

June 21, 2022
TUCKAHOE PLANNING BOARD
Online due to Covid 19
Regular Meeting – 7:30pm

Present: Chairperson Antonio Leo
Commissioner Raymond Nerenberg
Commissioner David Barra
Commissioner Paul Wolfson

Absent: Commissioner Susana Carpenter
Commissioner Adrienne Michel (ad hoc)

Also in Attendance:

Gary Gjertsen	Village Attorney
Bill Williams	Building Inspector
Carolina Fonseca	Village Consultant
Frank Fish	Village Consultant

Chairman Leo announced the evening's agenda as follows:

Item #1	Approval of the minutes – May 17, 2022	
Item #2	30 Elm St.	Amend Site Plan
Item #3	25 Main St.	Subdivision
Item #4	125 Columbus Ave.	Subdivision
Item #5	31-33 Main St.	Site Plan

Item #1 Approval of the minutes dated May 17, 2022
Commissioner Nerenberg motioned to approve the minutes from the May 17, 2022
Planning Board meeting, seconded by Commissioner Wolfson and carried with a
vote of 3-0, with Commissioner Barra abstaining due to his absence.

Item #2 30 Elm St.**Amend Site Plan**

Lenard Brandes, architect representing the applicant Pyramid Squash indicated that the application was to allow for small parties or gatherings in the existing second floor meeting room. The Pyramid Squash court would like to offer the customers a room on the upper floor to have parties until 11:00pm on the weekends.

Chairman Leo noted that there have been four noise complaints in the past year from the nearby residents. They vary in time from 7:30pm to 11:00pm

Chairman Leo asked for the original resolution that was granted so he could review the hours of operation. He also asked the architect to prepare to present how the garage would close at 10:00pm whereas the party room would close at 11:00pm. How would the guests remove their vehicles?

Chairman Leo asked Bill Williams to review the code for public assembly based on the maximum square footage, with seating and without.

Mr. Brandes noted that the applicant would be requesting a maximum of 50 people but would probably be capped at 25 -35 people.

Mr. Brandes requested copies of the police reports regarding the noise complaints.

Chairman Leo motioned to open the public hearing, seconded by Commissioner Barra and carried unanimously.

No Public Comments

Chairman Leo motioned to keep the public hearing open, seconded by Commissioner Barra and carried unanimously.

Item #3 25 Main St.**Subdivision**

Mr. Brandes stated that the Metro North had a 250-yr. lease on the building and surrounding area at 25 Main St. Recently the land and lease changed hands from Metro North to the MTA. The MTA proposed to sell the building and surrounding areas with additional area to the applicant. The applicant is requesting a subdivision and an adjustment to the lot line so as to buy the property from the MTA.

A discussion evolved regarding the spaces from 1 -12 in the lot. These spaces should be short term metered spaces for the customers of the building. There are no meters, but private signs stating that the spaces are for the customers of 25 Main St.

Bill Williams stated that Mr. Borducci had an agreement with the Village to have 21 parking spaces; 11 short term metered spaces and 10 parking spaces that Mr. Borducci rented from the Village. Last year, due to the loss of business during the pandemic, Mr. Borducci applied and was granted a reduction of the number of parking spaces he leased from the Village. The agreement was that Mr. Borducci was to pay for 5 parking spaces, but he only pays for 3 because he uses 2 spaces at 29 Elm St. Mr. Borducci was to return in February 2022 to renew the agreement.

Mr. Frank Fish, Village Consultant added that the applicant must fill out a complete EAF for the subdivision or the parking variance. The EAF is currently segmented and the applicant needs to describe the actions to make it clear. There will be an uncoordinated review if segmented and the Zoning Board and Planning Board need to view the totality of the application.

Mike Seminara summarized the history of the building. Mr. Borducci did not have tenants when he applied for the use of the building. The Planning Board was adamant that any potential tenant would need ample spaces. The Planning Board required 21 parking spaces, with 11 spaces being metered and Mr. Borducci renting 10 spaces from the Village.

Gary Gjertsen, Village Attorney noted that he would investigate as to why the village did not install the short-term parking meters.

Jessica Loeser, attorney representing the applicant, reviewed the subdivision map. All the space to the left and right of the building that includes the covered walkway and the narrow land between the train tracks and the parking lot would now be added to the building. That area would now be part of the sale with the building. The owner of the building would need to maintain the property. It will no longer be maintained by the MTA. Ms. Loeser noted that she is trying to track down the easement agreement.

Bill Williams added that the applicant would need to discuss the recreation fee as per the appraised value of the property.

Commissioner Wolfson asked if the transfer of the property is pending on the approval of the subdivision.

Ms. Loeser answered yes.

Chairman Leo motioned to open the public hearing, seconded by Commissioner Barra and carried unanimously.

No Public Comments

Chairman Leo motioned to keep the public hearing open, seconded by Commissioner Barra and carried unanimously.

Mr. Fish reviewed what an EAF was and why one was necessary.

An EAF stands for Environmental Assessment Form. Before any board can take action, they need an EAF and then the Board can declare Lead Agency. If the EAF can show that there would be no adverse impact on the environment, then the Board can declare a negative declaration.

Mr. Fish added that the applicant must also file a 239 referral to the Westchester County Board.

Item #4 125 Columbus Ave. Subdivision

Paul Tavalilla, applicant requested a subdivision. He would essentially move the property line 60ft. 5in north. He noted that in 2015 he was granted a Special Use Permit.

Bill Williams added that the property does have a parking lot license.

Chairman Leo noted that he would like a copy of the parking lot license, a new tax assessment to account for the recreation fee and a copy of the original resolution from 2015.

The recreation fee is 10% of the differential increase of the property value.

Gary Gjertsen advised the applicant to also send a 239 to the Westchester County Board. Once approved, the applicant can apply for a Linen from the surveyor.

Item #5 31-33 Main St. Site Plan

Robert Stanziale, representing the applicant, is requesting a Special Use Permit to open a dance studio, Dream Makers Performing Arts in the building located on the corner of Columbus Ave and Main St.

The dance studio will operate Monday to Fridays from 3:00pm to 9:00pm with the hours from 5:00pm to 9:00pm being the busiest time. Saturday 9:00am to 5:00pm

The students attending the dance studio will range from toddlers to teenagers. The employees are professional dancers from the city and will take the Metro North to the site.

The studio will have a reception area, dance studios and bathrooms. The rear entrance will be fixed up with a glass door. The students will be dropped off in the rear and escorted through the rear door, down the staircase and then up the staircase to the studio. The rear entrance is shared with the post office loading dock. The plans are to improve the loading dock with lights.

Dominic Brescia, representing the applicant noted that the applicant will lease 3 parking spaces from the Village.

Chairman Leo asked if the applicant can attend the next work session. He added that this is a difficult corner in the village. There must be no drop offs at the front door on Main St. as this is a main artery through the village. There must be cameras and security features in the corridors and on the stairwells.

Gary Gjertsen noted that the Zoning Board may have requested 4 spaces. The Planning Board must give its input to the Zoning Board.

Bill Williams requested that the applicant submit a written statement from the post office that they agreed with this application. The post office parking lot is very active and the loading dock is not the safest space for these young students. It is a very active corner in the village.

Mr. Stanziale noted that the post office is the Federal Government and it is very difficult to get anything in writing. He will try to get a copy of their lease.

Commissioner Wolfson noted that the loading dock does not have a safety railing. Safety is an issue.

Chairman Leo asked the applicant to provide photos of the loading dock, rear door and plans of the basement.
A site visit may be necessary for the Board members.

There being no further comments from the public or business before the Board, upon motion duly made, seconded and unanimously carried, the meeting was adjourned.