

Planning Board
Village of Tarrytown
Regular Meeting
June 26, 2006 7 p.m.

PRESENT: Chairman Friedlander; Members Aukland, Tedesco; Counsel Shumejda;
Village Engineer/Building Inspector McGarvey; Secretary D'Eufemia;
Planner Geneslaw; Landscape Architect Yarabek
ABSENT: Mr. Demers

APPROVAL OF MINUTES

Mr. Tedesco moved, seconded by Mr. Aukland, and unanimously carried, that the minutes of May 17, 2006, be approved as submitted.

Mr. Tedesco moved, seconded by Mr. Aukland, and unanimously carried, that the minutes of May 22, 2006, be approved as submitted.

Mr. Tedesco moved, seconded by Mr. Aukland, and unanimously carried, that the minutes of May 30, 2006, be approved as submitted.

Mr. Tedesco moved, seconded by Mr. Aukland, and unanimously carried, that the minutes of June 14, 2006, be approved as submitted.

PUBLIC HEARING – SWIFT – 15 BIRCH WAY

Chairman Friedlander read the following Notice of Public Hearing:

PLEASE TAKE NOTICE that the Planning Board of the Village of Tarrytown will hold a public hearing on Monday, June 26, 2006 at **7:00 p.m.** at the Municipal Building, 21 Wildey Street, Tarrytown, New York, to hear and consider an application by:

Viveca J. Swift
15 Birch Way
Tarrytown, New York 10591

To consider the application for site development plan approval for property she owns at the above address for removal of existing garage and replacement with construction of a 1-1/2 story addition to east side of house and construction of new covered front entrance porch.

The property is shown on the Tax Maps of the Village of Tarrytown as Sheet 19, Parcel P64C and is located in an R-15 (Residential) Zone.

Documents are available for inspection in the Planning and Zoning Office. All interested parties are invited to attend and be heard. Access to the meeting room is available to the

elderly and the handicapped. Signing is available for the hearing-impaired; request must be made to the Village Clerk at least one week in advance of the meeting.

The certified mailing receipts were submitted.

Mr. Sam Vieira, architect, stated they are proposing a 1-1/2 story addition to the right side of the house as viewed from Birch Way (to the east.) There is a one-story garage and that will be replaced with this addition. The main reason for this project is Mrs. Swift's mother will be coming to live with them and this will create space for her while she is there. They will be adding a sitting room, bedroom and full bath. Several variances are needed because this is an odd-shaped lot and an undersized lot for the zone. The house is a very old house. The subdivision around it was approved with trying to maintain the house in its present location. The other houses are conforming in size and shape. Most of the required variances are for existing non-conformities. They were able to maintain the zoning requirements to the east. They are also creating a covered porch in the front of the house. The house suffers from an identity problem because you are not sure which is the front of the house.

Chairman Friedlander questioned whether anyone wished to address the Board on this matter. No one appeared.

Mr. Geneslaw stated it is a reasonable location for the proposed addition. He noted at the last meeting Board members had some concern about the shed on the property.

Mr. Vieira stated the shed has been on the property for a long time. In an effort to move it away from the addition and conform with the zoning codes, they only moved it slightly. They are not encroaching on the front setback. The shed tucks in nicely. In the previous location it was much closer to the adjacent home. If anything, the shed has been pulled farther away from the adjacent neighbor.

Mr. Vieira submitted the following letter dated May 3, 2006, from Kevin J. Plunkett, 22 Birch Way, which was sent to the Zoning Board of Appeals:

“Swift Application – 15 Birch Way – Variance Request

My wife Rosemary and I live at 22 Birch Way directly across the street from Robert and Viveca Swift, owners of 15 Birch Way.

The Swifts have met with my wife and me to explain the proposed construction to their existing house which contemplates the removal of the garage and the addition of a living facility to house Mrs. Swift's mother. We understand there are variances required in order to accomplish this project.

My wife and I have no objection to the addition proposed and have no objection to this letter being made part of the ZBA's record on the Swift's request for variances.

If you have any questions, please do not hesitate to call me.”

Upon Board inquiries, Mr. Vieira stated the shed is about 10 ft. x 10 ft. and is used for storage. He submitted a photograph of the shed, which was built in keeping with the style of the house.

Mr. Tedesco moved, seconded by Mr. Aukland, and unanimously carried, that the Planning Board declares itself Lead Agency on this application.

Mr. Tedesco moved, seconded by Mr. Aukland, and unanimously carried, that the hearing be closed.

Mr. Tedesco moved, seconded by Mr. Aukland, and unanimously carried, that the Planning Board determines there will be no adverse environmental impacts as a result of this proposal.

Mr. Tedesco moved, seconded by Mr. Aukland, and unanimously carried, that the Planning Board approves the application for 15 Birch Way consisting of removal of the existing garage and a 1-1/2 story house addition with a covered front porch subject to:

1. Approval by the Building Inspector
2. Approval by the Zoning Board of Appeals for needed variances
3. Approval by the Architectural Review Board
4. Approval of a tree protection plan by the Village's Landscaping Consultant for the several large trees near the house
5. As construction is done, approval by the Village's Landscaping Consultant of screening for the shed
6. Payment of any outstanding escrow fees before granting of a building permit
7. Signing of the final site plan by the Planning Board Chair.

PUBLIC HEARING – HOLY SPIRIT ASSOCIATION FOR THE UNIFICATION OF
WORLD CHRISTIANITY (HSA-UWC) – LOT 11 JARDIM ESTATES

Chairman Friedlander read the following Notice of Public Hearing:

PLEASE TAKE NOTICE that the Planning Board of the Village of Tarrytown will hold a public hearing on Monday, June 26, 2006, at **7:00 p.m.** at the Municipal Building, 21 Wildey Street, Tarrytown, New York, to hear and consider an application by:

The Holy Spirit Association for the Unification of World Christianity
Jardim Estates (Lot 11)
9 Emerald Woods
Tarrytown, New York 10591

To consider the application for site development plan approval for property they own at the above address for a parking area and site improvements.

The property is shown on the Tax Maps of the Village of Tarrytown as Sheet 26, Parcel P-71 and is located in an R-60 (Residential) Zone.

Documents are available for inspection in the Planning and Zoning Office. All interested parties are invited to attend and be heard. Access to the meeting room is available to the elderly and the handicapped. Signing is available for the hearing-impaired; request must be made to the Village Clerk at least one week in advance of the meeting.

The Certified Mailing Receipts were submitted.

Mr. Norman Sheer, attorney for the applicant, stated there was a meeting this afternoon with the Village's Landscape Architect and the applicant's Landscape Architect. As a result of that meeting, it was determined it would be best to hold this application over until next month.

Ms. Roula Nedo, 55 Stephen Drive also known as 548 South Broadway, stated she needed to know a date for completion of the road to Broadway. She noted she recently had her fire alarm go off accidentally. Emergency services respond to her 548 South Broadway address and they couldn't find her. Signage is also poor. "They have to be required to make it a passable road so everyone can get in and out."

Mr. McGarvey stated they are finishing the curbing. They will be doing the sub-grade and then the paving. Chairman Friedlander stated Mr. McGarvey should get the schedule for this work and give that information to the Planning Board Secretary so residents could contact her for those dates.

Chairman Friedlander stated Ms. Nedo should contact the emergency services and let them know how to reach her until the work is completed. Ms. Nedo stated she has done this. Chairman Friedlander stated Mr. McGarvey should also look into the signage.

Ms. Linda Viertel, Gracemere, questioned what is being requested for parking for Lot 11. Mr. Tedesco stated they are requesting seven spaces and there are places where the driveway comes out that would allow more – maybe up to ten spaces. Ms. Viertel stated she was pleased the property is being improved; however, it is an R-60 residential zone and parking for ten cars is a poor precedent for a single-family zone. Single-family homes don't need parking for ten cars. That is a poor precedent in general for Tarrytown. Mr. Tedesco stated the Planning Board has a lot of problems with the parking and hopefully in the next month some of these can be addressed.

Ms. Cherie Gaines, 612 South Broadway which is also part of the 548 South Broadway drive, stated the signage is atrocious. She stated she has vigorously objected to three car garages and any inclination to accept six to ten cars at the house on Lot 11 is going to congest this driveway in both directions. The planned driveway is too narrow. The

driveway cannot support the cars already there. This is not consistent with the neighborhood.

Ms. Kamiyama, 548 South Broadway, stated the plot of land where they propose to build the parking is actually a garden. It used to have a waterfall. It is a treasure. It would be a shame to turn it into a parking lot. The garden can be restored for everyone to enjoy.

Board members unanimously agreed to continue the hearing at their July meeting.

CONTINUATION OF PUBLIC HEARING – BROADWAY TARRYTOWN (C-TOWN SUPERMARKET) – 106 – 114 NORTH BROADWAY

Mr. Tom Abillama, architect, stated they took the Planning Board's comments into consideration. They moved the registers from the front to the side. Instead of having a front addition, they are now proposing to go out 10 ft. in the back. It is a 1,000 sq. ft. addition. The coffee shop will be in the front with the outdoor seating. The delicatessen was moved to the back. Board members stated the revised plans are a big improvement.

Upon inquiry, Mr. Abillama stated they will not lose any parking spaces. They are also still in discussions with their neighbor to the south to see if they will allow trucks to pull through their property. They are reviewing the curb cuts with Mr. McGarvey.

Mr. Robert Bonvento, 42 Hamilton Place, stated when the current owners took over C-Town, everyone will testify it was an incredible upgrade. The façade is appealing and everyone in the store is helpful. One of the owners or the manager is always present. The quality of the product is high and prices are consistently below other grocery stores. They are an asset, and the proposal is a plus for the Village.

The Planning Board Secretary stated the revised plans will require a new application to be submitted and a new legal notice done for the next meeting.

Board members unanimously agreed to continue the hearing at their July meeting on a new notice.

CONTINUATION OF PUBLIC HEARING – COLLADO – 116 SOUTH BROADWAY

Mr. Collado stated they were requested to meet with neighbors and have done so. They also have their structural engineer present tonight.

Mr. John Meyer, engineer, reviewed the plans for the retaining wall with the Board. He noted there would be weep holes on the wall that drain to dry well chambers.

Mr. Tedesco noted there is a retaining wall for the neighbor on his property. He questioned whether the disturbance that is done would have any effect on the other retaining wall. Mr. Meyer stated it is a shoring installation and they will be monitoring it. There will probably be piles to temporarily support the embankment.

Mr. James Haggerty, 117 Grove Street, stated he has seen the plans for the landscaping and walls and he has no objections.

Ms. Gina Conto, owner of 120 South Broadway, stated they asked Mr. Collado to not put a wall between his property and theirs but to put landscaping instead and he has agreed to that. Chairman Friedlander stated the Board would have the Village's Landscape Architect approve the appropriate landscaping for that location.

Mr. Tedesco moved, seconded by Mr. Aukland, and unanimously carried, that the hearing be closed.

Mr. Tedesco moved, seconded by Mr. Aukland, and unanimously carried, that the Planning Board declares itself Lead Agency on this application.

Mr. Tedesco moved, seconded by Mr. Aukland, and unanimously carried, that the Planning Board determines there will be no adverse environmental impacts as a result of this proposal.

Mr. Tedesco stated the Village Code currently prohibits construction in steep slope areas or disturbance in steep slope areas; however, there are important factors the Board takes into consideration. This is an existing building and safety conditions make this a special case. Currently the two cars in the driveway must back out onto Broadway. This is further enhanced by the fact the school is across the street. There is a real need to address this safety concern. Providing some parking in the rear would mitigate this safety issue.

Mr. Tedesco moved, seconded by Mr. Aukland, and unanimously carried, to approve the application for parking at 116 South Broadway subject to:

1. Approval of the Building Inspector, particularly in regard to storm water and drainage and the proposed retaining wall
2. Approval of a landscaping and screening plan by the Village's Landscaping Consultant to include whatever trees or shrubs he feels would be appropriate for the neighboring property to the south
3. Approval of the Zoning Board of Appeals of any required variances
4. Payment of any outstanding escrow fees prior to the issuance of a building permit
5. Signing of the final site plan by the Planning Board Chair.

PUTNAM AVENUE HOMES – HILLSIDE STREET – LOTS 3 AND 4

Chairman Friedlander recused himself on this application. Mr. Tedesco chaired this portion of the meeting.

Mr. Chris Pateman, architect, stated they made a number of changes. He stated they prepared a satellite image, which shows the footprint of the proposed houses overlaid over existing houses in the neighborhood. The footprint of the proposed houses is fairly consistent with the homes in the area. Although some of existing homes are 900 sq. ft. or 1,000 sq. ft., they have about the same coverage. They have reduced the footprints of the proposed houses. The houses are about 250 sq. ft. smaller – down to 3,093 sq. ft., and they have significantly reduced the amount of area that will be disturbed.

Mr. Tedesco stated a concern is the size of the homes. He noted he had done a comparison of house sizes in the area with the proposed houses. Taking into account the difference in lot sizes, the proposed houses are between 1.5 times to 2.2 times larger on the average. He stated the footprint is something different, and he realized some surrounding houses could increase in size. He stated his primary concern is the steep slope issue and perhaps moving the houses closer together and changing their orientation would reduce that impact. The applicant could also consider one house rather than two. They are proposing removing a lot of land in the back and that raises concerns about water retention and the effects on the water table.

Upon inquiry from Mr. Aukland, Mr. Pateman stated they would show the ridgeline and hilltop setback on the plans. Mr. Tedesco stated the proposed houses should also be shown on the steep slopes map.

Mr. Pateman stated he would be putting all the revisions together for presentation to the Board for their next meeting. Mr. Tedesco stated there should also be a list of all the changes.

Mr. Tedesco questioned whether anyone wished to address the Board on this matter. No one appeared.

It was agreed to continue the hearing at the Board's July meeting.

Chairman Friedlander returned to the meeting.

CONTINUATION OF PUBLIC HEARING – CRESCENT ASSOCIATES – 155 WHITE PLAINS ROAD

Mr. Mark Fry representing Crescent Associates stated they have submitted the Draft Final Environmental Impact Statement. There were three public hearings on the DEIS

and they have responded to all the comments at the hearings and those submitted in written format.

The Board noted they were in receipt of a memo dated June 22, 2006, from Mr. Yarabek relative to the revised 6/12/06 Tree Protection Plan. Mr. Fry stated they agreed with Mr. Yarabek's comments in that memo.

Mr. McGarvey stated he is still reviewing the Draft FEIS.

Mr. Geneslaw stated it would be useful in the FEIS to provide graphic information about what the protection measures would be for the trees. The economic valuation analysis was done after the DEIS was completed and it should be referenced in the FEIS. The Board received a letter from Adler Consulting indicating the applicant is considering renting some existing office space to a bank. The purpose of that letter was to indicate the parking requirements would not change. That should also be referenced in the FEIS.

Chairman Friedlander questioned whether anyone wished to address the Board on this matter. No one appeared.

Chairman Friedlander noted the Planning Board, Village representatives, the Mayor, and John Canning of Adler Consulting met with the State D.O.T. about moving traffic along Broadway. Mr. Canning presented the queuing in front of Double Tree to get onto the Thruway. He stated he was not sure Mr. Canning factored in the traffic from this proposed development and if that is included in the FEIS. He stated he would review that with Mr. Canning.

All agreed the hearing will be continued at the Board's July meeting.

CONTINUATION OF PUBLIC HEARING – WILSON PARK HOME AND LAND COMPANY, LLC – WILSON PARK DRIVE – SUBDIVISION

Mr. Norman Sheer, attorney for the applicant, stated the FEIS is being prepared. Tonight they would like to review with the Board the enhanced plan.

Mr. Kevin McManus of WCI, stated they have modified the proposed subdivision plan to show a fourteen lot subdivision instead of seventeen lots. This contemplates the purchase of land by the Village and creation of a significant open space area. They planned to develop the north parcel with ten lots. That would be along the alignment of the existing Wilson Park Drive. In laying out the ten lots they situated homes as best they could preserving trees for variation in setbacks and working with the topography to push homes behind elevations that would take the mass of the homes away. On the western side of Wilson Park Drive several houses sit on a low area. A significant number of trees in front of them were preserved and there was the use of common driveways. On the southern portion they created a park. Four houses are served off Warner Lane. They

created a front to back open space that preserved the ridgeline. It enables access to the trail and down to the soccer field.

Mr. Sheer stated it would be beneficial to arrange another site walk so the Board could view this layout in the field.

Mr. McManus stated there had been significant discussion on storm water and Kellard Engineering has developed a revised plan.

Mr. Kellard stated they tested soils on both the south and north parcel to see if there is a possibility of infiltrating the storm water system. The Dvirka & Bartilucci study pointed toward the benefits of treating the currently untreated storm water. The Mankiewicz study is concentrated on zero discharge, and Mr. Kellard stated he did not thoroughly agree with that study. The systems would be too large for these small sites. In a rainfall the initial one-half inch runoff carries the majority of the pollutants. There is no significant benefit in infiltrating the full one hundred year storm. What they have recommended is a hybrid of the two studies.

Mr. Tedesco stated perhaps if the two consultants work with Mr. Kellard a plan can be developed that is acceptable to everyone.

Mr. Jim Walter, Crest Drive, stated he is concerned about the path of the water and how much would run into the lake. Four municipalities drain into this lake. This developer needs to get the water to the river. The drainage system in this area is antiquated and some of it is clogged. The Number 1 priority in Tarrytown should be drainage.

Mr. Kellard stated with the infiltration system they are proposing 90% of rainfalls will be stored and infiltrated through their infiltration system. In the DEIS they did a complete pollution analysis – currently and after their development. There is a significant reduction going to the lakes because of the size of their storm water facilities and accommodating offsite work currently going to the lakes.

Mr. Tedesco stated when the Board approved the DEIS they based in on Plan B-1. The differences between that plan and this modification shows good things on the north portion. There is more open space in that area, Lot 14 has been moved away from the Sleepy Hollow border, and easements have been provided for connections to trails. In the southern section in the western part it is pretty much the same as Plan B-1. He stated his concern was the eastern part. He showed Mr. McManus on the plan where his concerns were based and stated there could possibly be a reorienting of the houses to gain a larger open area. Mr. McManus agreed stating they were trying to work with the relationship to the Ice House; however, it can be adjusted. Mr. Tedesco stated this can be reviewed in the field during the site visit.

Ms. Cherie Gaines, 612 South Broadway, stated all the discussion about water has been about rain water. She stated she was concerned about septic tanks creeping into the soil and into the lakes. Mr. McManus stated the project is in a sewer district and they will be tying into public sewers.

Mr. John Lynch, Crest Drive, stated the Village has been negotiating the purchase of property to reduce the development to fourteen lots, but there should be no discussions before the twelve month review recommended by PCI has been done. "If we are concerned about saving the lakes, we will stop building around the lakes. The second lake is about to go septic."

Ms. Angela Schneider, 16 Fairview Avenue, stated she did not understand why development is being considered to be allowed to go ahead when the Village hired PCI and the initial testing said there needed to be a one-year study to determine where the pollution is coming from. In Windle Park there are five drains, which connect to a 2 ft. wide pipe, which spews its discharge into the lakes now. In regard to the two houses on Warner Lane, there is a culvert, which is eroding. With two more houses there will be a gorge. Mayor Fixell has promised zero discharge into the lakes. Ten percent is not zero discharge. The one-year study needs to be done.

Mr. Kellard stated the storm water discharge from their project has always been noted to be no increase in pollutant loads and no increase in volume from the property. They are maintaining present flow rates and reducing the pollutants into the lakes. The storm water flows are treated and then discharged to the wetlands that go into the lakes. The pollutants into the lakes are caused by four hot spots – the southeast corner in the area of residential development south of the lakes in the Marymount school area, the Rockefeller site where there is a golf course which is heavily fertilized and there is no treatment before the water goes into the lakes, and two Village sites, one which has landscaping materials (leaves, grass clippings) and the other which has asphalt.

Mr. Lynch stated on a normal basis their filtration system will be able to handle what is going on but when you get four-hour storms, it won't. There is no way of handling that type of loading in a four-hour timeframe. The organic loading in the second lake is building up every year.

Chairman Friedlander stated the Board recognizes the problem and they are working toward a solution.

Mr. Robert DeRocca, owner of the Ice House, questioned how large the houses will be. Mr. McManus stated they will be 5,000 sq. ft. to 7,500 sq. ft. Mr. DeRocca stated that is not consistent with the neighborhood. Mr. McManus stated it is consistent with some of the houses in the area. Chairman Friedlander stated that is a site plan issue.

After discussion about a site walk, it was agreed to schedule this for July 12th at 3 p.m.

Mr. Tedesco moved, seconded by Mr. Aukland, and unanimously carried, that the Planning Board urges the Board of Trustees to implement the PCI short-term plan for the lakes and to begin the year long quality monitoring for the lakes.

Mr. Sheer stated the Village should also look at its contribution to polluting the lakes and clean up its dump sites. Mr. McGarvey stated they are looking into that.

Ms. Linda Viertel, Gracemere, stated the Village should contact the Rockefellers who should also do something about their discharge into the lakes. They need to be aware of how concerned the Village is.

Mr. Tedesco moved, seconded by Mr. Aukland, that the Planning Board requests the Board of Trustees contact the Rockefellers (Greenrock Corporation) to urge them to comply with the environmental concerns they have always had and to take care of the Tarrytown Lakes.

Mr. Walter stated that in addition to the Rockefellers, the Towns of Greenburgh and Mt. Pleasant should be contacted.

Mr. Mark Fry, Independence Street, stated he is a member of the Lakes Committee. He stated contacting Greenrock is an important step; however, the approach needs to be carefully structured so they will respond well. He stated his committee would like to coordinate those efforts with the Planning Board and the Board of Trustees.

Mr. Tedesco noted when the Planning Board approved a site plan for improvements at Marymount Convent in November 2005, one of the conditions of that approval was that they comply with the recommendations of Dvirka & Bartilucci to control runoff from their property into the lakes.

The Board unanimously agreed to continue this hearing at their July meeting.

CONTINUATION OF PUBLIC HEARING – VILLAGE OF TARRYTOWN – WEST
MAIN STREET – RECREATION/AQUATICS CENTER

Chairman Friedlander stated this matter was being adjourned until the Board's July meeting.

Chairman Friedlander stated Trustee Doug Zollo is working carefully with the U.S. Swimming Association who is helping design the aquatics center and a business plan that will be significant in making this tax-free for Village residents. Approximately 6,000 sq. ft. has been added to the aquatics center and the Board should have plans by the next meeting.

CONTINUATION OF PUBLIC HEARING – HOLY SPIRIT ASSOCIATION FOR
THE UNIFICATION OF WORLD CHRISTIANITY (HSA-UWC) – SOUTH
BROADWAY – NEW CHURCH

Mr. Norman Sheer, attorney for the applicant stated at the last meeting they were requested to supply more visuals. They have prepared a presentation. He noted they also have received the report from Dvirka & Bartilucci and they will answer those questions at the next meeting.

Ms. Gina Martini of Saccardi & Schiff stated they spoke with the Fire Chief and he has no problem with the fire access. She stated they received a memo from Mr. Geneslaw who made some comments about the uses at Belvedere and she thought they had fully addressed those. Mr. Geneslaw stated he just wanted to bring to the Board's attention that the issue had been discussed a year ago since he did not know whether that had been resolved.

Chairman Friedlander stated the question then and the concern is that Belvedere not be used as an addition to the education and church related activities so the use does not get intensified. What Belvedere will be used for in the future was the concern. Mr. Sheer stated Belvedere, to the best of his knowledge, has never been used for religious services. It has been used as a meeting space and for overnight guests. Ms. Martini stated the existing Building No. 6 on the property is where the religious services are currently occurring. There are also some youth activities in that building. They cannot accommodate everyone in that building. It is antiquated space. In that space the childcare will continue and they indicated what the increase would be. None of the other buildings will be changing with regard to the use or intensity of the use.

Mr. Tedesco questioned if the improvements to Building 6 would only be improvements and not expansion. Ms. Martini stated, "That is my understanding." Mr. Sheer stated because of the current shortage of space they sometimes have to put up tents for services. This will eliminate that need.

A slide presentation was made for the Board.

Chairman Friedlander stated earlier in the meeting he mentioned a meeting that was held with the State D.O.T. John Canning brought a sketch about the efforts to try to bring the driveway in a location that would work with the plans for increasing traffic flow going south on Route 9 and changing the road configuration in front of this property. The Village will be putting in a proposal to the D.O.T. and would ask the church's participation in support of the proposal to make Route 9 safer in front of this property. Mr. Sheer stated they understood the concerns about Route 9. He questioned whether the plans involve moving the entranceway to this property. Chairman Friedlander stated they did not. They are determining whether they have the width to widen the road. That study is being calculated. Mr. Sheer stated they would like to move this project along and

perhaps they could develop an alternate plan for the cut in the road. They could reconstruct the wall at the driveway for better sight distances and there could be an alternate plan for the driveway entrance.

Mr. Tedesco stated they should arrange a meeting with the Architectural Review Board to show them the new architectural plans. The landscaping also needs to be addressed.

Chairman Friedlander stated since this is a site plan for the 26 acres, Mr. Yarabek should look at the whole property.

Mr. John Lynch, Crest Drive, stated the truck traffic on Route 9A is terrible. The truck traffic will start moving to Route 9. Chairman Friedlander stated there were discussions with Assemblyman Brodsky and Senator Spano about the Route 9A bypass. That is still alive but it needs to be pushed and needs inter-municipal cooperation.

Mr. Geneslaw stated the applicant should look at the Part III EAF and bring it up to date.

The Board unanimously agreed to continue the hearing at their July meeting.

CONTINUATION OF PUBLIC HEARING – FIRST KOREAN METHODIST
CHURCH OF NEW YORK – 500 SOUTH BROADWAY

Mr. Norman Sheer, attorney for the applicant, stated last month they said they would bring a day-by-day, hour-by-hour, study of the need for parking. Unfortunately, in the middle of the month the Pastor took half the congregation to Mexico so they will bring that study in July. He noted their engineer, Joe Riina, has been in discussions with Mr. McGarvey.

Mr. Riina stated by doing some minimal grading they can make the area higher and create a berm. Flood storage capacity of the lower area is about 6,900 cubic feet. With the damming effect that can be increased six times, to about 42,000 cubic feet. That would protect the downstream areas. Chairman Friedlander questioned whether it would floor into the parking lot. Mr. Riina stated part of the parking lot may get flooded but it would be temporary and under extreme conditions. Chairman Friedlander questioned whether this wetlands would flow into the Hudson River. Mr. Riina stated it would.

Mr. Sheer stated this alternative would mean losing trees along Broadway and they would expect to be required to do some serious compensation planting. This plan saves the parsonage and keeps everything off Walter Street. The plan has benefits for the neighborhood. A variance will be needed to go into the buffer, but there are advantages. In reviewing the plan, Mr. Tedesco noted nineteen trees would have to be removed.

Mr. Adam Balkin, 1 Glenwolde, President of the Glenwolde Association, stated one line of solid trees and bushes will replace an entire forest. Currently there are no cars and

children play in the area. At previous meetings there was talk about contacting neighboring businesses and he questioned whether this had been done. He read a letter that he had written to Kraft asking them to consider providing parking for the church. He noted he has been out of the country on business so he just sent the letter today.

Mr. Tedesco stated a letter has been drafted from the Mayor to all the area businesses asking them to provide parking for the church. After responses from the businesses are received, a meeting should be held with them.

Mr. Balkin stated there is a rumor that the church is looking to buy houses in the area. It is also possible they are looking to sell the property.

Mr. Sheer stated he had a call from someone who owns a house on Walter Street asking if the church would be interested in buying the house. He passed that information onto his clients but they were not interested.

Mr. Steve Cipriano, 3 Glenwolde, stated water is a problem throughout Tarrytown. The width of the road is narrow. If people are traveling south on Broadway, they cannot cross over the double yellow line to enter Lakeview Drive. Mr. Sheer stated he did not believe this was the case and people do enter Lakeview Drive traveling south.

Ms. Linda Viertel, Gracemere, stated she knew what trees do for air quality and their root systems probably retain as much water as any retention basin. Removing nineteen trees does not make any sense. It is not an acceptable precedent to modify wetlands. If there is flooding from this property into the pond, which the Village recently acquired in Jardim Estates, that pond may not be able to handle it. She stated she did not believe the berm would solve the problems.

Mr. McGarvey stated what they are looking to do is create an area where water, if it backs up, has a place to go. They are designing it above and beyond the retention they have to do on the site.

Mr. Sheer stated there are just as many cars coming to this site now as there will be with the parking lot. "I think we need guidance as to whether you want us to work further on whether this proposal can work."

Mr. McGarvey stated there should be an interpretation for the State D.O.T. about being able to access Lakeview Drive from Route 9 traveling south.

A Glenwolde resident stated he has been in the neighborhood eighteen years. It is a private neighborhood that will lose something from this parking lot. This is a peaceful neighborhood and it will be violated. They neighbors live there permanently and the church's needs can be met in other ways.

Mr. John Lynch, Crest Drive, stated this buffer zone was left there to protect this little area. Now they are looking at taking down more trees with more impervious surface. Small changes have huge consequences.

Mr. Tedesco stated a lot of people have voiced the concerns he has had. The biggest obstacle is the removal of wetlands and wetlands buffer. Things on paper often look good but when a wetlands is disturbed, the consequences are uncertain. He stated he was concerned about the large removal of trees and the width of Lakeview Drive. Either plan will affect a neighborhood – Lakeview Drive or Walter Street. There are significantly heavy environmental effects. “I don’t think this plan is worth those negative effects. We have to look at another way to get those spaces.”

Mr. Aukland stated, “I echo that. This is a permanent change to the area for what appears to be a limited need.”

Mr. Sheer stated they still have not received the report from the Village’s wetlands consultant. Counsel Shumejda stated the Village will see that the report is finalized.

Chairman Friedlander stated from the outset the Board has been concerned about the wetlands and the cutting down of trees. The Board is also sympathetic to the concerns of the neighbors on Lakeview Drive and Walter Street. The substantial parking need for the church is still not being addressed. They need 80 to 100 spaces on Sundays. He stated there needs to be cooperation from neighbors with open parking spaces on Sundays and probably other times as well. That would be a better solution to everything proposed so far. What is being proposed damages the wetlands, the trees, and the neighborhood.

Chairman Friedlander stated if a meeting is set up with area businesses, neighbors should also be invited.

Mr. Sheer stated they did not have any objection to the Village arranging a meeting; however, this matter has been going on for several months and that has not been done. Trying to obtain the parking from neighboring businesses was the first course of action the church took but “they ran into a brick wall. If the Village feels they could do better, they should do that.”

Counsel Shumejda stated the letter to the businesses would be sent out in the next couple of days.

The Board unanimously agreed to continue this hearing at their July meeting.

PRELIMINARY PRESENTATION – ABIGAIL KIRSCH CATERERS, TENANT – 81
HIGHLAND AVENUE

Mr. Dennis Noskin, architect, stated this is the old Mark Twain house used as a catering facility. What they are proposing is to put a rear addition to provide storage and office space. The footprint is about 3,516 sq. ft. The property is 8.5 acres. The parking will not be touched. They are not changing the circulation or the way the facility is operating. There is currently a loading dock in the back and a trailer with offices and a generator and compactor. They are trying to bring that all indoors and help with their refrigeration. The existing trailer will be removed. The addition will not be visible from the street or any neighbor. The site is well landscaped.

Upon inquiry, Mr. Noskin stated the existing trailer is 12 ft. x 60 ft. and the proposed office space is 980 sq. ft. The addition will be 25 ft. high – two stories. No one attending an event at the facility will be able to see this addition.

Mr. Tedesco stated any trees to be removed should be shown on the plan. It would be helpful at the public hearing to advise the Board of all items on the property that will be removed or relocated and where those are currently.

Mr. McGarvey stated this site is in the Loh Park Drainage Moratorium District. “I don’t believe this site has any on-site retention. I would like to forward this to Dvirka and Bartilucci for their comments.”

Counsel Shumejda stated this facility is operating under a special use permit. The Board should be provided a copy of that since there are a number of conditions on that permit and it will need to be determined whether there is any limitation on expansion.

Mr. Tedesco moved, seconded by Mr. Aukland, and unanimously carried, that the Board declares its Intent to be Lead Agency on this project.

Mr. Tedesco moved, seconded by Mr. Aukland, and unanimously carried, that the Board sets a public hearing on this application for their July meeting.

Mr. Tedesco moved, seconded by Mr. Aukland, and unanimously carried, that the Board establishes an escrow account in the amount of \$2,500 on this application.

Mr. John Lynch, Crest Drive, stated he believed this building has historic designation and the Board needs to pursue that as well. He stated the Board should also look at the intersection of Altamont Avenue and Rosehill Avenue since that is where the water from this site goes.

PRELIMINARY PRESENTATION – TAPPAN ZEE REALTY CORP. – 13A NORTH WASHINGTON STREET

Mr. Sam Vieira, architect, stated this is a piece of property on a flag lot. In 1980 the Planning Board approved a subdivision of this property, which created a 10 ft. right-of-way so both property owners would have access to the rear of the property. Around 1982 about half of the warehouse, which occupied almost this entire footprint, was eliminated. Mr. Gordon Levy purchased the property in 1983 and used it for a storage facility. This is a multi-family district and the proposal is for a four-family apartment house situated toward the rear. There is a large retaining wall that abuts the back of this property. The concept was to build against this retaining wall. The building would be close to the lot lines in keeping with what is presently there. They are creating a parking garage for each unit and then a parking space in front of each door. The four units would require ten parking spaces and they are providing eight. They could add two additional spaces in the area where they have proposed a landscape buffer. The entire surface now is impervious. In this entire zone none of the build-outs meet the zoning requirements.

Chairman Friedlander questioned the size of the units. Mr. Vieira stated they are about 1,120 sq. ft. not counting the garage space. In this zone 600 sq. ft. is the minimum size per unit.

Chairman Friedlander questioned the height of the building. Mr. Vieira stated to the average roof height it is 32 ft. 4 in. and to the ridge it is 38 ft. It is three stories. There is attic space but it is not livable space. That was done to make the building architecturally consistent with buildings in this area, but that could be changed.

Chairman Friedlander questioned whether these units would be sold or rented. Mr. Vieira stated he believed they were intended for rentals.

Mr. McGarvey stated the driveway is 10 ft. wide. He questioned what happens when a car is exiting and one is entering. Mr. Vieira stated they would have to allow each other access. It is not a perfect situation. It is currently in commercial use and that situation exists now. Mr. Levy uses this area for parking for himself and his employees and they get deliveries.

Mr. McGarvey requested a copy of the subdivision approval, which created this flag lot. He stated the Village should also know if there were any easements for a common driveway.

Counsel Shumejda stated the existing use is legal, non-conforming. He stated he believed a variance would be needed to allow the use of the flag lot to gain access.

Mr. Aukland suggested perhaps this should be three units. Mr. Vieira stated the three units would be within code but area variances would still be needed. He stated the proposed building is in keeping with how this area of the Village is developed.

Upon inquiry, Mr. Vieira stated the width of each unit is 14 ft. to 16 ft.

Mr. McGarvey stated if this were reduced to three units, the side yards would be increased. An unoccupied warehouse is less intrusive than four families. The three units would allow some side yard setback.

Mr. Tedesco stated he visited the property and he felt three units would be a better proposal.

Mr. Tedesco moved, seconded by Mr. Aukland, and unanimously carried, that the Board declares its Intent to be Lead Agency on this project.

Mr. Tedesco moved, seconded by Mr. Aukland, and unanimously carried, that the Board sets a public hearing on this application for their July meeting.

Mr. Tedesco moved, seconded by Mr. Aukland, and unanimously carried, that the Board establishes an escrow account in the amount of \$2,500 on this application.

PRELIMINARY PRESENTATION – ROWLAND, CONTRACT VENDEE – 75 NEPERAN ROAD

Mr. Tony Guarino, Project Manager, stated this is a piece of property on Neperan Road owned by the Village, which has been subdivided, to allow construction of a single-family house. Mr. Rowland is the contract vendee on the property, and he will purchase the property once the approvals have been received. This will be a single-family house with a three-car detached garage. It is two stories. The height is 23 ft. with a sloped roof. The lot is approximately 15,000 sq. ft. in an R-10 zone. The house is 3,662 sq. ft. No variances are required and none are allowed as a condition of the sale of the property.

Mr. Tedesco stated the garage is very big. It is 20 ft. high. When you add the large driveway and breezeway, it is a bulky presentation. It is a sensitive area with the village park and the historic district.

Upon inquiry, Mr. Guarino stated they were proposing the three-car garage because it makes the house more appealing.

Mr. Yarabek stated a topographic study and all trees on the property must be shown.

Counsel Shumejda stated the resolution of the Board of Trustees authorizing the sale had a condition that there be no destruction of the trees on the site.

Chairman Friedlander stated the architect should be present at the next meeting.

Mr. Tedesco moved, seconded by Mr. Aukland, and unanimously carried, that the Board declares its Intent to be Lead Agency on this project.

Mr. Tedesco moved, seconded by Mr. Aukland, and unanimously carried, that the Board sets a public hearing on this application for their July meeting.

Mr. Tedesco moved, seconded by Mr. Aukland, and unanimously carried, that the Board establishes an escrow account in the amount of \$2,500 on this application.

SET PUBLIC HEARING – NEW VILLAGE HALL – DEPOT PLAZA

Mr. Tedesco moved, seconded by Mr. Aukland, and unanimously carried, that the Board sets a public hearing for their July meeting on the site plan for a new Village Hall at Depot Plaza.

MEETING ADJOURNED 11:30 p.m.

Kathleen D'Eufemia
Secretary

