

Planning Board
Village of Tarrytown
Regular Meeting
July 24, 2006 7 p.m.

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

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

Mr. Mark Fry stated they submitted the Draft Final Environmental Impact Statement on June 12th. Based on comments received from the Planning Board and Mr. Geneslaw, they have provided additional materials for the FEIS which include amendments to the tree protection plan, letters regarding possible uses for the existing office building, a new traffic report regarding queuing in front of the Doubletree Hotel, and a full tree evaluation report.

Mr. Peter Karas, landscape architect for the applicant, stated they will be providing substantial mulching around the roots of Trees No. 4 and 9 and doing some hand excavating to protect the roots of those trees. They may also be doing some curb realignment to protect those trees, which may result in the loss of a few parking spaces, but they are currently above the parking requirements. Mr. Yarabek stated he agreed with the measures the applicant is proposing.

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

Chairman Friedlander stated the Board and its consultants would review the new submissions prior to the next meeting. Mr. Fry stated if the Board determines the FEIS to be complete, they would request a notice of completion be issued next month.

PUBLIC HEARING – ABIGAIL KIRSCH, CATERERS – 81 HIGHLAND AVENUE

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, July 24, 2006 at **7:00 p.m.** at the Municipal Building, 21 Wildey Street, Tarrytown, New York, to hear and consider an application by:

Abigail Kirsch Caterers, Tenant
81 Highland Avenue
Tarrytown, New York 10591

To consider the application for site development plan approval for property at the above address for addition of storage/office space.

The property is shown on the Tax Maps of the Village of Tarrytown as Sheet 19B, Block 122, Lots 35-42, 44, 45, 48; Block 123, Lots 6-16 and Block 124, Lots 11-15 and is located in an R-10 (Single Family) 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. Dennis Noskin, architect, stated the proposal is for a two-story L-shaped addition at the back of the building, which will house refrigeration units, generators, warehouse space and offices. The equipment and trailer with offices currently in the rear of the property will be removed. The addition will be 4,500 sq. ft.

Chairman Friedlander questioned whether this addition could be seen when people come up the driveway. Mr. Jim Kirsch stated it could not since the area is fenced and landscaped.

Mr. Jerry Schwalbe, Project Engineer, stated he had visited the site and looked at the drainage area where the addition will be located. A portion of the building site is already paved. There is an increase in impervious surface of about 1,700 sq. ft. The study area he looked at is approximately 6,600 sq. ft. They tried to decrease the amount of peak runoff for this site. The drainage improvements they are proposing would all be below grade and would decrease the rate of runoff leaving the site by 65% for a two-year storm and by 70% for a one-hundred-year storm. It would represent a tremendous improvement over what exists now.

Mr. McGarvey stated the proposed drainage plan was sent to Dvirka & Bartilucci, Village consultants. They will probably be suggesting that the underground retention be more in the parking lot to pick up water from the existing catch basin. That would pick up a larger area than is being proposed.

Mr. Demers stated the other aspect is the Mankiewicz method, which could provide a more imaginative approach to trap the water. Mr. McGarvey stated he did not know how that approach addresses existing sites, especially one with impervious surface of this magnitude but he could ask. Mr. McGarvey suggested test pits be done.

Mr. Bruce Donohue, Project Landscape Architect, stated the planting plan deals with the area between the new addition and the dining hall, which is where the storm water detention chamber is located. It will protect the views for people in the dining hall. Much effort has gone into this site to screen the parking lot and utility area. The addition will remove the hemlock landscaping. There is a fence, which will be relocated and the landscape planting will soften the effect of the fence and provide a foreground lawn area for the diners.

Mr. Tedesco noted the building has received Village Historic Landmark designation for the original building; however, when he looked at the proposed architectural renderings for the addition, he did not find it acceptable. "I am not looking for it to match the existing, but somehow it should fit in or compliment the existing architecture. Even though people won't see it driving in, people will walk the grounds. There can be a better attempt."

Mr. Kirsch stated as the operator of the business, he is extremely sensitive to the guests' quality of experience. They wanted to be sure when the guests looked out, what they would see would be attractive. That is why they proposed brick on one side. They did not carry the brick through because rarely does anyone go in the back.

Mr. Demers stated when the building received historic designation, the intention was to save an important historic building – the building as an entity, not just the view of the guests. Mr. Demers noted the Compatible Use Permit issued in 1990 had a condition that no additions could be made to the building without an amendment to the permit by the Board of Trustees. Mr. Noskin stated they are aware of that condition and have appeared before the Board of Trustees. They suggested the applicant proceed before the Planning Board and Zoning Board and then return to them with recommendations from those Boards.

Mr. Kirsch stated David Swope is the owner of this building. They are tenants. Mr. Swope said the historic designation was to protect the front of the building and the east balustrade, which they have maintained. When they became tenants in 1990, the rear of the property had not been maintained. They have improved it. "Our approach was this was not part of the designated historical architecture to be maintained."

Mr. Tedesco stated he understood why they proposed the brick on one side; however it looks like a bomb shelter in the front. Mr. Noskin stated they could be more creative.

Mr. Tedesco questioned whether the trailers and other identified equipment were present at the time the compatible use permit was issued. Mr. Kirsch stated some were. There was a lot of outside storage, which they enclosed and put in a container. "I don't remember the exact timing. Permanent structures were not permitted. The trailer was just a quality of life issue for people working there."

Chairman Friedlander questioned whether anyone wished to address the Board on this matter.

Mr. John Belluardo, 166 Altamont Avenue, questioned whether any of the fencing between the parking and the neighbors would be moved. Mr. Donohue stated it would not. Only the fence between the ballroom and the parking lot will be moved. None of the perimeter fencing will be moved.

Mr. John Lynch, Crest Drive, stated this property contributes a lot to the drainage in the area. He questioned whether the property conforms with the parking requirements. He stated when the parking was constructed, he did not believe it reflected the drainage issues even at that time. He stated the proposal should be referred to the Historical Society.

Mr. McGarvey questioned whether the facility has excess parking. Mr. Kirsch stated it does not. He believed there were about 245 spaces. They do a lot of corporate events where people come in single cars. The existing spaces are vital to their business model. Mr. McGarvey stated it might be possible to have some of the parking converted to grass block pavers in lieu of asphalt, which would still allow the parking of cars but would act as a natural filter for the rainwater. He suggested the applicant's engineers review this.

Mr. Lynch noted Tappan Hill School has plans for expansion and they are proposing two retention ponds. There is no storm water runoff for the school now.

Mr. Demers questioned whether the proposed addition will decrease any green open space. Mr. Noskin stated it will decrease about 1,900 sq. ft. of grass/soil area. They are attempting to mitigate that and they are trying to hide the building.

Upon inquiry from Mr. Demers, Mr. Kirsch stated their Compatible Use Permit gives them the ability to host events for up to 600 people; however, they don't do that. Their typical attendance is much less.

Chairman Friedlander suggested the Board schedule a site visit. It was agreed this would be done on Thursday, August 10th, at 9 a.m. Mr. Tedesco requested that all trees proposed to be removed be marked and the proposed building addition outline should be marked.

Mr. Noskin stated they will be moving forward with the Zoning Board of Appeals and they will discuss with Counsel Shumejda and Mr. McGarvey whether it will be necessary for them to go to the Architectural Review Board.

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

The Board agreed the hearing will be continued at their next meeting.

PUBLIC HEARING – TAPPAN ZEE REALTY CORP. – 13A NO. WASHINGTON ST.

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, July 24, 2006 at **7:00 p.m.** at the Municipal Building, 21 Wildey Street, Tarrytown, New York, to hear and consider an application by:

Tappan Zee Realty Corp.
13A North Washington Street
Tarrytown, New York 10591

To consider the application for site development plan approval for property they own at the above address for demolition of existing single story warehouse and replacement with new four-family, three-story building.

The property is shown on the Tax Maps of the Village of Tarrytown as Sheet 6, Block 17, Lots 52A and 72A and is located in an M-1 (Multi-Family) 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, that in 1980 Mr. Borghese, the then owner, requested a subdivision so he could separate the house known as 13 North Washington Street, from the warehouse property in the back. The intent was to sell the house in front and keep the warehouse space. That subdivision was approved in 1980. About 1982, Mr. Borghese returned to the Planning Board and Zoning Board requesting to take down half of the warehouse and continue to use it as a warehouse and rent out a couple of parking spaces. In 1983 Mr. Gordon Levy (Hudson Office Supplies) purchased the property under the Tappan Zee Realty Corp. To the present it has been used as a warehouse facility for storage of furniture and parking of their vehicles and tractor trailers. Last month they asked for permission to construct a three-story, four-family building along the rear of the property along the retaining wall. The project was somewhat in keeping with some of the architecture and build-out development pattern of the neighborhood with zero lot lines and three-story structures. At that time there was some positive criticism and some positive discussion from the Board. The Board asked if they could consider reducing the size and scope of the building. As a result, they are in the process of reducing the building to a three-family, which would make it compatible with its density allowance and pull the building lines away from the property lines. They have retained a surveyor to come up with an updated survey, which was not completed for this submission. Mr.

Vieira submitted a schematic site plan, which showed how the reduction from four to three families would fit on the property. They are now able to provide the required eight off street parking spaces – three in garages, three in front of each garage and two on the easterly side of the building. Mr. Yarbek expressed concern about some of the trees so they have requested their landscape architect locate the trees and they will pay close attention to those as the proposal progresses.

Mr. Vieira stated in discussion with several real estate agents, it had been suggested they consider a mix of one, two and three bedroom units.

Upon inquires from Mr. Tedesco, Mr. Vieira stated the height of the building would probably be about the same, maybe a little lower. The architecture will be similar; however, as they get away from the property lines, code requirements for fire protection are less strict and they could probably have a stucco finish, which would be in keeping with the area. The building has shrunk about 14 ft., which would allow a 7 ft. setback on each side. The new footprint is 2,654 sq. ft. with the first floor being garage space.

Mr. Vieira noted this is a multi-family zone and the proposal is in conformance with the neighborhood.

Chairman Friedlander questioned whether anyone wished to address the Board on this application.

Mr. Raymond Sanchez, 13 North Washington Street, stated he is concerned about traffic on this single, narrow driveway. His house has eight cars, four belonging to his tenants. Last year he spent \$10,000 to repave the driveway even though it is not entirely his. He expressed concern about damage to the driveway from construction equipment. Mr. Sanchez stated the warehouse property currently looks like a dump and he would welcome improvements but he is worried about traffic from a three-family house. Chairman Friedlander questioned how much traffic the warehouse currently generates. Mr. Sanchez stated Mr. Levy's truck is there and two to three employees park there.

Mr. Tedesco moved, seconded by Mr. Demers, and unanimously carried, that the Board declare itself Lead Agency on this application.

The Board unanimously agreed to schedule a site visit for Thursday, August 10th, at 10 a.m. and they invited Mr. Sanchez to join them at that time.

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

PUBLIC HEARING – ROWLAND – 75 NEPERAN ROAD

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, July 24, 2006 at **7:00 p.m.** at the Municipal Building, 21 Wildey Street, Tarrytown, New York, to hear and consider an application by:

Christopher Rowland, Contract Vendee
845 United Nations Plaza
New York, New York 10017

To consider the application for site development plan approval for property at **75 Neperan Road, Tarrytown, New York**, for construction of a new single-family 1-1/2 story house with a detached three car garage.

The property is shown on the Tax Maps of the Village of Tarrytown as Sheet 12, Block 46, Portion of Lot 10 and is located in an R-10 (Single Family) 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. Brian Brooker, engineer, stated the proposal is for a single-family house on a 15,900 sq. ft. lot. The lot is being purchased from the Village of Tarrytown. It was part of a larger parcel. The single-family dwelling is approximately 3,684 sq. ft., not including the garage. The footprint is 2,034 sq. ft. on the first floor. The garage is 1,139 sq. ft. and the footprint for the garage is 729 sq. ft. The height to the ridgeline is 23 ft. The property is located on Neperan Road. The driveway will be along the right side of the structure and the garage will be behind the house.

Mr. Brooker reviewed with the Board plans showing the different elevations.

Mr. Jerry Vis, designer, stated the house is in the late Dutch style – late 18th, early 19th century. The garage is detached and looks like an accessory building of the period with a connecting breezeway. The back of the house is more contemporary and will look out at the parkland.

Mr. Tedesco stated one of the Board's main concerns is not the house but the three-car garage, which is a very large structure not only in size but in height and when you couple

with that all the impervious surface, it adds a great deal of bulk. The house is in a sensitive area across from the Historic District and adjacent to the park.

Mr. Vis stated they are planning to use an impermeable driveway surface. The owners would like to see a three-car garage for this size house. As far as the height, it could be modified some but it will be used only for storage. The storage in the house is a little difficult to access. The garage was envisioned as storage. They tried to make the accessory building feel compatible with the period of the house.

Mr. Brooker stated if the roof is lowered, it will not be aesthetically pleasing and would not fit the architectural period they were trying to produce. "We would like to keep the period feel for the whole property."

Mr. Demers stated he understood the comments about the aesthetics and this would work well if it were farmland; however, it is in the middle of a suburban village where a three-car garage is out of place. It doesn't go with what is on this street. The house fits the street but the overall effect does not work. A smaller two-car garage would be more appropriate.

Mr. Tedesco stated one of the conditions of the sale of the property was that no trees could be removed from the property. Mr. Yarabek had mentioned in a memo to the Board that he thought there would be some trees that would have to be disturbed.

Mr. Vis submitted a plan showing the trees, which he submitted to Mr. Yarabek.

Mr. Demers questioned whether any variances were being requested. Mr. Brooker stated as a condition of sale, none could be requested.

Mr. Tony Guarino, Project Manager, reviewed with the Board the trees and shrubs that will be planted on the site and he stated none of the existing trees will be disturbed.

Chairman Friedlander questioned whether this property has a river view. Mr. Guarino stated it does not – the view is the park and the Village downtown.

Mr. McGarvey stated the dry wells must be shown on the plans and the steep slopes must be deducted from square footage calculations.

Mr. Yarabek suggested the applicant have an arborist evaluate the condition of the existing trees and a landscape architect should review the planting layout.

Mr. Tedesco suggested the applicant show plans with a two-car garage .

Chairman Friedlander questioned whether anyone wished to address the Board on this matter.

A resident stated they should consider a sunken garage. In regard to erosion, Mr. McGarvey stated their engineer would have to sign off on the drainage plans. In regard to sight lines for the driveway, Mr. McGarvey stated their engineer must provide the sight line details.

A resident stated the house is beautiful but the size of the garage is monstrous, noting there are not many three-car garages in Tarrytown.

Mr. Tedesco moved, seconded by Mr. Demers, and unanimously carried, that the Planning Board declares itself lead agency on this application.

Board members unanimously agreed to schedule a site visit to this property for Thursday, August 10th, at 11 a.m.

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

PUBLIC HEARING – VILLAGE OF TARRYTOWN (NEW VILLAGE HALL – DEPOT PLAZA)

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, July 24, 2006 at **7:00 p.m.** at the Municipal Building, 21 Wildey Street, Tarrytown, New York, to hear and consider an application by:

Village of Tarrytown
21 Wildey Street
Tarrytown, New York 10591

To consider the application for site development plan approval for property located in northwest Tarrytown bounded by Main Street to the north, Depot Plaza to the west, White Street to the south, and Franklin Street to the east regarding construction of a new Village Hall which will include a courthouse and police station.

The property is shown on the Tax Maps of the Village of Tarrytown as Sheet 9, Block 31, Lot 44 and is located in an GB (General Business) 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. Stephen McCabe, Village Administrator, stated he was pleased to be representing the Mayor and Board of Trustees this evening to present their plans for the siting of Tarrytown's new Village Hall. The plans were developed by the Board of Trustees over several months with the help from the Village's Planning Consultants, Buckhurst, Fish and Jacquemart, represented by landscape architect Paul Buckhurst. The design was developed with the help of the project architect, Pustola & Associates. It was developed through several Board of Trustees' work sessions and a couple of public input sessions. They have also conferred with the Village's Landscape Consultant, Stephen Yarabek. Subject to the Planning Board's concurrence, the Village is looking forward to actually begin construction of the new Village Hall at the Depot Plaza site in September and building it through 2007 with a target completion date at the end of 2007.

Mr. Ed Napoleon, Construction Manager from Abbott and Price, hired by the Village, stated the project site is in the existing commuter parking lot adjacent to the police station in Depot Plaza.

Mr. Paul Buckhurst stated the new site allows the Village to develop a complex where the new Village Hall is adjacent to the existing police station and fire station. "My specific charge was to look at the impact of the new building on the commuter parking lot and to develop an attractive setting." Mr. Buckhurst stated the area has 285 existing parking spaces, which will be reduced by about 100 spaces for the new Village Hall. Thirty-eight parking spaces are needed for the Village Hall leaving about 145 spaces for commuters. Mr. Buckhurst stated it might be possible to use concrete pavers for some of the parking, and someone should be brought in to evaluate the quality and quantity of the trees in the existing lot.

Mr. McCabe stated this is being referred to as Village Hall; however, it will include a new court facility and also the police department. With respect to the lost parking, it is the intention of the Board of Trustees to replace any Tarrytown resident commuter spaces lost on this site to the other side of the railroad tracks, which means some revenue will be lost from out-of-town commuter parking.

In regard to the area in front of the Village Hall, Mr. Buckhurst stated it is an 80 ft. x 180 ft. area and a detailed landscape treatment will be done separately by a landscape architect. Mr. Napoleon stated a landscape plan will be developed once the overall site plan is worked out. The footprint for the building is about 11,000 sq. ft.

Mr. Greg Cherry of Pustola Associates presented a proposed rendering of the building. He noted the exterior of the building will be brick with pre-cast concrete.

Mr. Tedesco questioned whether there would be an attempt to use "green technology" in the building – solar heating, etc. Mr. Cherry stated they cannot use solar heating because the panels would be strongly visible which did not work architecturally. They will be using recycled materials wherever possible.

Chairman Friedlander questioned the size of the new police station in the building. Mr. Cherry stated it is about 11,000 sq. ft. – approximately half the building.

Chairman Friedlander questioned whether anyone wished to address the Board on this matter.

Mr. Michael Lavoy questioned the size of the meeting room/court room. Mr. Cherry stated it is 30 ft. x 60 ft., approximately double the size of the room in the existing Village Hall.

Mr. McCabe stated the project will be phased and there will be six contracts. The first phase is site preparation, pilings and foundation work, which will go to bid in August with construction beginning in September.

Mr. Herb Beier stated the site plan removes the driveway, which is a drop-off area, and he expressed safety concerns. He suggested since there will be a limited number of parking spaces for residents on the east side of the tracks, the Village should consider charging a premium fee for those spaces which would bring in additional revenue and those spaces would then not necessarily go to commuters who arrive before 7 a.m. Mr. McGarvey stated this area is being realigned so the drop-off will continue in a different location.

Mr. John Lynch, Crest Drive, stated \$5.6 million dollars for this project is an “illusion.” He stated the Village was planning to use the additional \$1 million from the Ferry Landings developer for this Village Hall; however, that money will be needed for clean-up of the aquatic center site. Chairman Friedlander stated \$4.28 million was the bond referendum for a Village Hall on this site. There was another \$1 million for an overage because the Village is not asking the Ferry Landings developer to build the Village Hall. There was another \$1 million added for the pilings. The aquatic center is the responsibility of the Ferry Landings developer to clean the site and put up the building. The clean-up has to be done according to the clean-up the Village sets.

Mr. Lynch stated the clean-up for the Ferry Landings site is only 15% done and after meeting with the Village’s new environmental consultants, he was not sure they had the appropriate qualifications.

Mr. McCabe stated the Village’s new environmental consultant, ECO Systems Strategy Systems, Inc., is a highly recommended environmental scientists firm. They have been given a specific charge to review the environmental work done on the Ferry Landings site and to identify any changes in the plan for the property taken since the DEC signed off and to review all reports, including being in discussion with Mr. Lynch. All the issues will be addressed. Everyone will be assured of the environmental safety of the site before a building permit is issued to the Ferry Landings developer.

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

Mr. Tedesco moved, seconded by Mr. Demers, and unanimously carried, that the Board feels there will be no significant adverse environmental impact as a result of this project.

Mr. Tedesco moved, seconded by Mr. Demers, and unanimously carried, that the Board approves the site plan for the new Village Hall at Depot Plaza subject to:

1. Approval by the Building Inspector/Village Engineer
2. Approval by the Architectural Review Board
3. Approval of a final landscaping and screening plan by the Village's Landscape Consultant. That screening plan is to be of native plantings and any deviation from native plantings is to be approved by the Village's Landscape Consultant. The landscaping plan is to include decorative planters where the Village's Landscape Consultant feels appropriate.
4. Signing of the site plan by the Planning Board Chair.

PUBLIC HEARING – HOLY SPIRIT ASSOCIATION FOR THE UNIFICATION OF
WORLD CHRISTIANITY (HSA-UWC) - SHELDON AVENUE – 19 LOT
SUBDIVISION (3 EXISTING HOUSES, 16 PROPOSED HOUSES)

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, July 24, 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 East
Sheldon Avenue
Tarrytown, New York 10591

To consider the application for subdivision of property they own off Sheldon Avenue to allow for a nineteen lot subdivision, which would allow the potential construction of 16 new single-family homes (3 houses currently exist.)

The property is shown on the Tax Maps of the Village of Tarrytown as Sheet 27, Parcels P-9, P-9B, P-9E, P-6, P-7, P-8, and P-8A 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.

Ms. Gina Martini of Saccardi and Schiff, planners for the applicant, stated new plans were submitted in July which address many of the comments received from the Village's planning consultant and Mr. Yarabek. The conventional plan is a 20-lot plan. All the houses and driveways are outside the steep slopes. There are unusual lot lines on the conventional plan. The smallest lot is 60,000 sq. ft. The property is 46.6 acres. Open space and right-of-ways are 6.7 acres.

Mr. McGarvey stated Lots 13, 14, and 21 show three houses coming off a single driveway and Lot 20 looks like a jigsaw puzzle. The plan doesn't work. The applicant has to show how many houses can be built in a conventional plan – they cannot create their own conventional layout. Mr. Inglis from the church stated they had provided a previous plan showing 19 lots, which they felt worked.

Ms. Martini stated they got everything out of the steep slopes but it does create irregular lots. Mr. Inglis stated they are not proposing this 20-lot plan.

Chairman Friedlander stated, "But you have to show how many lots you can get in a conventional layout. You approached it from the maximization of the lot count but you didn't put it in a conventional layout that could work."

Mr. McGarvey stated, "The Board may decide they like a conventional layout so you have to submit a plan that can work in the conventional layout."

Chairman Friedlander stated, "We need to see the best conventional layout which conforms to the codes."

Ms. Martini stated they had also prepared two cluster plans, which she reviewed with the Board.

Cluster Plan 1 shows 19 lots with lot sizes ranging from .92 acres to 2.7 acres with clustering to 40,000 sq. ft. There are approximately 16 acres of open space. Parcel A has 4.7 acres, Parcel B has .8 acres, Parcel C has .8 acres, Parcel D has .8 acres and Parcel E has 11 acres. There is also 1.29 acres of right-of-way. Some of the open space could be dedicated, or not. She stated she understood Mr. McGarvey is against the Village taking possession of the pond. Cluster Plan 2 shows 20 lots, open space is the same, and the right-of-way is 1 acre.

Mr. Wayne Heller stated the plans should be made available on the internet. He stated the Notice of Hearing listed this property on Sheldon Avenue but most of the houses are not on Sheldon Avenue. If the open space will only be for the use of the residents of this development, then it should not even be referred to as open space.

Mr. Rob Jones stated everyone is looking at numbers that are not viable and the Board has addressed that. He stated he knew property will get developed and he is glad there are people overseeing what will be done.

Ms. Joan Cohen, Gracemere, questioned the difference between a conventional plan and a cluster plan. Chairman Friedlander explained that the conventional plan lays out homes based on the zoning for the area. In this case, it is an R-60 zone, which means all the houses have to be on at least 60,000 sq. ft. lots and those lots and the houses on them must all comply with all zoning regulations. In this case, a cluster plan would allow the lots to go down to 40,000 sq. ft. and presumably the benefit of a cluster plan is to have open space, which would be made available for public use.

Ms. Cherie Gaines, 612 South Broadway, stated she did not receive a mailing with the public notice for this hearing. Mr. Norman Sheer, attorney for the applicant, stated she is not within 100 ft. of the property. Ms. Gaines stated she was requesting of the Planning Board that the residents on the west side receive notices when this topic is on the agenda, and the residents on Sheldon Avenue not within 100 ft. should also receive notices.

Mr. Inglis stated it was his understanding that the conventional plan they submitted two months ago did comply with the Village Code. Mr. McGarvey suggested the applicant submit a plan with a zoning breakdown of steep slopes, wetlands buffers, setbacks, etc. "It needs the full zoning breakdown. I would be happy to review that when it is prepared."

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

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

CONTINUATION OF PUBLIC HEARING - 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 their landscape architect and the Village's landscape architect met at the site and have agreed on the buffer.

Chairman Friedlander stated Mrs. Getz is out of town but she had called him and asked that she be given the courtesy of seeing the landscaping plan before anything is approved. Mr. Yarabek stated Mrs. Getz has requested a solid evergreen hedge along Broadway. He stated he has a problem with that because if that is done, the character of South End Historic District will be lost.

The Board requested that Mr. Donohue and Mr. Yarabek review further the planting on the western end of the drainage basin and the wooded area.

Mr. Sheer stated they have received the Dvirka & Bartilucci report and Cronin Engineers have said there would be no problem complying with all the items. He requested, however, that the plans not be amended until the footprint for the church has been fixed. They are making an informal presentation to the Architectural Review Board, as had been requested by the Planning Board, on August 16th. They will hopefully then have an opinion from the ARB and the footprint for the building can be set.

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

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

Chairman Friedlander stated this application has been withdrawn by the applicant.

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

Chairman Friedlander stated the applicant has requested an adjournment to August. No one appeared to address the Board on this matter. The Board unanimously agreed to continue the hearing at their August meeting.

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

No one appeared on behalf of the applicant. No one appeared to address the Board on this matter. The Board requested the applicant be contacted to determine the status of this application. The Board unanimously agreed to continue the hearing at their next meeting.

CONTINUATION OF PUBLIC HEARING – PUTNAM AVENUE HOMES – HILLSIDE STREET – LOTS 3 AND 4 ON LOGAN FILED SUBDIVISION MAP

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

Mr. Chris Pateman stated he had met with the Board at their staff meeting on July 12th and they had discussed an alternative plan that would change the lot lines. They are proposing to take the property line and move it 8 ft. towards the north, which allows the house to be shifted by 12 ft. This will decrease the disturbance on the steep slope.

Upon inquiry from Mr. Tedesco, Mr. Pateman stated the size of the houses will be the same as presented last month.

Mr. Tedesco stated this is a significant improvement. They should re-do the zoning table and they should submit a new subdivision application. The Board can then move forward with a subdivision/site plan review.

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

The Board unanimously agreed to continue the hearing next month with an additional new notice for subdivision.

*Chairman Friedlander returned to the meeting.

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

Mr. Norman Sheer, attorney for the applicant, stated the Board conducted a site walk of the property, after the tornado, with Kevin McManus from WCI. During that meeting some minor lot adjustments had been discussed, and he reviewed these with the Board based on the notes Mr. McManus had taken.

The Board reported receipt of the following memo dated July 20, 2006, from the Village's Planning Consultant, Robert Geneslaw:

“Subject: Wilson Park

1. We made a site visit on July 19th, after the tornado and several severe thunderstorms. There has obviously been significant damage to large trees on the property and on the former rail right-of-way. We recommend that the tree survey be updated to identify the lost and severely damaged trees. We note that some of the stakes may have been missing and therefore some locations may be more approximate than others. Based on our site visit, we believe there may be an opportunity to shift some proposed dwelling locations. Perhaps more important is the loss of screening that some of these larger trees would have provided.
2. The method of handling storm water is yet to be determined. The approaches of the applicant's engineer and Dr. Mankiewicz need to be resolved.
3. While not strictly a Planning Board issue, some determination will have to be made regarding the recommendations of the PCI study and the review process of the subdivision.
4. In our opinion the evolution of the plan has improved the overall layout. The comments that follow are somewhat site plan related, but we note them now since some can be addressed as part of the continuing subdivision review.
 - a. The width of the open space between Lot 2 on the south and Lots 3 and 4 on the north is reduced from prior plans. The effective width will appear to be even less after construction because the home on Lot 3 is in a meadow area and will be easily seen from the open space and the rail trail.

- b. If play equipment or other backyard features are to be placed on Lots 3 and 4, and to a lesser extent on Lot 2, they will be easily visible from the open space area, and there will be an absence of privacy from the rear yard areas.
 - c. The home on Lot 4 will be easily visible from the open space and from some of the homes to the north and west.
 - d. The old stone dwelling on Lot 2 is visually striking. Retention of this dwelling can serve as a reminder of the property's history and could perhaps be utilized for community activities.
 - e. The orientation of the dwelling on Lot 9 could be shifted to be perpendicular to the intersection of Wilson Park Drive and Tower Hill Road, so that backyard activities are less likely to be visible to passersby on Tower Hill Road.
5. We note that the circles representing tree drip lines are not always accurate. Where distances are close, such as the driveway on Lot 1, a more detailed evaluation should be made as the plan progresses."

Mr. Tedesco stated there should be an updated survey of the trees showing those damaged and those lost as a result of the tornado.

Ms. Angela Schneider, Fairview Avenue, stated she was concerned that the evaluation of the property with respect to wildlife has not been complete, precise or accurate. She stated her comments as to the Wildlife Evaluation dated April 2006 but observed in November 2005 and evenings in 2006 are as follows.

- A. Report: No species were observed on the project during the November 2004 surveys, likely because the cold temperature restricted activity. Four species...were observed on the project site during the JFA 2001 surveys and one species, the northern spring peeper was observed on the site during the April 2006 evening surveys.
Comment: The developer should have observed wildlife during all known wildlife activity period especially in light of the circumstances that the property borders an extensive wildlife habitat – Tarrytown Lakes. The surveys taken are inadequate to reflect wildlife activity and nesting. The nesting of the turtles on the property is a known circumstance in the community, and readily apparent during the nesting cycles for the known turtle population in the area.
- B. Report: Since amphibian and reptile species known to be present in the vicinity of the project exhibit highly variable preferences, representative species would be expected in all of the community types, if present on the project site.
Comment: I am submitting comments of residents. Turtles have nested on the property in full view for an excess of 25 years. Turtle nesting sites are known to occur up to 1,000 feet from a body of water and are known to have specified requirements; i.e., open space, hillside, full sun exposure, and grassy knoll – all of

- which are on this project site and are actually the nesting area. Representative species are absolutely on the site and have been there in excess of 25 years.
- C. Report: However many amphibians and reptiles require standing water to breed and have relatively small home ranges.
Comment: Relative to the existing turtle population, this is inaccurate and misleading. Turtles nest out of water and nest up to 1,000 ft. from the shoreline.
- D. Report: These species would likely be more common near the wetland and open water habitats associated with the Tarrytown Lakes.
Comment: This is inaccurate as relative to the known turtle population.
- E. Report: The species potentially present do not exhibit a clear preference between the mowed lawn and old field habits, and most species also use wooded habitats.
Comment: This is inaccurate. The turtle population has exhibited a clear pattern of trail across the property to a significant nesting area for a period in excess of 25 years.
- F. Report: Many amphibian and reptile species are found exclusively in open waters, and their distribution on the project site would be restricted to the open waters of the shallow emergent marsh in Parcel 2 and 4.
Comment: This is factually inaccurate as related to the existing turtle population. Turtles have nested up to 1,000 ft. from the shore.
- G. Report: Turtles are exclusively found in open water,
Comment: This is misleading. Turtles have a life activity that is beyond the restricted period of observation by the study. Nesting occurs out of the water.
- H. Summary: Nearly all species that could use the project site for some portion of the year are able to forage and breed within the successional community types available on Parcels 2 and 4 of the wetland communities that continue off the project. The mowed lawn and mowed lawn with trees habitat is not used exclusively by any species of wildlife.
Comment: The study never presented the known facts of turtle nesting on the property site. The study is not germane to the nesting activity of the known turtle population or the known turtle site. The project would denigrate the nesting pattern presently existing on the site, negatively impact, destroy nesting area for the known turtle population, disrupt wildlife reproductive pattern and alter the entire environmental balance.

Mrs. Schneider submitted comments from 11 residents confirming their observation of the turtles on this property.

Chairman Friedlander stated the applicant is continuing preparation of the Final Environmental Impact Statement.

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

Chairman Friedlander stated the plans are not ready yet. The hope is to have something available next month. The Board unanimously agreed to continue the hearing at their next meeting.

PRELIMINARY PRESENTATION – VILLAGE OF TARRYTOWN – MEADOW STREET – NEW FIREHOUSE

Mr. Ed Napoleon, Pre-Construction and Construction Manager, and Mr. Sean McCarthy, Architect, reviewed with the Board plans for a proposed new single bay, two-story, firehouse of approximately 6,000 sq. ft. for Consolidated Engine.

Mr. Napoleon stated there will be planting on the side adjacent to the Child Care Center and the chain link fence will be replaced. Chairman Friedlander noted the Village owns the Child Care Center property so if necessary plantings should be done on that side also.

The Board stated a grading and drainage plan should be submitted.

Mr. Tedesco moved, seconded by Mr. Demers, and unanimously carried, that the Board sets a public hearing for a proposed new firehouse on Meadow Street for the Board's August meeting.

PRELIMINARY PRESENTATION – VILLAGE OF TARRYTOWN – WHITE PLAINS ROAD – NEW FIREHOUSE

Mr. Ed Napoleon and Mr. Sean McCarthy reviewed with the Board plans for a new one-bay, two-story, firehouse of approximately 6,000 sq. ft. for Washington Engine. The firehouse will be located on a recently subdivided portion (southeast corner) of the Silverman property at 155 White Plains Road. Ingress and egress will be onto White Plains Road. The Village is working with the State on the possibility of installing a traffic signal.

Upon inquiry from the Board about a traffic signal, Mr. McGarvey stated when a firehouse is located on a major highway, sometimes there is a switch installed at the firehouse so the light is only activated when the apparatus has to egress the site.

Mr. Tedesco moved, seconded by Mr. Demers, and unanimously carried, that the Board sets a public hearing for a proposed new firehouse on White Plains Road for the Board's August meeting.

MEETING ADJOURNED 11:40 p.m.

Kathleen D'Eufemia, Secretary

