

April 14, 2011

**TUCKAHOE PLANNING BOARD
TUCKAHOE VILLAGE HALL – 7:30pm**

Present: Chairperson Ann Marie Ciaramella
Commissioner Raymond Nerenberg
Commissioner Melba Caliano
Commissioner Eric Fang
Commissioner Antonio Leo
Commissioner Tim Miller
Commissioner Claire Gorman
Commissioner Sandy Reyes-Guerra (ad hoc)

Also in Attendance:

John Cavallaro Village Attorney
Bill Williams Building Inspector
Frank Fish Village Consultant
Jim Pinto Village Consultant

Chairwoman Ciaramella announced the evening's agenda as follows:

- Item #1 Approval of minutes – March 15, 2011**
- Item #2 Chestnut Street Return**
- Item #3 72 Marbledale Rd. Architectural Review**
- Item #4 12 Fisher Ave. Site Plan**
- Item #5 24 Oak Ave. Return**
- Item #6 Crestwood Station Plaza LLC
300 Columbus Avenue Return**
- Item #7 150, 160, 233 Main Street Return**
- Item #8 81 Lincoln Ave Adjourned**
- Item #9 1 Midland Place Adjourned**

Item #1 Approval of minutes – March 15, 2011

Motion by Commissioner Nerenberg to approve the minutes from the Regular Meeting – March 15, 2011 was seconded by Commissioner Caliano and carried by the Board with a vote of 7-0, with Commissioner Gorman abstaining due to her being appointed to the Board this month.

Item #2 Chestnut Street Return

Anthony Rizzo and Steven Marchessani submitted revised plans displaying the two parking spaces in the garage. Both houses will have the two parking spaces in the garages.

Commissioner Reyes-Guerra added that the applicant must address the stabilization of plant material during the Architectural Review for this application, and that the plant material used be guaranteed for stabilization for one year.

Commissioner Leo motioned to approve the application as presented tonight. This motion was seconded by Commissioner Nerenberg. Discussion: Chairwoman Ciaramella introduced Claire Gorman as a new member of the Board. Since she was not on the Board during the presentations, she will recuse herself from this vote, Commissioner Reyes-Guerra, the ad-hoc member, will cast her vote. The motion was carried with a vote of 7 – 0.

Architectural Review

Commissioner Leo motioned to review the architectural review of this single-family house. This motion was seconded by Commissioner Caliano and carried unanimously by the Board.

Architectural Review

Mr. Rizzo summarized the materials to be used; vinyl cedar shaped siding in a clay color with black shingles, stone veneer, the patio will have Cambridge pavers, the roof over the bay window will be copper, garage door- white, exterior lights - black and mounted on the door, stone retaining wall - Liberty stone, color – willow, white trim around all the windows. The front windows will have grills, while the side windows will not. Anderson windows, double hung, will have a 4in. trim and will be flush with the house, not recessed. Stucco – natural color.

Landscape Plans

Two maple trees in the front to replace the mature trees, which will be removed. A hedge planted in front of the retaining wall. The rear will have low evergreen Junipers, with ground cover. The lawn will slope 3ft. with new grass.

Commissioner Reyes-Guerra asked if it were possible to plant young trees in the rear and to offer a guarantee that the plants used for stabilization would be good for a least a year.

Commissioner Leo stated that this plan is for a pre-fab house and requested plans with different elevations.

Mr. Morchesaki noted that he submitted 10 sets of those requested plans.

Chairwoman Ciaramella stated that the Board would review the plans for both homes with the landscape plans. The applicant may return next month.

Item #3 72 Marbledale Rd. Architectural Review

Jonathon Walko noted that he received approval from the Sign and Awning Board for the signage and canopy with the condition that the color stays as presented. The original color was beige, the door is red, with a blue canopy and beige building. The adjacent building is more of a yellow color. The building is set back 25 ft. from the buildings on either side of this building.

The applicant leases only part of the building. The leased space ends 40 ft. before the building ends, but the entire building will be painted one color by the applicant. The sign will be green and blue and will be affixed to the building. The letters will be 14 in., which will stick out with one light over each word. - Pet Resort and School – will be on the canopy. The applicant will return to the Sign and Awning Board with an application for a permanent standing sign, once the applicant is confident about how the vehicles will maneuver. A decision will be made as to where to place the permanent sign. The railing will be painted a deep navy blue.

Motion by Commissioner Nerenberg to accept the application as presented tonight, was seconded by Commissioner Caliano. Discussion: Commissioner Fang noted that this application has shed some light on this segment of Marbledale Rd. The Village code does not allow too much leeway. Chairwoman Ciaramella noted that it is difficult to visualize lettering.

Motion was carried with a vote of 7 – 0.

Item #4 12 Fisher Ave Site Plan

Mr. Tony O’Sullivan, submitted plans for an outdoor eating area. The area sits behind the building and will be screened with 5 ft. tall shrubs planted in a 2ft. wide planting area behind a 20in. retaining wall. The shade structure will be beige color and will be anchored into the concrete behind the retaining wall.

Commissioner Reyes-Guerra voiced her concern regarding the 2ft. planting area being insufficient space for 5ft. shrubs. Arborvitae is very narrow and may only grow to 3ft. An additional 6in. in the planting area may be required for 5ft. shrubs.

Mr. O’Sullivan agreed to the additional 6in. He added that the lighting would be placed on the 4 postings of the canopy with string lights below the canopy and table lights on each table. The existing patio has 2 small lights on the fence area and a spotlight at the door.

Commissioner Miller asked about the canopy over the walkway.

Mr. O’Sullivan noted that the awning over the canopy is a different color as it is already installed. Both colors complement each other.

Chairwoman Ciaramella stated that the applicant requires approval from the Sign and Awning Board for the rolling awning already installed.

No Public Comments

Commissioner Caliano motioned to accept the application as presented tonight, Commissioner Nerenberg seconded the motion. Commissioner Reyes-Guerra added an amendment that the planting bed be increased to 2ft 6in. for ample space for healthy shrubs.

Chairwoman Ciaramella motioned to accept the amended motion, was seconded by Commissioner Nerenberg and carried with a vote of 7 – 0.

Item #5 24 Oak Ave.

Return

Mr. Michael Piccirillo representing the Colbert residence indicated that the applicant was requesting approval for a two-story rear addition to the two-story house. The applicant will maintain the alignment with the existing home. He noted that approval was granted by the Zoning Board. He submitted photos of the house and adjacent properties. The proposed addition will have vinyl siding, same beige color as the original with windows and vinyl castings. There are no plans to change the existing house.

Commissioner Caliano asked if the extension would be visible from the street.

Mr. Piccirillo noted that it would not except for at extreme angles. There is a large retaining wall behind the house also to screen the rear yard. The plans fit within the character of the neighborhood.

Commissioner Caliano requested that the baluster in front of the house be removed.

Commissioner Nerenberg motioned to accept the plans as presented tonight, was seconded by Commissioner Leo and carried by the Board with a vote of 7 – 0.

Item #6 Crestwood Station Plaza LLC

300 Columbus Avenue

Return

Mr. James Ryan, representing the applicant, noted that the plans have remained consistent and asked Bill Williams, Building Inspector to examine the additional green space in the parking area.

Bill Williams, Building Inspector noted that the change cannot be made. The parking spaces must stay as presented.

Chairwoman Ciaramella noted that the items from Mr. Pinto's memo must be addressed.

Mr. Ryan noted that the concerns will all be addressed. He asked for a public hearing to be opened and that the Board declares a negative declaration for this application.

Mr. Frank Fish noted that his memo dated April 4, 2011 requested that the Board have a public hearing to listen to public comments. He noted that the consultants will then have a chance to do Part II of the EAF. John Cavallaro, Village Attorney, can compose a resolution regarding SEQR.

Commissioner Caliano motioned to open the public hearing, was seconded by Commissioner Fang and carried unanimously.

Public Comments

Joanne Cannale 3 Deerfield Ave. asked if Commissioner Gorman would be voting on the negative declaration for this application.

Chairwoman Ciaramella stated that the decision for SEQR is done by a resolution. She was not aware of any restrictions for Commissioner Gorman to vote if she reviews all the documentation for this application.

Commissioner Fang submitted a letter from Carol Macioci 136 Oakland Ave. whom voiced her concern regarding the intersection of Columbus and Lincoln Avenues. The Crestwood taxis backup into the intersection, which obscures the drivers' visibility. She requested a three-way stop sign.

Bill Williams, Building Inspector advised the Board to forward the letter to the Village Trustees as they have the authority to install a 3rd stop sign.

Commissioner Fang added that the Village Board should be aware that the increased pedestrian load will shift the traffic patterns. The stop sign for southbound traffic near the Crestwood Taxi should be reviewed.

Mr. Fish stated that there is not enough traffic to make that change and his Traffic consultant Mr. Georges Jacquemart would certainly agree.

Commissioner Nerenberg noted that the speed limit of 20 – 25 mph is not adhered to by the drivers.

Mr. Fish noted that this project does not affect the southbound traffic. If the Board wants to review the stop sign at that location, it is not due to this project.

Commissioner Fang indicated that there is more pedestrian traffic due to this project.

Commissioner Caliano noted that the concern may not be generated by this project, but it is a very serious safety issue.

Mr. Fish added that this would not be considered a safety issue from Mr. Jacquemart's point of view. The subject should be presented to the Board of Trustees.

Commissioner Miller asked about the crosswalk at that intersection.

Mr. Ryan noted that there is sufficient sight distance. He noted that he will look at the location of the stop sign to prevent vehicles from rolling through for better visibility.

Commissioner Reyes-Guerra noted that he applicant should coordinate with DPW regarding the crosswalk to the Crestwood taxi stand.

Chairwoman Ciaramella stated that this concern should be brought to the Village Board's attention and DPW to review the stop sign and the pedestrian crosswalk.

Mr. Pinto, Village Consultant, summarized his memo dated April 12, 2011.

There were 40 comments , which should be reviewed before Site Plan approval;

Certified survey by a licensed surveyor, parking under the building at grade, review where columns are to examine the turning radius for safety issues, drop curb requirements across street, not just on project side, re-stripe area on west side of Columbus which line up with the meters and black out the old lines, identify the refuse storage area and determine how the truck will enter and exit to collect the refuse, site lighting not consistent, drainage pipe diameter should be 15in. in diameter rather than 12 in., existing storm water converted from curb style to garden style, restripe crosswalks, display how the building height will fit into the area with cross

sections, show roof equipment such as a/c screening, decibel readings meet requirements, sample of exterior finishes for Board.

Mr. Pinto noted that the applicant has received a copy of this memo.

Mr. Ryan noted that a certified survey was submitted with the original application. He will submit it again. The height of the building is 38ft. while 42 ft. is allowed. He added that he will work with Mr. Pinto regarding all the items in the memo.

Commissioner Fang noted that regarding the height of the building, there is different topography in sections of the building.

Bill Williams, Building Inspector noted that the height is always taken from the front of the building.

Mr. Pinto added that being that the building is well under the height requirements.

Commissioner Caliano motioned to close the public hearing was seconded by Commissioner Nerenberg and carried unanimously by the Board.

Item #7 150, 160, 233 Main St. Return

Mr. Raffiani noted that the storm water documentation required by the Board is in the process of being completed. He noted that a new EAF with school and financial information was being completed. He asked that the Board close the public hearing this evening after the public addressed the Board and he congratulated Commissioner Gorman on her appointment to the Board.

Chairwoman Ciaramella stated that the public hearing will stay open until all the information required is presented. The public hearing will not be closed this evening.

Mr. Pinto submitted concerns, which need to be addressed prior to site plan approval.

The following were just a few highlights from his submission:

- Final site plan approval would require the engineer eliminate disclaimers
- Existing pipes that the village owns must be identified.
- Storage tanks testing and removal must be on the site plan and construction documents.
- Pedestrian warning system not addressed in final plans.
- Site geometry, adding evergreen screen to shed residents units from parking area.

Mr. Fish stated that the applicant is in the process of putting all this information into an expanded EAF. One document which will include the fiscal impact including school information, hazardous material, and traffic studies. Based on this updated EAF, the consultants can complete Part II of the EAF and conclude SEQR before site plan approval.

Mr. Raffiani noted that this updated EAF should be completed by next month's meeting.

Chairwoman Ciaramella announced that this meeting is now open for public comment on Glenmark Property submission. Members of the community are invited to make comment. They are to give their names and addresses. Each person commenting will be given 5 minutes to comment.

Please note that this portion of the meeting is restricted to comment. It is not a conversation or a question and answer session. The goal is to hear your comments and concerns. The Board will first hear from residents who did speak at last month's meeting.

We, the Board members, welcome your comments, which will be given serious consideration. Be assured of that.

Thank you for your cooperation and respect for this process.

Public Comments

Antoinette Martino 6 Triangle Place thanked the Board for not closing the public hearing until all the information is presented. She requested sketches of the interior of the apartments. The vacancy rate at the Avalon is now 17%. The projection of taxes is with ambitious rents.

Sandy Thompson 17 Underhill Ave. expressed support for this project. Tuckahoe needs to be rejuvenated. She understands that there are tax implications and the schools may be at risk, but Tuckahoe would be a much better place with this project.

Elizabeth Taylor 35 Jefferson Place congratulated Commissioner Gorman, and expressed her support for this project.

Tammy Ehrenfeld 53 North Way noted that she is in favor of this project, but not the size. The project is too big. Tuckahoe is over dense, in line with Yonkers and Mt. Vernon. 89 units are a lot, 129 units are absurd. This is not just about the school concern, but the community as a whole. It is over dense, has a negative impact on the schools, which will cause property values to decrease.

Stephen Pagnotta 21 Crawford St. noted that the project was too large. The increase from the original 88 units to 129 units is an increase of 50%. Property values directly correlates to school reputation. Please reconsider the size of this project.

Joe Pregiato 126 Siwanoy Blvd. asked for the Board members to show hands as to which members had children in the school. Two members raised their hands. He added that he spoke to the Mayor Fitzpatrick as to whether Claire Gorman would vote on this application. He was certain that she would recuse herself. He asked the Board to remember that this project is not just Mr. Raffiani's, it is also Glenmark. He asked the Board to Google Glenmark. He referred to the minutes dated Oct. 20, 2009 and read Chairwoman Ciaramella motioned to approve the requested extension with conditions that were not met. He asked where the enforcement was as the conditions were not met.

Chairwoman Ciaramella noted that the Planning Board does not enforce.

Mr. Pregiato asked the Board to revoke the permit as they did not meet the conditions of the extension.

John Cavallaro, Village Attorney, noted that the permit could be revoked if brought through the courts.

Mr. Pregiato stated that developers would now know that the conditions set forth by the Planning Board do not have to be taken seriously, as they are not enforced.

Commissioner Fang noted that the members of this Board are all volunteers. The enforcement issue is an ongoing, big concern.

Mr. Pregiato added that the Board would not have granted the extension without the attached conditions, and they were ignored. He thanked Commissioner Reyes-Guerra for all her time regarding this application and was sorry that she will now not be able to vote.

Chairwoman Ciaramella noted that the public hearing would remain open.

Item #8 81 Lincoln Ave Adjourned

Item #9 1 Midland Place Adjourned

Chairwoman Ciaramella wished all a Happy Easter and Happy Passover.

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.