

Village of Tarrytown
Planning Board
Regular Meeting
August 28, 2006 7 p.m.

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

Mr. Tedesco chaired the meeting in Dr. Friedlander's absence.

WELCOME TO MS. RAISELIS

Mr. Tedesco welcomed Ms. Raiselis who was recently appointed to the Planning Board, wishing her a long and enjoyable tenure.

ADJOURNMENTS

BROADWAY TARRYTOWN (C-TOWN SUPERMARKET – 106-114 NO.
BROADWAY
VILLAGE OF TARRYTOWN – WEST MAIN STREET – RECREATION/AQUATIC
CENTER
FIRST KOREAN METHODIST CHURCH OF NEW YORK – 500 SOUTH
BROADWAY

Mr. Tedesco stated all the above applications have requested an adjournment until the Board's September meeting. No one appeared to speak on any of the applications. Board members unanimously agreed that these three applications be adjourned to September.

PUBLIC HEARING – VILLAGE OF TARRYTOWN – WHITE PLAINS ROAD –
NEW FIREHOUSE

PLEASE TAKE NOTICE that the Planning Board of the Village of Tarrytown will hold a public hearing on Monday, August 28, 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
New York, New York 10591

To consider the application for site development plan approval for property located on White Plains Road (Route 119) for construction of a new 6,000 sq. ft., single bay, two-story, fire station for Washington Engine.

The property is shown on the Tax Maps of the Village of Tarrytown as Sheet 21, Block 20, Lot 4 and is located in an OB (Office Building) 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 present the Board of Trustees siting locations for two new firehouses, the first being the Washington Engine station to be constructed on White Plains Road (Route 119). With both of these stations the Board of Trustees worked closely with each of the representative fire companies as did he and Mr. Ed Napoleon, Construcion Manager, and Sean McCarthy, architect, who is on vacation this evening. The site plans before the Board tonight are a product of that collaboration. With respect to the Washington Engine station, at the last meeting the Planning Board suggested consideration of a traffic light, that would be controlled by the Fire Department, at the intersection of the fire station and Route 119. The Village has initiated that process of applying for the traffic signal.

Mr. Ed Napoleon of Abbott and Price, Construction Managers, stated the Washington Engine firehouse will be situated on White Plains Road (Route 119) a little west of the intersection with Meadow Street. It is on the north side of Route 119, or the southeast corner of the Silverman property. There will be a curb cut onto White Plains Road and it is recommended there be a light to be activated during a fire call and that process has started with the Department of Transportation. The building is 6,600 sq. ft., two stories, single bay.

Upon inquiry from Mr. Demers, Mr. Napoleon stated the required setbacks are all met.

Upon inquiry from Mr. Demers, Mr. Napoleon stated based on comments at the last meeting, a landscaping plan is in development and they have been in contact with the Village's Landscape Architect.

Ms. Linda Vierter, Gracemere, requested to review the architectural drawings and Mr. Napoleon presented these. Mr. McCabe noted the plans will also be presented to the Architectural Review Board.

No one further appeared to address the Board on this matter.

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 determines there will be no significant adverse environmental impact as a result of the proposed site plan.

Mr. Tedesco moved, seconded by Mr. Demers, and unanimously carried, to approve the site plan for the Washington Engine firehouse on Route 119 subject to the following:

1. Approval by the Building Inspector/Village Engineer including approval of a grading and drainage plan for the site.
2. Approval by the Architectural Review Board.
3. Approval of a landscaping and screening plan by the Village's Landscape Consultant.
4. The Planning Board recommends that the Board of Trustees request the Department of Transportation install a traffic signal at the entrance of the firehouse. This signal would be activated at the firehouse whenever equipment is leaving or entering the firehouse.
5. Signing of the final site plan by the Planning Board Chair.

PUBLIC HEARING – VILLAGE OF TARRYTOWN – MEADOW STREET/SHELDON AVENUE – NEW FIREHOUSE

PLEASE TAKE NOTICE that the Planning Board of the Village of Tarrytown will hold a public hearing on Monday, August 28, 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
New York, New York 10591

To consider the application for site development plan approval for property located on the corner of Sheldon Avenue and Meadow Street for construction of a new 6,000 sq. ft., single bay, two-story, fire station for Consolidated Engine.

The property is shown on the Tax Maps of the Village of Tarrytown as Sheet 21, Block 70, Lots 45-51 and is located in an R-60 (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. Ed Napoleon, Construction Manager, stated this site was the original roadbed for Meadow Street prior to the Thruway coming through Tarrytown. After the Thruway came in, this was surplus property. Currently the site is serving as a temporary firehouse site for Consolidated Engine. The Village is sensitive to the Elizabeth Mascia Child Care Center being here and the parking being proposed can also be used by the Center.

Mr. Demers questioned whether the setbacks are met. Mr. Napoleon stated this is surrounded by Village-owned property. The Child Care Center is on Village-owned property.

Mr. Demers questioned whether there is room for thick hedgerow along the west side. Mr. Napoleon stated there is and they have proposed a landscape plan, which mentions hedges and trees along the eastern property line. Mr. McCabe stated the Village intends to meet with Child Care Center representatives to develop a landscaping plan that is mutually satisfactory.

Mr. Napoleon reviewed with the Board the elevation and architectural plans for the firehouse.

Mr. Demers stated he would encourage as many trees as possible and as high as possible between Meadow Street and the firehouse.

Upon inquiry from Mr. Aukland, fire department representatives stated the temporary quarters have been at this location for about five years and has never caused any traffic problems. Mr. McCabe stated the police department has also confirmed that. Counsel Shumejda stated the Village's Traffic Consultant also performed an analysis, which was submitted along with the long Environmental Assessment Form.

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

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 determines there will be no significant adverse environmental impact as a result of the proposed site plan.

Mr. Tedesco moved, seconded by Mr. Demers, and unanimously carried, that the Board approves the site plan for the Consolidated Engine firehouse on Sheldon Avenue/Meadow Street subject to:

1. Approval by the Building Inspector/Village Engineer of a drainage and grading plan for the site.

2. Approval by the Architectural Review Board.
3. Approval of a landscaping and screening plan by the Village's Landscape Consultant. This landscaping plan is to include a hedgerow installed between the property line of the project site and the Day Care Center to provide an adequate buffer as well as installation of a new chain link fence. Since the Village owns the Day Care Center property, appropriate screening approved by the Village's Landscape Consultant should also be placed on that side of the fence but such screening should not interfere with the safe and needed use of the Day Care Center playground area.
4. The signing of the final site plan by the Planning Board Chair.

CONTINUATION OF PUBLIC HEARING – CRESCENT ASSOCIATES – 155
WHITE PLAINS ROAD – DRAFT FEIS – NEW OFFICE BUILDING
TEMPORARY PARKING TO PROVIDE CONSTRUCTION STAGING AREA FOR
FIREHOUSE

Mr. Mark Fry, representing Crescent Associates, requested the Board issue a Notice of Completion and schedule a public hearing on the FEIS for their September 28th meeting.

Mr. Geneslaw stated they had reviewed the FEIS and the additional material supplied by the applicant and they feel it meets all the requirements.

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

Mr. Tedesco moved, seconded by Mr. Demers, and unanimously carried, that the Board accepts the FEIS for Crescent Associates as complete and ready for distribution to the interested agencies and the public.

Mr. Tedesco moved, seconded by Mr. Demers, and unanimously carried, that a public hearing on the FEIS for Crescent Associates be scheduled for the Planning Board's September meeting as the Board moves forward to complete its Findings.

Mr. Don Walsh, representing Crescent Associates, stated the Board tonight approved the site plan for Washington Engine's firehouse. They have discussed with the architect what will be needed in regard to access to the site. Curb cuts and parking will be required. Crescent Associates is willing to let the Village use a portion of the area, which will become permanent parking for their site plan. They are not exactly sure how much area will be needed until the heavy equipment arrives.

Mr. Peter Karas of Insite Engineering stated they will need to remove three trees for this staging area – and those trees were slated to be removed as part of their site plan. They are showing this staging area as permeable surface. Mr. Demers questioned whether there would be any storm water drainage facilities for this temporary parking. Mr. Karas

stated there would not since it will be permeable surface. They don't foresee any impacts for the temporary situation. Mr. McGarvey stated as long as the area is not paved, there will be minimal runoff. "There is an impact but it is temporary and it is minimal."

*Mr. Aukland left the meeting.

Mr. Karas stated this temporary parking will drain to the existing collection area on the site.

Mr. Walsh stated the Village's engineers would be in complete control of this area. "This is like a temporary building permit." Mr. McGarvey suggested the Planning Board put a time limit on the temporary approval.

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

Mr. Tedesco moved, seconded by Mr. Demers, that the Planning Board determines there will be no significant adverse environmental impacts as a result of creating this temporary parking staging area.

Mr. Tedesco moved, seconded by Mr. Demers, that the Planning Board approves an amendment to the site plan for Crescent Associates, for temporary permission for the construction of a gravel parking area where permanent parking is proposed. This approval is subject to approval by the Building Inspector with a time limit maximum of five years in which the parking will either be made permanent by the Building Department or removed. Messrs. Demers, Tedesco and Ms. Raiselis assented. Motion carried.

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

No one appeared on behalf of the applicant. Mr. Tedesco noted the F.E.I.S. is being prepared. No one appeared to address the Board on this matter. All agreed to continue the hearing at their September meeting.

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

Mr. Michael Inglis, church representative, requested conditional approval stating the site plan, drainage plan, and EAF Part III will all be fully revised to address the comments from Mr. Geneslaw, Dvirka & Bartilucci, and Mr. Yarabek. They have also reviewed

Mr. McGarvey's memo and are making some engineering changes. They have received comments from the Fire Department and that is addressed in the EAF comments and the Village's Traffic Consultant's comments have been addressed. A preliminary presentation was made to the Architectural Review Board and they found the plans satisfactory with the exception of the pergola, which they will be eliminating.

Mr. Tedesco stated he would like to see the final architectural plans. He noted the Architectural Review Board also was concerned about the fenestration, which was a bit dark. The Planning Board required an update of the EAF Part III and would need to see that. Also, Mrs. Getz, neighbor, is out of the country for the summer but will return in September and she needs to express her final comments. If all the input is acceptable in September, the Board can consider approval. Ms. Raiselis agreed, stating the Board really needs to see an architectural drawing without the pergola to see how that looks.

In regard to landscaping, Mr. Yarabek stated he met on site with Mr. Donohue, landscape architect for the applicant. He submitted a revised plan, which did not have the continuous long evergreen hedge along Shadowbrook. Mr. Yarabek stated they still need to submit a tree valuation report and trees that will be remaining and trees that will be removed. He noted in his August 23rd memo he noted the stone wall and sidewalks will also need to be improved.

Mr. Inglis noted Mrs. Getz had wanted the entire evergreen hedge along Shadowbrook. They removed it at Mr. Yarabek's request; however, they would take direction from the Board.

Mr. Demers noted Mr. Yarabek had also expressed some concern about the tree islands in the parking lot. Mr. Yarabek stated they were small – they should be increased to at least 6 ft. x 6 ft.

Mr. Tedesco stated the Board would need to see the revised architectural plans, the revised landscaping plans and the updated EAF Part III.

Upon inquiry from Mr. Geneslaw, Mr. Inglis stated the revised plans show the relocation of the proposed entry, which has been agreed to by the Village's consultant and the State Department of Transportation. Mrs. Getz also prefers this relocation.

All agreed to continue the hearing at their September meeting.

CONTINUATION OF PUBLIC HEARING – HOLY SPIRIT ASSOCIATION FOR
THE UNIFICATION OF WORLD CHRISTIANITY (HSA-UWC) – JARDIM
ESTATES EAST - SHELDON AVENUE – 19 LOT SUBDIVISION

Mr. Inglis stated they submitted a revised conventional plan, which Mr. McGarvey reviewed with Cronin Engineers and found to be satisfactory. That plan shows 17 lots so they have prepared a new cluster plan showing 17 lots.

Mr. Keith Staudohar of Cronin Engineers stated this is an R-60 zone. Access to the site is via private roads from Browning Lane and Jardim Estates. All the lots meet code in terms of zoning area and steep slopes and they believe they have a 17 lot subdivision. Lots 2, 3, and 9 have existing houses, which will remain. A small house on Lot 1 will be removed. Existing wetlands are shown on the plan.

Mr. Tedesco questioned whether any variances would be required with the conventional plan. Mr. Staudohar stated he believed just for the existing house on Lot 3.

Mr. McGarvey stated he had seen this conventional plan about two weeks ago and upon further review, the roads are shown at 25 ft. and they need to be 50 ft. He advised Cronin Engineers of that today.

Mr. McGarvey questioned who had staked the limits of the wetlands. Mr. Inglis stated their Landscape Architect, Mr. Donohue.

Ms. Linda Viertel, Gracemere, stated the Village should hire its own wetlands consultant to flag the wetlands before the conventional plan is accepted. Mr. Inglis stated that would be satisfactory but Mr. Donohue should accompany the Village's consultant when that is done.

Mr. McGarvey stated there is a lot shown that is listed as not a building lot. He questioned what that is. Mr. Inglis stated they would probably sell that property. Mr. McGarvey stated that would have to be joined to one of the existing lots or listed as open space on the plan. "You just can't plan to sell that to an adjacent owner." Counsel Shumejda stated they would need Planning Board approval to sell that piece since it is the breaking off of a parcel from a larger piece. Mr. Staudohar stated they could show it as a lot line adjustment.

Ms. Cherie Gaines, 612 South Broadway, urged the Board to request further revision of this plan. Without having the proper road width, it is possible they are justifying lots that could not exist in a conventional plan. If the roads were widened, some of the land they are claiming they can build on might no longer suffice. That would reduce the potential number of cluster houses. Before anything moves forward with clustering, the Planning Board needs to be certain what number of cluster houses would be permitted. It is not wise to waive the standards at this stage of the planning process. "I too am concerned

about the lot that is not a lot. If it is not a lot, it should not be shown as a lot with or without a number.” Ms. Gaines stated they should come back with another plan. “I think this Board owes it to our Village to be sure that the basis on which the final number of houses is allowed is a sound and valid basis.”

Ms. Gina Martini of Saccardi and Schiff, planners for the applicant, stated the roads currently within this property are private roads and could not be offered for dedication to the Village. There are existing easements. Counsel Shumejda stated whether or not the roads can be conveyed is irrelevant.

Ms. Gaines stated the conventional design does not need to be implemented. The conventional design provides the basis for the further considerations and that should meet all the standards whether or not that could be physically implemented at some future date.

Mr. Demers questioned if changing the width of the road would make any of the lots non-buildable lots. Mr. Inglis stated he did not think so but they would look at it and submit a plan showing the 50 ft. roads.

Ms. Gaines stated there are houses – outside this proposed subdivision – which exist in this area. She questioned how many houses exist that are in other ownership. Mr. Inglis stated there are eight. Ms. Martini stated they realize the Board will want to do a site walk so they have shown the adjacent property owners on the map they submitted.

Mr. Staudohar reviewed the cluster plan with the Board. He stated the roadway system is the same as the conventional plan. Some of the lots have been clustered down to 40,000 sq. ft. Approximately 11-1/2 acres of open space is shown. All the residents would have direct access to Taxter Ridge Park.

Mr. Tedesco stated before the Board’s next staff meeting the applicant should submit a conventional plan showing the wider roads and a zoning table. He stated the Village should hire a wetlands consultant to flag the wetlands – and Mr. Donohue should be invited to join him when that is done. Once a truly viable conventional plan is submitted, the Board can make a positive declaration and then schedule a scoping meeting.

All agreed to continue the hearing at the Board’s next meeting.

CONTINUATION OF PUBLIC HEARING – ABIGAIL KIRSCH CATERS, TENANT
– 81 HIGHLAND AVENUE

Mr. Dennis Noskin, architect, stated since the last meeting, the Planning Board members visited the property. The proposed addition is in the rear of the property. The addition was shaped to conform around some existing generators and equipment. At the site visit the Board suggested the addition could use some better aesthetics. They are proposing to replicate the brick on the building for this addition. Mr. Noskin submitted brick samples.

Mr. Schwalbe, Project Engineer, stated they proposed underground storm water retention. Based on concerns about the landscaping, they relocated the underground retention system into the parking area. At the request of the Village Engineer, they have increased the drainage area. Peak flood rates will be reduced by about 80% over what exists today.

Mr. Donohue, Landscape Architect, stated the landscaping plan has changed only slightly. As a result of the field visit, the three large existing white pines will be preserved. Because the retention basin has been moved, one additional white pine will remain. The existing fence instead of being relocated will stay in its existing location and the interior court will be provided as what will be seen from the dining area. Mr. Donohue noted Mr. Yarabek submitted comments about valuation, which will be addressed.

Mr. Demers stated there needs to be mitigation for the trees that will come down and the amount of green space lost. He stated Mr. Yarabek should mitigate those losses as much as possible. Mr. Demers stated the brick should be dark because the existing brick is dark. He questioned whether the applicant has looked into permeable pavers.

Mr. Noskin stated there is an area where they can remove ten asphalt parking spaces and replace those with Grasscrete; however, they believe the 80% runoff will accommodate the peak rate of flow. He showed the Board on the plan where the proposed ten spaces would be located. Mr. Tedesco stated he would like a plan more ambitious than ten spaces.

Mr. David Swope, owner of the property, stated in 1983 when the Historic Architectural Review Board proposed designating Tappan Hill historic the intent was to designate the original mansion and the east balustrade. The area where this addition is being proposed, is to a rear addition that was built in the 1950s and was never part of the historic designation.

Mr. Noskin stated the Board of Trustees is looking at amending the Compatible Use Permit to permit this addition and they will be proceeding before the Zoning Board of Appeals for an increase in the non-conformity of the property. Architectural Review Board approval is not necessary because this is in the rear of the property and cannot be seen by any neighboring property.

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

Mr. Tedesco moved, seconded by Mr. Demers, that the hearing be closed. Members Demers, Raiselis, and Tedesco assented.

Mr. Tedesco moved, seconded by Mr. Demers, that the proposed addition poses no significant adverse environmental impacts. Members Demers, Raiselis, and Tedesco assented.

Mr. Tedesco moved, seconded by Mr. Demers, that the site plan for the addition at 81 Highland Avenue be approved subject to:

1. Approval of the Building Inspector/Village Engineer particularly in regard to drainage and storm water retention as well as the acceptable matching of the brick color with the existing brick.
2. Approval of the necessary variance by the Zoning Board of Appeals.
3. Approval of a landscaping and screening plan by the Village's Landscape Consultant, which includes a tree protection plan for trees to be preserved. Plantings added should be native plants and any deviation from this should be approved by the Village's Landscape Consultant. The landscape plan is to include appropriate tree replacement to compensate for trees removed. If this replacement is not possible, then payment of the appropriate value of the trees to the Village Tree Replacement Fund should be required. There shall be adherence to the section of the code dealing with the Tree Replacement Fund for the removal of trees with a 10-inch caliper or greater.
4. Submission to the Planning Board for their approval a plan to replace some asphalt in areas such as the remote parking areas and no parking areas, not main parking areas, entrance areas and driveways, with a suitable type of permeable paver or other permeable material. This plan is to be submitted within six months of site plan approval.
5. Approval by the Board of Trustees of an amendment to the Compatible Use Permit for this addition. The Planning Board recommends that this amendment be granted by the Board of Trustees given that the drainage being provided on site is beyond that required and will therefore add drainage measures for the Loh Park area and that the applicant has also agreed to replace some existing asphalt with the permeable pavers or other equivalent permeable surface which will further add drainage in this area.
6. Payment of any outstanding escrow fees before the granting of a building permit.
7. Signing of the final site plan by the Planning Board Chair.
8. Applicant to make application to the Board of Trustees for a waiver from the Loh Park Drainage Area Moratorium and the Planning Board recommends to the Board of Trustees that the waiver be granted.

The Board was polled. Members Demers, Raiselis, and Tedesco assented.

CONTINUATION OF PUBLIC HEARING – TAPPAN ZEE REALTY CORP. – 13A
NORTH WASHINGTON STREET

Mr. Sam Vieira, architect, stated the original proposal was for a four-family building on this property which was subdivided in the early 1980s for a commercial warehouse storage facility. At the suggestion of the Board members, they have since reduced the proposal to a three-family building. Mr. Yarabek wrote a memo regarding some trees on the property, specifically some saplings. There are four or five trees on surrounding properties which Mr. Yarabek has concerns about as do they. During the demolition phase when the warehouse is taken down, they will evaluate those trees but most of the trees are not on Mr. Levy's property. Mr. Vieira showed the Board on the plan where these trees are located. Mr. Yarabek stated the elm and maple are on Mr. Levy's property. Mr. Vieira stated the situation and condition of the trees will have to be monitored.

Mr. Vieira stated the proposal is bringing this property into a conforming use where it has been non-conforming since the early 1980s. It requires parking, which is provided on site, which is unique to this area. There are no steep slopes or wetlands that need to be addressed and no significant trees on the property need to be taken down. They will be reducing the impervious surface and including storm water drainage.

Upon inquiry from Mr. Tedesco, Mr. Vieira stated variances will be required. He noted no buildings in this area meet the setbacks and none have sufficient lot size. Even though this is a legally subdivided property, it is a flag lot. They will not require variances for height or coverage.

Mr. Demers expressed concern about having a residential building in this location on a flag lot. He also expressed concern about car lights shining into these residential units. Mr. Vieira stated the first level of this building would be the garages. Headlights would hit this first level – not the living area.

Ms. Raiselis stated her concern is whether this building conforms to the neighborhood. She requested to see an elevation from the street.

Upon inquiry, Mr. Vieira stated they are proposing two one-bedroom units and one three-bedroom unit.

Board members noted the site visit scheduled earlier this month did not occur because of vacation schedules. They scheduled a visit for September 14th at 1 p.m.

Mr. Vieira questioned whether the Board would have any problem if he made application to the Zoning Board so he could be placed on their October agenda. He noted if he waited until next month, he would not get on their agenda until November. He stated if

the Planning Board does not take action in September, he could request an adjournment from the ZBA in October until the Planning Board action takes place. Board members stated this would be satisfactory.

All agreed to continue the hearing at their September meeting.

*Mr. Aukland returned to the meeting.

CONTINUATION OF PUBLIC HEARING – ROWLAND – 75 NEPERAN ROAD

Mr. Tony Guarino, Project Manager, stated as the Board had requested, they submitted a drawing showing a two-car garage.

Mr. Tedesco stated he had thoroughly reviewed the plans. In the original submission he felt the three-car garage was too large in size and with the height, it made for significant bulk on the property. Because this lot is adjacent to a park and across from an historic district, the Board requested the drawing for the two-car garage. The new plans with the two-car garage looks more suitable to the lot and the neighboring property will have a lesser garage view. The two-car garage is definitely more fitting. In regard to trees, because of the Board's site visit, they suggested moving the house to the east to save a tulip tree. They agreed the willow closest to the street might be removed because of safety reasons, and if that is done, a replacement willow should be put on the site. It was felt the other willow tree should be saved.

Mr. McGarvey stated they have been calling this a 1-1/2 story house; however, it is definitely a 2-1/2 story house. That is permitted; however, it should be properly labeled.

Ms. Raiselis noted during the site visit, it had been suggested they modify the rear elevation and she would like to see drawings with that modification. Mr. Guarino stated the architect has been away; however, he would advise him that the Board wants that revisited.

In regard to moving the house to the east, Mr. Guarino stated the architect has said it cannot be moved.

Mr. Yarabek stated during the site walk, the applicant had been told to get a licensed arborist to review the trees. He noted the agreement with the Village for the sale of this property was contingent on no trees being removed. Mr. Guarino noted the agreement allowed for the removal of the two willow trees. Mr. Tedesco stated that does not mean they have to be removed.

Mr. Tedesco questioned how much the house would have to be moved to save the tulip tree. Mr. Yarabek stated 15 ft., which is not possible with the plan submitted.

Mr. Yarabek stated the applicant should submit a professional landscaping plan prepared by a licensed landscape architect showing the trees to be saved and the trees to be removed and how they plan to mitigate the trees to be removed.

Mr. McGarvey stated now that the Board has decided on the two-car garage, he will need a drainage analysis prepared.

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

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

CONTINUATION OF PUBLIC HEARING – PUTNAM AVENUE HOMES –
HILLSIDE STREET

Mr. Tedesco stated when the proposal for the two homes was first made, the significant problem the Planning Board focused on was the disturbance to steep slopes. The zoning code prohibits new construction and vegetation removal in areas of steep slopes. Based on Planning Board comments, the houses were reduced to 3,100 sq. ft. and the homes and driveways were repositioned. It still left a significant disturbance of the steep slopes. At a work session the Board suggested that perhaps a re-subdivision would make an improvement and that did reduce the steep slopes disturbance. The applicant should be commended for making these efforts; however, after further review, there is still a significant disturbance in the steep slopes. Mr. Tedesco stated he looked at how to get two homes on the property without significantly disturbing the steep slopes. With regard to Lot 3, reducing it will not make a significant impact and moving it forward will not. With Lot 4, if it is made smaller and put in the flat area, that might be a possibility. If that is not viable, it keeps coming down to one home, which would be a small enough disturbance that the Planning Board could recommend a variance. "To me, the viable solution is one home on Lot 4A."

Mr. Demers stated he agreed. From the beginning the Planning Board has been concerned with the disproportionate size of these houses with others in the area and that combined with the steep slopes led to two smaller homes or one house but not the houses proposed.

Mr. Aukland stated he reached the same conclusion. There is no answer to building on Lot 3 other than a serious violation of the steep slopes regulations. On Lot 4, there is a way to build a reasonable home but not where it is shown.

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

Mr. Pateman stated they currently have \$625,000 worth of land, which was subdivided by the Planning Board a few years ago. They could not build one house unless the Village wanted to buy one of the building lots. The original houses had 4,000 sq. ft. of living space and that has been reduced to 3,100 sq. ft. To reduce the footprint would bring it below the footprint of homes in the neighborhood.

Mr. Demers stated the footprint is consistent but the square footage of the houses is much larger than the rest of the neighboring houses. Mr. Pateman stated they comply with the zoning requirements. Mr. Demers stated they do not comply with the steep slopes regulations.

Mr. Pateman stated he wished the Board had come to this conclusion before they went to the expense of developing new subdivision plans. Mr. Tedesco stated the Board was trying to examine every possibility to make the two houses possible. They needed to see if it could work.

Mr. Pateman stated these are two legal building lots. Mr. Demers stated to be legal you have to show a house can legally be built.

Counsel Shumejda stated the fact the property can support one potential house shows it has value. The lots have to comply with the current law. The law was first enacted in 1990. The definition of a steep slope has not changed. In 2005 a word was changed from restrict to prohibit. The applicant may not have done due diligence when he purchased the property. He should have consulted with the Village Engineer or Planning Board prior to purchasing the property.

Mr. Pateman stated it had been subdivided just a few years prior to the purchase.

Mr. Demers stated the Planning Board has to operate within the codes that exist.

Mr. Pateman requested an adjournment stating they would like an opportunity to consult their attorney. He stated they are null and void in regard to the re-subdivision application. Their site plan application of 2005 as amended is their application.

Mr. Tedesco moved, seconded by Mr. Demers, and unanimously carried, to continue this hearing at the Board's next meeting.

PRELIMINARY PRESENTATION – DANDY, LLC – 1 DIVISION STREET

Mr. Octavio Gomez appeared on behalf of the architect Martin Diano. Mr. Gomez stated the proposal is to convert the building at 1 Division Street from business machine offices with repair and storage of business machines to a new laundry/dry cleaning establishment with a new storefront with awning and canopy over the parking area. On the east side of the building will be two exhaust vents for the machinery.

Upon inquiry from the Board Mr. Gomez stated they will be doing the dry cleaning on site and will be using the new technology that uses a hydrocarbon solvent rather than perchloroethylene. This solvent is non toxic and does not produce any odors. No one will smell any fumes.

The Board gave the applicant a copy of a memo from Mr. Yarabek which stated more Virginia Creeper should be planted along the railroad fence; missing or poor condition Privet along the front planter islands should be replaced; root sucker growth on the flowering pear tree in the southeastern planter should be pruned; mulch planting beds at hedges and trees should be created.

Upon inquiry from Mr. Demers about parking, Mr. Gomez stated the existing parking exceeds their parking requirements.

The applicant was requested to prepare a written description of the operation explaining what chemicals will be used and what agencies must issue approvals. This write-up could then be circulated with the Environmental Assessment Form to all the interested agencies.

Counsel Shumejda suggested when a public hearing is held, property owners in Sleepy Hollow within 100 feet of this property should be notified.

The Board agreed to continue this preliminary presentation at their next meeting.

PRELIMINARY PRESENTATION – CHRIST CHURCH – 43 SOUTH BROADWAY

Mr. Tedesco stated three years ago the Board approved the use of the rectory at Christ Church as temporary housing for international students attending the E.F. School at Marymount at Fordham University. That approval is expiring and the church is requesting it be renewed.

Mr. Aukland moved, seconded by Mr. Demers, and unanimously carried, that the Board declare its intent to be lead agency on the renewal of this application.

Mr. Tedesco moved, seconded by Mr. Demers, and unanimously carried, that the Board set a public hearing for their September meeting to consider a renewal of this use at Christ Church.

GENERAL STORMWATER DRAINAGE GUIDELINES

Mr. Tedesco reported the Board has been reviewing the possibility of developing some general stormwater drainage guidelines that could be adopted by the Village. He stated

he had prepared a draft, which he distributed to the Board, stating this could be reviewed and discussed at a future staff meeting.

Mr. McGarvey stated the Village also has a consultant reviewing the Village's storm water guidelines so they can be brought into compliance with the New York State Guidelines and he would forward Mr. Tedesco's draft to the consultants for their comments.

PARKING REQUIREMENTS FOR SUPERMARKETS

Counsel Shumejda stated that per the recommendation of the Planning Board, the Board of Trustees requested Buckhurst, Fish and Jacquemart review the Village's parking requirements relative to supermarkets. They have performed that review and have issued a report, which will be forwarded to the Planning Board.

ADJOURNMENT

Mr. Demers moved, seconded by Mr. Aukland, and unanimously carried, that the meeting be adjourned – 10:05 p.m.

Kathleen D'Eufemia
Secretary

