

June 21, 2011 (revised July 19, 2011)

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

Present:

Chairperson	Ann Marie Ciaramella
Commissioner	Raymond Nerenberg
Commissioner	Eric Fang
Commissioner	Melba Caliano
Commissioner	Antonio Leo
Commissioner	Tim Miller
Commissioner	Clare Gorman

Also in Attendance:

Commissioner	Sandy Reyes-Guerra (ad hoc)
John Cavallaro	Village Attorney
Bill Williams	Building Inspector
Frank Fish	Village Consultant

Chairwoman Ciaramella announced the evening's agenda as follows:

Item #1	Approval of minutes –	May 17, 2011
Item #2	Chestnut Street	Architectural Review
Item #3	81 Lincoln Ave	Return
Item #4	305 Columbus Ave.	Site Plan
Item #5	111 Lake Ave.	Site Plan
Item #6	174 Marbledale Rd.	Site Plan
Item #7	150, 160, 233 Main Street	Return
Item #8	Crestwood Station Plaza LLC	
	300 Columbus Avenue	Adjourned
Item #9	1 Midland Place	Adjourned

Item #1 Approval of minutes – May 17, 2011

Motion by Commissioner Nerenberg to approve the minutes from the Regular Meeting – May 17, 2011 was seconded by Commissioner Leo and carried by the Board with a vote of 6-0, with Commissioner Caliano abstaining due to her absence.

Item #2 Chestnut Street**Architectural Review**

Anthony Rizzo and Steven Marchessani submitted plans for the architectural review for the two-family dwelling.

Architectural Review for the two-family house---

Mr. Rizzo stated that this house would be all red brick with asphalt black roof, same white garage door as first house, patio pavers in rear patio, carriage light by front door, rear sliding glass doors and the garage, and white panelized trim on windows. The changes made since the last meeting was to add one-half circle window in place of the two octagon windows, and two soldier courses around the house between the garage door and the bay windows and also at the basement level to break up the brick.

Landscape Plans

Ground cover in rear, shrub planting in front of the front steps, with planters on either side of the steps, A/C units on the side of the house, additional shade tree in back.

Commissioner Fang asked why the foundation was not stucco.

Mr. Rizzo noted that this entire house would be brick, including the foundation. The soldier course will break up the brick and the steps will be blue slate. Brick is essentially maintenance free while stucco is not.

Commissioner Caliano motioned to accept the plans for the two-family house as presented tonight, was seconded by Commissioner Nerenberg and carried unanimously with a vote of 7 – 0.

Item #3 81 Lincoln Ave**Return**

Mr. Koch, architect for the applicant noted that the proposed retaining wall was now low enough that there was no need for a variance. The applicant reviewed the slope and will provide a planting plan for the slope. He provided photos of the hedge along the sidewalk. The parking space will have a 10% slope with gravel. The retaining wall will wrap around to the end of the gravel driveway. The new wall will meet the existing wall. The retaining wall will measure 3.5 ft. tall towards the front of the driveway and 6 ft. tall at the highest, which is located in the middle of the driveway. The wall will level off with two steps. The slope will have pachysandra planted with 11 Burning Bush shrubs, which will give great density and fall foliage. The retaining wall will be a Mesa wall, which is assembled with mesa units, which are anchored inward, into the wall.

Mr. Koch stated that an engineer reviewed the plans and concluded that the strength of the Mesa wall would be appropriate for this area.

Chairwoman Ciaramella asked if the architect could get a letter from the engineer stating his approval.

Bill Williams, Building Inspector indicated that the engineer's seal on the drawings in lieu of a letter would be acceptable.

Commissioner Gorman stated that she walked the property twice and understood why there was a chain-link fence, but with the plans to fill in the gaps of the hedges, it was her opinion that the old chain-link fence be removed.

Commissioner Caliano noted that the root system of the hedges may be disturbed while the construction of the retaining wall is being done and from a safety standpoint, the chain-link fence should stay.

Mr. Koch noted that the root system will be monitored. If during excavation there are signs that the root system was exposed, the plants will be replaced. The space from the wall to the sidewalk is 9 ft., which is a comfortable margin.

Commissioner Caliano asked if there was a drainage issue.

Mr. Koch noted that there has never been a drainage issue and the new driveway will be gravel, which will prevent the water from pooling.

Commissioner Leo voiced his concern regarding the location of the curb cut.

Commissioner Fang noted that this was a fundamental flaw that the Planning Board approve plans with the curb cut so close to the end of the street.

Chairwoman Ciaramella asked if the applicant thought about moving the driveway as it covers approximately 40% of the front yard.

Mr. Koch noted that even a car parked in front of the house, it did not look bad, and it is a neat and clean spot.

Commissioner Leo again voiced his concern regarding the location of the curb cut.

Bill Williams, Building Inspector stated that there is a house around the corner with the driveway right on the corner, at a busy intersection and there is no problem. This intersection is less travelled. There have been no accidents at this site.

Commissioner Gorman noted that there is a stop sign at Warren, which prevents vehicles from whipping around the corner.

Commissioner Nerenberg motioned to accept the plans as presented tonight which will include the seal from the engineer to be submitted to the Building Department, and that the chain-link fence be removed. Commissioner Gorman seconded the motion.

Chairwoman Ciaramella added an amendment to the motion that the bushes be filled in and attention be given to the damaged root system and if 30% of the roots are exposed, the hedges will be replaced, and groundcover to fill in the new section.

Commissioner Leo added that the materials should be submitted to the Building Dept.

The amendment was seconded by Commissioner Caliano.

The members voted 6 – 1 for the motion and amendment.

Item #4 305 Columbus Ave. Site Plan

Mr. Stanziale, architect for the applicant, noted that this location was the former Roberto's restaurant in Crestwood. The applicant would like to create a bagel store within the same footprint, 1500 sq. ft. All the storefronts will be replaced. Black gooseneck lighting above the canopy. The sign can be on the canopy or above the canopy. The awnings will be straight, permanent awnings with fabric. The brick will be reddish in color with Hunter Green canopy. The bricks under the windows will stay.

Chairwoman Ciaramella asked if the bathroom and front door entry were ADA approved.

Mr. Stanziale noted that the bathroom was bumped out 12 in. and the front entrance was extended and both met ADA code. There are windows on the side of the building. The property line is at the building line. The adjoining property is owned by the Village of Tuckahoe.

Commissioner Fang stated that the Village Board should pay closer attention to approve the area around the easement.

Chairwoman Ciaramella asked where the trash would be located.

Mr. Stanziale noted that there is a section off the kitchen where the applicant plans to place the trash until pickup.

Commissioner Leo noted that street trees may soften the look.

Mr. Stanziale agreed to speak with DPW about trees.

Commissioner Gorman suggested that the owner purchase the trees and DPW install the trees with structural soil.

John Cavallaro, Village Attorney, noted that the DPW cannot contract with private parties. The Board can make a condition to approve the planting with structural soil to be used for any street tree.

Commissioner Caliano motioned to approve the application as presented tonight choosing Elevation B, with a condition that the street trees be pursued and structured soil be used in the installation. Commissioner Leo added that the applicant install full height windows in existing openings and a minimum of two trees be planted.

Motion was seconded by Commissioner Leo and carried by the Board with a vote of 7 – 0.

Item #5 111 Lake Ave. Site Plan

Kathy Li and architect proposed plans to convert the office space at 111 Lake Ave into a spa, called My Wonderful Spa. The plans call for minor renovations. There will be three treatment rooms and a reception area. The applicant negotiated one parking space, which will serve all employees, as the owner will drive the employees to work. The trash will be stored in the existing closet by the reception area.

Commissioner Leo asked if there any structural changes.

The architect indicated that there were no structural changes, just a few lighting changes.

No exterior improvements only letters to the existing awning.

Commissioner Leo motioned to accept the application as presented tonight. Motion was seconded

by Commissioner Nerenberg and carried by the Board with a vote of 7 – 0.
Item #6 174 Marbledale Rd. Site Plan

Mr. Joe Dell'Olio requested a pop up tent for his back yard patio area. The tent measures 40 ft. by 20 ft. He submitted a survey of the property and highlighted where the tent will be placed. Four stakes to be driven into the ground with 4 flowerpots filled with cement rather than 5 gal. pails. This will be strong enough to hold the tent anchored to the ground. He submitted samples of the materials. The tent material will start at about 15ft. and will peak at 18ft. high.

Chairwoman Ciaramella asked about the manufacturing materials regarding anchoring the tent.

Mr. Dell'Olio submitted a letter from the manufacturer and will anchor the tent according to the manufacturer's advice.

Bill Williams, Building Inspector stated that he would like to see something from the manufacturer due to the location of our village, which gets 110 mph wind. He would also like to have the anchoring package and current manufacturer's guidelines. To anchor this tent, a flowerpot would not be acceptable.

Commissioner Fang noted that the Board would need more information. Photos of the surrounding properties and how it would look on a plan.

Chairwoman Ciaramella noted that the Board requires visual documentation and a description of the area in detail.

Commissioner Caliano asked if the applicant can show elevations with the height of the tent 15ft. to 18 ft.

Commissioner Leo noted that the Building Department issued a rejection letter indicating that certain items be submitted by the applicant. This is an official correspondence, which needs to be addressed. Commissioner Leo asked the applicant to return with a plan to scale, more detail, adjacent properties, and anything on the list that the Building Inspector requires as well.

8:45pm recess

8:58pm Chairwoman Ciaramella motioned to resume the meeting was seconded by Commissioner Nerenberg and carried with a vote of 7 – 0.

Item #7 150, 160, 233 Main Street Return

Mr. Null, attorney for the applicant noted that the applicant has been before the Board since October 2010. The applicant has addressed the concerns of the Board as well as the residents and provided detail. There were 129 units with 1500 sq. ft. commercial space. Responding to the concerns from the Board and public, the applicant reduced the project to 121 units, eliminating all the 3 bedroom units, and increased the commercial space to 3500 sq. ft. The new EAF consolidated all the information regarding the schoolchildren generation, fiscal analysis, traffic analysis, storm water infrastructure etc.

Norman Cox, architect for the applicant, noted that the applicant has addressed the comments from the Board at the last work session regarding Building #2. He will pull the building back a few feet and plantings will be on the sidewalk. He also added that the applicant will design and improve the park. He added that the applicant will redesign Building #3 to include 3500 sq. ft. of commercial space. He added that he and the applicant have been working in Tuckahoe for nearly 10 years and both are committed to quality.

Mr. Raffiani summarized the changes made since the beginning of the process and compared the numbers with the original plans. He eliminated all 3 bedroom units, reduced the project to 121 units, changed the retail space to 3500sq. ft.; population projected 260 people in original plan, now projects 189 people; Fire Dept.- state of the art construction and sprinkler system with 3 separate buildings, no height more than 43 ft.; Ambulance- EVAC will make possibly 18 additional calls per year for this project; Tuckahoe P.D. – make 38,000 calls per year with 6200 people, maybe an additional 159 calls generated per year. This project will have a high level of security on site.

Trash- 132 tons per year, which is 42 tons less than previously approved project. Snow removal- no change; Traffic- 1.1 – 1.3 additional vehicles per minute, which is a reduction of 25% of previously approved project. Mr. Raffiani noted that the traffic study was done at the intersection of the project between the hours of 8:30am – 9:30am and 5:00pm – 6:00pm. He noted that the rents will be \$1800 - \$1900 for a one-bedroom apartment and \$2300 - \$2400 for a two-bedroom apartment.

The tax assessor concluded based on the rents that the project will pay \$659,000 taxes per year.

This project will also pay \$600,000 in Building fees, produce jobs for construction, jobs for the facility, and business for retailers. As for the student generation, the project will produce approximately 19 students. He noted that this project will increase the tax revenue by 37%. If the applicant reduces the number of units by 20, the decrease in the number of students would be 1.6 but the tax revenue decreases substantially.

Mr. Graham Trelstad stated that he prepared the full EAF and reviewed the student population. Mr. Fish's statement that the method used by the applicant is sound and in contrast to the Ross Haber report. The Ross Haber method gives a misleading ratio by including single-family homes. The 19 students projection is backed up by the Rutgers University method and the Bay Area Economics method. The Ross Haber report predicts 34 students.

Mr. Glen Vetromile, Principal Glenmark Partners summarized his qualifications and noted that there are high quality people on his team and each is dedicated to quality. He indicated that these are appropriate size buildings relative to the size of the property. This will create density for the commerce area. He named New Rochelle, White Plains, and Stamford as comparable sites with transit oriented developments. Bronxville has the highest walking index, which creates a vital downtown.

Commissioner Caliano asked about the peak hours noted in the EAF. She questioned as to how the number was determined and if the peak hour was correct.

Mr. Trelstad noted that a trip sensor was placed at the intersection for a period of one week during October 2010 to determine the peak hour and to calculate the traffic patterns. As for the amount of residents that will walk to the train, it was calculated conservatively that all residents will drive and will not take the train.

Commissioner Caliano asked why a EIS (Environmental Impact Statement) was not completed.

Mr. Trelstad stated that there was no determination of significance.

Commissioner Caliano asked about the percentage of rentals vs. home ownership.

Mr. Null stated that multi-family dwellings are permitted at this location. It is not the applicant's burden to review rentals vs. ownership. It is not the Planning Board's charge to govern ownership. This plan is consistent with the comprehensive Master Plan.

Mr. Vetromile added that the current trend is towards rentals due to the high taxation and the issue of a simpler lifestyle.

Commissioner Caliano asked if there is a potential that some of the rental units become Section 8.

Mr. Raffiani noted that the likelihood was very low, as he would only get \$1200 per month for Section 8. He currently has two units in his other buildings that are Section 8, one is a 75-year-old retired person and one is a friend whose house burned down in Eastchester. He noted that there is a cap on Section 8 and there is currently a 2 – 3 year waiting list.

Commissioner Caliano asked if the EAF was to be adjusted due to the potential sale of two parcels in the village, the Post Office and a building by Depot Square Mall.

Mr. Null noted that a future change in ownership will not change the process.

Commissioner Caliano asked if the applicant would consider reducing the number of units to 110. The original application was for 88 units, the current is for 121 units and the public concern is that the project is too big.

Mr. Null noted that Mr. Raffiani summarized that a reduction in units will decrease the tax revenue, but will minimally change the number of students. The applicant already eliminated all 3 – bedroom units. Financially, the applicant cannot reduce it anymore.

Commissioner Caliano noted that she was the Chair of the Master Plan Committee and there is a difference between 88 units and 129 units. Meeting halfway would be reasonable and a fair balance.

Mr. Frank Fish, Village Consultant, summarized a memo dated May 19, 2011. The procedural process should be as follows: The applicant completed the expanded EAF, the public will be able to speak, the public hearing should close with an additional 10 days for written comments, Part II of the EAF should be reviewed by the Planning Board, determine SEQ, if negative than there are no significant adverse impacts, if positive than an EIS should be done. He added that other Boards including the Zoning Board have granted variances for this project. He noted that his economist reviewed the public school generation numbers and concluded that the applicant has been accurate. The economist determined that the Haber Ross report was false and inaccurate. The traffic study is accurate and the parking is more than sufficient.

Commissioner Caliano asked about the Rutgers report and when the statistics were done.

Mr. Fish noted that it was developed 30 years ago and it uses the information generated from the census. They are currently updating the report to include the 2010 census and they predict that the school generation numbers would be lower with the current census numbers.

Commissioner Caliano asked if they take into account the current recession or joblessness. Mr. Fish said no.

Chairwoman Ciaramella summarized the memo prepared by Jim Pinto, dated June 20, 2011. He suggested that road stations be added to all affected roads within the proposed development, add notations for the limits of demolition on all Village ROW roads and sidewalks, all engineering condition and evaluation reports are to be approved by a licensed professional engineer, indicate the proposed masonry finish on the new retaining walls on Winter Hill Rd., add handrail or other protection along Midland Place, add dewatering sump system for storm water runoff during construction, add compaction specification on typical asphalt pavement detail and submit design details for underground sand filter to Village Engineer.

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. Each person will be called to the podium according to the sign-in sheet. 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

Joanne Cannale 3 Deerfield Ave., Eastchester voiced her concern regarding the peak hours. The school buses are off the road by 8:30am. She asked the Board to review the trip data. She noted that there is no documentation in the EAF regarding the Fire, Ambulance, Police and DPW.

Julio Urbina 19 Hillcrest Rd. Bronxville stated that it is not about the number of school-aged children that is the concern with the residents as much as it is the amount of revenue and if it will meet the demands of an education. He is in support of this project as long as it is tax neutral. He noted that the data has been inconsistent, as there was a projection of 28 children, 37 children and now 19 children. What is the correct number? The project is substantially larger than originally, as it went from 88 units-129 units to 121 units. As far as the EAF, he would like to see more green technology and geo thermal heating.

Stephen Pagnotta 21 Crawford St. Tuckahoe noted that the applicant consistently states that they reduced the project from 129 units to 121 units, but the 129 units was never approved. It actually increased from 88 units to 121 units. He supports the 88-unit project. The population is currently 6200 and this project will increase the population 4%, which is a considerable impact to the schools.

Tammy Ehrenfeld 53 Northway Bronxville thanked all the members for their time with this project. She stated that this is a village and Mr. Vetromile compared this village to Stamford, New Rochelle and

White Plains, which are all cities. The 88 units are plenty for this village. The current development is too big for this village.

Antoinette Martino 6 Triangle Place also noted that the developer spoke of Stamford, White Plains and New Rochelle etc. when this is a village. She added that the 4% increase in population with two more buildings to be built, 100 Main St. and Crestwood Station, the population will certainly increase by 5%. She also noted that there are two other buildings in this application that are not even spoken about. The traffic study is questionable and asked the Board to review the data. During the Feb. 14 meeting, the rent projections were \$3000 for a one bedroom and \$4800 for a two bedroom. She questioned the data that the applicants have put forth.

Joe Pregiato 126 Siwanoy Blvd. noted that he spoke directly to Ross Haber concerning the report. He stated that Mr. Haber would speak directly to Dr. Yazurlo concerning the increase in schoolchildren. The projected number of students generated by the applicants' reports are very low. The number should be more like 34 students. The Lime Kiln Rd. Community is all one – two bedroom units. The Avalon has a 17% vacancy rate. If applicant does not get the rental rates that he expects, he can apply for a decrease in taxes.

Michelle Liscio 92 Stebbins Ave. stated her concern that the EAF included a letter from the tax assessor who based his numbers on 129 units, not 121 units, therefore the taxes calculated are all incorrect. The tax revenue will decrease significantly. The applicant has not been providing accurate information.

Michael Lockhard 385 New Rochelle noted that the class size in Cottle has increased considerably. This development will lead to more children and not enough revenue to cover the cost and all the taxpayers will suffer. Rental use is different from homeowners. The applicant should be grateful with the 88 units. The applicant can inflate rental projections to inflate the tax revenue and then get a tax certiorari when it does not come to fruition.

John Cullen 208 Beech St. Eastchester 40 year resident and noted that the current enrollment at Cottle is already crowded, there is no more room for any more students. The building is at full capacity. He supports the 88-unit application.

Chairwoman Ciaramella motioned to close the public hearing. The residents have 10 more days to send in written comments. She thanked all the residents for their input.

Motion was seconded by Commissioner Nerenberg and carried by the Board with a vote of 7 – 0.

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.