

**These are intended to be “Action Minutes”, which primarily record the actions voted on by the Planning Board on May 13, 2010. The full public record of his meeting is the audio/video recording made of this meeting and kept in the Planning Board’s records.**

**Present:** Robert Galvin, AOCPC, Chairman  
Michael Ianniello  
Lee Wexler  
Stewart Sterk  
Ingemar Sjunneemark  
Susan Favate, BFJ Planning  
John Winters, Building Inspector  
Susan Oakley, Village Landscaping Consultant

**AGENDA:**

**APPROVAL OF MINUTES**

**OLD BUSINESS:**

- 1. 613 Waverly Avenue (M -1 District) DCH Auto – Proposed paved parking lot. Site Plan Review.**
- 2. 441/442/524/534 Waverley Avenue – New Waverly Avenue Associates LLC and 306 Fayette Realty - (M -1 District) – Site plan review for proposed construction of an at-grade parking facility.**

**PUBLIC HEARING CONTINUED (ADJOURNED)**

- 1. 800 Fenimore Road, Nolles Ridge (R-6 District) Subdivision/Wetlands Permit to create six (6) building lots and on conservation lot.**

**NEW BUSINESS:**

- 1. 760 Old White Plains Road (C-1 District) Angelo’s Service Station – Informal discussion for a proposed addition to existing automotive repair shop. Site Plan Review.**

**The meeting was opened at 7:10 P.M**

**MINUTES**

A motion was made by Mr. Sterk, seconded by Mr. Ianniello to approve the minutes of the Regular Meeting of the Planning Board held on April 22, 2010

Ayes: Galvin, Sterk, Ianniello, Wexler, Sjunneemark  
Nays: None  
Absent: None

Mr. Galvin stated that the next meeting of the Planning Board has been changed to Monday May 24, 2010. The June 10, 2010 meeting has been cancelled and the next meeting after that will be June 24, 2010.

**OLD BUSINESS:**

**1. 613 Waverly Avenue (M -1 District) DCH Auto – Proposed paved parking lot. Site Plan Review.**

Paul Anderson, the applicant's engineer, explained the lighting plan, and landscaping revisions.

Ms. Favate stated that Mr. Anderson provided the requested information to Mr. Sid Burke, BFJ's lighting consultant.

Mr. Galvin stated that the nine (9) light poles would be 16 feet tall and the wattage would be 250 each. Mr. Galvin indicated that SEQRA was closed at the previous meeting.

There were no questions or comments from the Board.

Mr. Furey's memo regarding storm water management was entered into the record.

A motion was made by Mr. Sterk, seconded by Mr. Sjunneberg to approve the final site plan for 613 Waverly Avenue parking lot plan, revised 5/10/2010 and subject to 56 parking spaces being dedicated to the use of DCH Auto at 700 Waverly Avenue.

Ayes: Galvin, Sterk, Ianniello, Wexler, Sjunneberg

Nays: None

Absent: None

**2. 441/442/524/534 Waverley Avenue – New Waverly Avenue Associates LLC and 306 Fayette Realty - (M -1 District) – Site plan review for proposed construction of an at-grade parking facility.**

Joe Cermele of Site Design addressed the Board. Mr. Cermele stated that since the last meeting they have responded to landscaping and lighting requested revisions.

The applicant has included five (5) additional trees along Waverly Avenue. These additions were reviewed and approved by Ms. Oakley, the Village's landscape consultant.

On the lighting plan, the applicant has added 2 poles at 524 and 534, decreased the flood lights, raised the wattage of the lighting to spill over at the rear and reduced poles to 16 ft as the Board requested.

Ms. Favate stated that Mr. Burke of BFJ has signed off on the revised lighting plan.

Mr. Wexler indicated that the lighting should be metal halide instead of high sodium. This had been agreed to by the Board at the last meeting.

Mr. Galvin indicated that the applicant's engineer should revise the site plans to indicate metal halide prior to the Chair stamping and sealing the final plans.

Ms. Oakley approved the landscaping plan in a memo, which was included in the record. There were no questions or comments from the Board.

Mr. Galvin stated that the Planning Board sent notice of intent to be Lead Agency over 30 days previous and have had no response from any involved agencies.

Mr. Furey's memo stated that he reviewed the DEC remediation plan for the Brownfield site but approval will be required from the DEC before the Building Department can issue a building permit. Mr. Winter, the Building Inspector, can issue a demolition permit as the DEC sent a letter stating it could be done but the applicant has not yet provided a plan. The only proposed work in the Brownfield site is the parking lots.

Mr. Galvin read Mr. Furey's memo into the record.

A motion was made by Mr. Sterk, seconded by Mr. Sjunneemark to issue a Negative Declaration under SEQRA for the proposed action at 441/442/524/534 Waverly Avenue.

Ayes: Galvin, Sterk, Ianniello, Wexler, Sjunneemark

Nays: None

Absent: None

A clarification was requested of the applicant's engineer regarding the revised dates on the site plan, lighting sheet and landscape sheet. The applicant's engineer confirmed that the revised dates were as follows:

- Lighting sheet revised 5/7/10
- Landscape sheet revised 5/11/10
- Site Plan revised 4/8/10

A motion was made by Mr. Sjunneemark, seconded by Mr. Sterk to approve the final site plan revised 4/8/2010, lighting sheet revised 5/7/2010; and landscape sheet revised 5/11/2010 for 441/442/524/534 Waverly Avenue. Lighting plan shall reflect metal halide.

Ayes: Galvin, Sterk, Ianniello, Wexler, Sjunneemark

Nays: None

Absent: None

**The public hearing for 800 Fenimore Road - Nolles Ridge has been adjourned until all requested revisions have been completed by the applicant and reviewed by the Village's consultants.**

## **NEW BUSINESS**

### **1. 760 Old White plains Road (C-1 District) Angelo's Service Station – Informal discussion for a proposed addition to existing automotive repair shop. Site Plan Review.**

Mr. Donald Mazin, 1415 Boston Post Road, the applicant's attorney, addressed the Board. He introduced Mr. Fred Grippi of R&G Associates, the applicant's architect.

Mr. Grippi addressed the Board. He stated that the service station has a small service area. The applicant would like to be able to work on more cars inside as well as store customer cars inside overnight. The site plan adds a planting area to enhance the intersection, as well as adding dry wells. The proposed improvements are not increasing the amount of impervious surface on the site.

Mr. Galvin requested that the property's storm water management plan to be sent to Mr. Furey for engineering review.

Ms. Oakley commented on her memo asking for the addition of street trees on Old White Plains Road. These would be smaller in height and habit. The overhead wires at this location are 19 feet above the street and could accommodate the recommended trees. She provided three suggested species in her memo. The memo was included in the record. Ms. Oakley also commented on the small tree in the planting bed at the intersection. She indicated that this will need to be relocated and should be marked on the plan.

Mr. Galvin asked applicant to look at a different type of fence instead of chain link. The Planning Board would prefer that the fence be black and suggested that the applicant look at 613 Waverly as an example. The fence based on code should be 4 feet high since it is in a front yard.

Ms. Favate met in March with the architect. At that time, she was concerned about 2 parking spaces in the driveway. She recommended that the applicant eliminate 1 space for safety; the applicant will still have 24 parking spaces. The other suggestion was that the applicant should attempt to plant grass or a vine on Grand Street to soften the façade from the residences on the other side of Grand Street.

Mr. Sterk suggested a narrower garage to allow more space on the side for landscaping. Mr. Grippi indicated that he will look at that suggestion. Mr. Galvin suggested in keeping with Mr. Sterk's comments that the Board would like to soften the look of the addition, especially for the Grand Street residences opposite the site.

Mr. Winter also indicated that the ZBA as part of their analysis of the requested variances will also ask for alternatives.

The Board discussed the layout, the retaining wall and fence.

Anthony Marsella of 111 Grand Street addressed the Board. He provided photographs of the site. He indicated that the masonry wall at the back end of the property is probably 4-5 ft high, overall the area is pretty narrow and there won't be much usable space.

Mr. Galvin stated that a 4 ft black picket type of fencing (similar to 613 Waverly) would be a significant improvement over what is currently on the site.

Mr. Marsella stated that, in general, the ZBA made an issue of the two vehicles parked on the property that are used by the owner.

Mr. Marsella stated that Angelo owns the entire property. He has had no problem with Angelo since he moved into the 2 bay garage. It is a vast improvement, although there is no enclosure for a dumpster.

Mr. Galvin stated that the applicant will need to apply for a dumpster enclosure permit as part of this site plan application.

Mr. Winter stated that all work must be done inside of the building and that no servicing of vehicles is allowed outside.

The Board discussed the plan and roof elevations.

Mr. Marsella stated that as part of public record he knows for a fact that the repair shop has been cited for having an excess amount of cars at least once.

Mr. Galvin indicated that the Planning Board will need to wait for the ZBA to review and approve any variances. This would then provide the Planning Board with the building envelope for their site plan review.

Mr. Marsella showed a photo of the corner of the building stating that what is there now is intrusive. He further stated that he is all for improvement but is concerned about mass as the property is maxed out now.

Mr. Sjunneemark had to leave the meeting at 8:00 PM and was excused.

Mr. Galvin stated that it is in the jurisdiction of the ZBA to review and either approve, deny or modify the requested area variances. It is the preference of the Planning Board to have a 5-10 feet buffer along Grand Street in order to provide landscaping for the homes on the other side of Grand. The existing fence along the property needs to be replaced. The corner of the site at Grand Street and Old White Plains Road does not look good now with the existing jumble of parked cars. The fence along Grand Street may also need to be higher than 4 feet in order to provide additional buffering. This would be a variance requirement from the ZBA but may be worthwhile to provide buffering for the Grand Street homes.

Mr. Winter asked the applicant to show how cars will be parked on the site plan. Traffic and visibility at the corner were discussed. Mr. Winter suggested that BFJ review the fence height and any issues with sight lines.

Mr. Galvin stated that the ZBA should probably assume lead agency status on this application since they are dealing not only with the special permit but also a number of area variances that will dictate the property's proposed expansion. .

Mr. Galvin stated the ZBA will set the building envelope with their review and approval of the area variances. It would be the preference of the Planning Board that we would like a potential 5 - 10 foot buffer on the side (preferably closer to 10 feet) as there is only 2 feet there now. This would provide the possibility for a landscaped buffer. Mr. Galvin requested that Mr. Ianniello and Ms. Favate prepare a memo to the ZBA summarizing our comments.

Mr. Mazin thanked the Board and the matter was adjourned.

### **Adjournment**

A motion was made by Mr. Sterk, seconded by Mr. Ianniello to adjourn the meeting at 8:11P.M.

Ayes: Galvin, Sterk, Ianniello, Wexler,  
Nays: None  
Absent: Sjunneemark

Minutes prepared by:

Francine M. Brill