the parking lot. Tegeder talked about the signage plan, parking, trail, and kayak launch. The Board requested a Town park sign for public parking placed at the entrance. Riina stated the conservation easement follows the wetland line. Tegeder stated the Town needs another easement for public access. The Board found the applicant has three additional parking spaces beyond the required amount. Flynn wanted all items 3-15 in the approving resolution be set to the satisfaction of the Planning Board. Tegeder wanted the lighting modification included in the resolution. The Board will have a decision statement, wetland permit, stormwater pollution prevention plan at the next regular meeting.

Cserenyi Property

SBL: 27.19-1-26

Location: 175 Loder Road

Contact: Ciarcia Engineering

Description: Amendment of a Conservation Easement within the Cserenyi Subdivision originally approved by Res #86-01 dated January 13, 1986.

Dan Ciarcia, project engineer, was present. Ciarcia explained that the project is to revise the conservation easement. Ciarcia submitted a survey that showed the limits of the existing concrete, no actual deck but with the doors to the deck in place. The discrepancy came to light as the applicant was about to sell the property. Ciarcia stated there is an encroachment into the conservation easement the applicant needs to address. The easement was never filed. The applicant will get a new survey, and a new conservation easement agreement. Ciarcia stated at the time when this was erected, the wetland limit was 50ft. Tegeder suggested a resolution that states the deck size that must remain. **Kincart suggested the easement show the meets and bounds which would the deck outside the original easement.** Wagner suggested the Board not reconfigure the conservation easement line. Tegeder stated this should be memorialized with

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a resolution. Ciarcia wanted to return after the survey is completed. Tegeder requested the dimensions of the deck be included on the survey.

Upon motion by Flynn, seconded by Savoca, and with all those present voting aye, the Board opened a special session.

Upon motion by Savoca, seconded by Rivera, and with all those present voting aye, the Board approved the resolution as modified.

Upon motion by Flynn, seconded by Rivera, and with all those present voting aye, the Board closed the special session.

Upon motion by Rivera, seconded by Savoca, and with all those present voting aye, the meeting was adjourned at 9:30pm