

Minutes of: August 6, 2014
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August 6, 2014
SPECIAL MEETING
TUCKAHOE ZONING BOARD AND BOARD OF APPEALS
TUCKAHOE VILLAGE HALL – 7:30pm

Present: Ronald Gallo Chairperson
 John Palladino Member
 David Scalzo Member
 Janice Barandes Member

Also in Attendance:
 Gary Gjertsen Village Attorney
 Bill Williams Building Inspector
 Frank Fish Village Consultant

Absent: Nicholas DiSalvo Member

Pledge of Allegiance

Chairman Gallo announced the agenda of this meeting as follows:

Item #1 109 Marbledale Rd. **Area Variance**
Item #2 125 Marbledale Rd. **Adjourned**

Item #1 109 Marbledale Rd. Area Variance

Rocco Salerno, attorney for the applicant, Bill Weinberg, summarized the application for a proposed Marriott Springhill Suites Hotel and restaurant to be located on this site, which is 3.4 acres.

Gary Warshauer, architect for the applicant, noted that the proposed hotel would be 5 stories with 163 rooms. The 5-story building conforms to all setback requirements. The variances requested are for the main lobby area, which is a one-story section of the hotel. This area will house the lobby, pool and exercise room. The area is adjacent to an undeveloped, commercial property, which slopes approximately 40%. The one-story portion has a proposed 6ft. setback where a 25 ft. setback is required. The relief the applicant is requesting is for 14ft. Behind this building is a very steep slope and is approximately 50 ft. from the neighbor's yard.

In addition, a landscape buffer is required within the property line. The property line is not straight so therefore, the buffer zone varies from 20ft. to 8ft. from the property line. The required distance is 20ft.

Member Barandes noted that the applicant designed the project so the building height would be in an area where it would minimize the impact to the neighbors.

Member Scalzo stated that there is quite a lot of space on a 3.4-acre property and the project could be designed to not need any variances, but the applicant wants to maximize parking with minimal impact on the neighbors.

Mr. Warshauer noted that the project meets the parking requirement and does minimize the impact to the neighbors. There is a clean circulation between the hotel and the restaurant.

Member Scalzo asked the applicant why he chose this village and this vacant lot.

Mr. Bill Weinberg stated that he was originally going to do a small project, but after some thought he decided that this would bring the best use, with the highest tax revenue for the village and no impact on the school system. He noted that events at the local colleges and weddings at Lake Isle require visitors to find hotels in White Plains, New Rochelle or Yonkers. He spoke very highly of the Marriott management. They currently have 300 Marriott Springhill Suites open with 99 more to open soon. Marriott has never had a failed Springhill Suite.

Mr. Weinberg noted that the 163 rooms is the maximum amount of rooms with very little variances. He added that it does not impact the neighbors and it would be a great boost to Marbledale Rd. In addition, he noted that research has shown that people in Westchester do not patronize restaurants located in a hotel; therefore, the restaurant will be on the property on the other side of the lot. It will be an upscale restaurant, which will serve the community and the hotel patrons.

Chairman Gallo asked about the tax credits.

Mr. Weinberg noted that this project would be granted tax credits, with most tax exemption coming from the state. The Brownfield is a direct tax credit on money spent on the cleanup of the site. These credits do not affect the residents.

Mr. Salerno added that Brownfield is defined as a potential hazardous site based upon the history of the location. He was not personally involved in the negotiations with the DEC and DEP, but it was his understanding that any soil disturbed has to be removed under precise guidelines.

Frank Fish, Village Consultant agreed with the Brownfield definition. The DEC, Dept. of Environmental Conservation has authority and the applicant will have to follow their very strict guidelines.

Chairman Gallo asked if the applicant could give a projected school tax for the next meeting. He also added that Concordia and Sarah Lawrence Colleges have a tremendous need for a hotel.

Member Scalzo asked Mr. Weinberg's experience with developing large-scale projects.

Mr. Weinberg stated that he developed a Wal-Mart, Bed, Bath and Beyond, a car dealership and a project in Larchmont. He has always finished his projects on time.

As for this project, he has invested a lot of money, a license with Marriott, and consultants. He anticipates the project will cost \$20 million and take approximately 18 months to complete.

Frank Fish added that the applicant must meet all the standards at the state level. The Planning Board has site plan authority so they would be the Lead Agency for the Phase I and Phase II of SEQR.

Mr. Weinberg stated that this location is great as it is close to all major roadways in Westchester County. It is a well thought out project with 5 years of research.

Gary Gjertsen stated that the applicant is requesting two variances. Mr. Salerno will submit the 5-prong test for the area variance. The SEQR was addressed which does not apply to the area variance and the village will place a notice on the site regarding the workshop date.

Chairman Gallo noted that the Board members will visit the site prior to the next workshop meeting.

Chairman Gallo motioned to open the public hearing, seconded by Member Palladino and carried unanimously.

Public Comments

Clive Griffiths, office manager for Ki Martial Arts, stated that parking was an issue in this location. Forty parking spaces will be lost if the hotel is built. Also 80% of his clients are children ages 3 years to 16 years old, and he voiced his concern regarding the construction vehicles and the safety issue.

Member Barandes noted that concerns of safety will be addressed by the Village laws that govern the town.

Gary Gjertsen, Village Attorney, added that the parking issue will be addressed by the Planning Board and the Building Inspector will oversee the safety of the project.

Member Scalzo noted that a traffic light may be discussed for that location.

Gary Gjertsen noted that he received a letter from Les Maron who is representing K Martial Arts and will place that memo in the file.

Mr. Salerno noted that he had issues regarding the memo from Les Maron and will discuss the issues with the Planning Board.

Mr. Marinello, 4 Coolidge St., noted that he was a lifelong resident and was dead set against this project. A hotel in Mamaroneck did not succeed and later became infested with drugs and ended up to be a homeless shelter. The hotel in Bronxville no longer exists. This Village has the highest density in the state. The traffic will be a nightmare with the Crestwood project and the Midland Ave. project. He voiced his concerns about the A/C units on the roof that will be visible to the neighbors on the hill. He asked the Board members to reconsider and think about this project.

He asked who the owner of this property was.

Gary Gjertsen noted that the Zoning Board application stated that Mr. Weinberg is the owner.

Member Scalzo stated that the Board is trying to do this in the most transparent way. The Board was just presented this application and is getting a sense of the community regarding the project.

Member Palladino noted that this Board is here to approve/deny variances. The hotel is an approved use for this location.

Chairman Gallo noted that this Board does not take a poll of the residents to grant variances. The Board must look at the project and examine if it benefits the Village or not. This will not drain the taxpayers, it will cap the property and it will cost a lot of money to develop this property.

Frank Fish, Village Consultant, noted that the residents can view everything regarding SEQR. Phase I and Phase II results, Boring results and DEC results are all made public.

Member Scalzo noted that the economic viability was a concern. He asked if the applicant could submit the studies done on this property so the public could access them.

Mr. Salerno stated that he would be happy to submit the studies, but the ultimate success of a project is not a factor that this Board needs to consider.

Lyle LaMothe, owner of the Broken Bow Brewery, noted that his customers often inquire about places to stay for the night. They come from all over the tri-state area and may stay the weekend if there was a hotel.

Mr. Ciacciola, 181 Marbledale Rd., noted that he is very happy with the plans for the hotel. He submitted a letter for the file in favor of the project.

Chairman Gallo motioned to keep the public hearing open, seconded by Member Palladino and carried unanimously.

Chairman Gallo added that the Board members will plan a site visit with the applicant. He thanked all for coming.

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.