

May 15, 2012

**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 Clare Gorman

**Also in Attendance:**

John Cavallaro Village Attorney  
Bill Williams Building Inspector  
James Pinto Village Consultant  
Melissa Kaplan-Macey Village Consultant  
Commissioner Sandy Reyes-Guerra (ad hoc)  
Frank DiMarco Superintendent of DPW

**Chairwoman Ciaramella announced the evening's agenda as follows:**

**Item #1** Approval of Minutes held on April 3, 2012  
Approval of Minutes held on April 24, 2012  
**Item #2** 16 Chestnut Adjourned  
**Item #3** 181 Marbledale Rd. Return  
**Item #4** 146, 150, 160 Main Street, 233 Midland Avenue Referral  
**Item #5** 2 Grant St. Site Plan  
**Item #6** Crestwood Station Plaza LLC Return  
**Item #7** 100 Main Street Adjourned

There was confusion as to whether 2 Grant St. was confirmed on the schedule.

**Commissioner Caliano motioned to accept that 2 Grant St. was scheduled to present this evening, was seconded by Commissioner Leo and was carried unanimously by the Board.**

**Item #1** Approval of Minutes held on April 3, 2012

**Commissioner Caliano motioned to approve the April 3, 2012 minutes was seconded by Commissioner Gorman and was carried with a vote of 7 – 0.**

Approval of Minutes held on April 24, 2012

**Commissioner Nerenberg motioned to approve the April 24, 2012 minutes was seconded by Commissioner Caliano and was carried with a vote of 7 – 0.**

**Item #2** 16 Chestnut

Adjourned

**Item #3** 181 Marbledale Rd.

Return

Mr. Jack Hughes noted that the plan was revised to include a green roof.

Mr. Abillama, architect for the applicant, noted that the green roof will be placed on the roof of the car wash. The water will drain to a reclaim tank. There will be a perimeter of 10in. of gravel with a filter membrane. There will also be an additional green roof on the garage roof. There will be plantings on the side as requested by the Board. There will be saplings planted towards the rear of the property. He indicated that all the details of this green roof would be submitted to the Building Inspector.

**Commissioner Leo read the following:**

**A RESOLUTION DECLARING A NEGATIVE DECLARATION UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT AS IT CONCERNS SITE PLAN REVIEW FOR THE PREMISES 181 MARBLEDALE ROAD, TUCKAHOE, NEW YORK**

At a regular meeting of the Planning Board of the Village of Tuckahoe, New York (the "Planning Board") held at Village Hall, 65 Main Street, Tuckahoe, New York on May 15, 2012.

WHEREAS, the Planning Board of the Village of Tuckahoe is considering the issuance of Site Plan approval for the premises commonly known as 181 Marbledale Road, Tuckahoe, New York; and

WHEREAS, the project consists of the development of the site with a car wash, auto repair facility and convenience store with associated parking; and

WHEREAS, based on the Environmental Assessment Form ("EAF"), submitted by the Applicant, and any supplemental materials thereto, including, but not limited to, the report of Tyree Environmental Corp., dated May 19, 2010 and the memorandum of EEA, Inc., dated February 14, 2012, the Planning Board has determined that there will be no significant environmental impact from this action as it concerns the proposed Project.

NOW, THEREFORE, BE IT RESOLVED

Section 1. Based on the information included in the EAF submitted by the Applicant, and any supplemental materials thereto and the criteria contained in the State Environmental Quality Review Act and its implementing regulations, the Planning Board hereby adopts the attached Negative Declaration for this Unlisted Action under the State Environmental Quality Review Act.

Section 2. That this resolution shall take effect immediately.

**Commissioner Caliano motioned to accept the Negative Declaration pursuant to SEQR, was seconded by Commissioner Nerenberg and carried unanimously by the Board.**

**Chairwoman Ciaramella read the following statement:**

Finally, in connection with this project, the Applicant has submitted a Soil and Groundwater Sampling Report for the Premises that was prepared by Tyree Environmental Corp. The testing of the Premises occurred on or about May 19, 2010. Based on the report and laboratory analysis, there was no evidence of soil or groundwater contamination below the subject site. The Planning Board requested that the Village Planning Consultant, BFJ Planning review the report. BFJ Planning submitted a December 5,

2011 memorandum to this Planning Board indicating that it was confirmed with Tyree Environmental Corp. that the sampling did not exceed NYSDEC or NYS groundwater regulatory limits. In addition, on February 14, 2012, EEA, Inc., the Village's environmental planning consultant issued a memorandum to this Planning Board that indicated, in relevant part, that "[a] Phase I Site Assessment was completed by HRP Associates, Inc. on February 1, 2012, in compliance with the American Society for Testing and Materials (ASTM) Practice E1527-05 (the most recent guidelines for the completion of Phase I Site Assessments)... The Phase I Site Assessment revealed no recognized environmental conditions in connection with the property. The Phase I Site Assessment also reviewed the Limited Phase II Soil and Groundwater Investigation conducted by Tyree Environmental Corp. of Brookfield, CT and concluded that 'No Exceedances above NYSDEC Subpart 375-6.8a Unrestricted Use Soil Cleanup Objectives were detected.' In addition, 'no exceedances of NYSDEC Groundwater standards were detected.'"

**Commissioner Caliano motioned to open the public hearing, seconded by Commissioner Leo and unanimously carried by the Board.**

### **Public Comments**

Commissioner Sandy Reyes-Guerra (ad hoc), Winterhill Rd., voiced her concern regarding the two handicap parking spaces near the concession door. She stated that the space was too tight and it was a safety issue.

Mr. Williams stated that this meets NYS code requirements and the applicant was compliant with the NYS code.

**Commissioner Fang motioned to close the public hearing, seconded by Commissioner Caliano and unanimously carried by the Board.**

**Commissioner Leo read the following Resolution as a motion:**

In the Matter of the Application of GRAZIA REALTY, LLC, Premises: 181 Marbledale Road, Tuckahoe, New York,  
Applicant.

### **FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION**

#### **Background and Findings of Fact:**

The Applicant is the record owner of the Premises commonly known as 181 Marbledale Road, Tuckahoe, New York and identified on the tax map of the Village of Tuckahoe (the "Village") as Section 39, Block 4 and Lots 1-R and 7 (the "Premises"). The Premises is located in a General Business Zoning District in the Village.

**A. The Current Nature of the Application:**

The Premises consists of two tax lots on which buildings are proposed for a car wash, auto repair shop and convenience store. The Applicant proposes a 115-foot long car wash facility. The proposed plans are to remove 32 feet from the front of the building and canopy and build an extension in the back of the building measuring 50 feet. Although there is a 16-foot drop in elevation in the rear of the property, the property will be leveled and a parking lot will be built to park vehicles that will be worked on and are to be picked up by customers. In regard to the car wash process, vehicles will enter the Premises and a roller will move the vehicle approximately 25 feet for foaming, another 10 feet for washing and waxing and then another 25 feet through a drying area with blowers and a sealer wax. Vehicles will be dry when they exit the car wash facilities. Customers will have the option of remaining in the vehicle for the entire process or exiting the car with an assistant who will take the vehicle out of the car wash area.

With regard to parking in the rear of the facility, it was noted in the testimony that the planned parking lot area in the rear and underground parking structure were to be used only for vehicles to be serviced and not as a parking lot. The Applicant specifically agreed to this representation, which will be added as a condition to this approval.

**B. Planning Board Review:**

An application was filed with the Planning Board by the Applicant's representative, Tom Abillama, architect. The application was filed with the Planning Board for approval of a site plan for the Premises. The Planning Board met on certain dates and convened public hearings as reflected in the minutes to consider and hear the application for site plan review.

This Planning Board notes that, pursuant to Section 7-1.1 of the Tuckahoe Zoning Code (the "Zoning Code"), "[n]o building permit shall be issued for a structure, no structure or use shall be established and no site shall be changed, other than a one-family or two-family dwelling and its

permitted accessory structures and uses, unless it is in conformity with a site plan approved by the Planning Board in accordance with this Section. No Certificate of Occupancy for such structure or use shall be issued until all the requirements of such approval and any conditions attached thereto have been met. The continued validity of any Certificate of Occupancy shall be subject to continued conformance with such approved site plan and conditions. Revisions of approved site plans shall be subject to the same approval procedure.” See Tuckahoe Zoning Code, Section 7-1.1.

Moreover, according to Section 7-1.5 of the Zoning Code, this Planning Board, in considering and approving site plans shall take into consideration the purposes of the Zoning Code and, as a condition of any approval, may require such modifications to the proposed plans as it deems necessary to comply with the spirit and letter of the Zoning Code. Among other factors, the Planning Board shall take into consideration certain standards as set forth below in the approval of site plans.

**1. Safe, Adequate and Convenient Vehicular and Pedestrian Traffic Circulation Both Within and Without the Site:**

This Planning Board specifically reviewed the vehicular and pedestrian traffic circulation both within and to the site. In considering the same, this Planning Board finds that the Applicant has provided for a reasonable means of ingress and egress to the site as traffic will flow in from Marbledale Road, circulate to the car wash and/or the auto repair facility, then exit to Marbledale Road at the conclusion of the car wash process and/or auto repair process. This Planning Board also finds that the effect of the proposed development on traffic conditions on Marbledale Road will be negligible. The Applicant has provided for a sufficient means of ingress and egress to the facilities proposed to be located on the Premises. Moreover, visibility in both directions at all exit points of the site seems reasonable for a driver exiting the site. The Applicant has also provided for sufficient parking in the rear of the Premises for vehicles that will be serviced by the auto repair facility. This Planning Board also notes that the Applicant has provided for adequate landscaping on the site in an effort to provide green space and an aesthetically pleasing look to the proposed facilities.

**2. The Protection of Environmental Quality and the Preservation and Enhancement of Property Values in the Neighboring Area:**

This Planning Board further finds that the Applicant has provided for the protection of environmental quality and the preservation and enhancement of property values in the neighboring area. As mentioned, the neighboring area primarily consists of a General Business Zoning District, thus this use is consistent with the uses applicable to the General Business Zoning District. The location, height and materials for walls, fences, hedges and plantings will be harmonious with the General Business Zoning District in which this use is located. Additionally, this use will not create dust and erosion during the construction process and the subsequent use of the facility. Natural features on the site such as wetlands, unique wildlife habitats, historic structures, major trees and scenic views do not exist and, as such, the Applicant is not removing such natural features from the site. The Applicant will further be required to have exterior lighting on the site that meets the requirements of the Zoning Code and Village ordinances.

Moreover, under the Project as proposed, the Applicant will be required install and maintain a “green roof” as depicted in the plans submitted in connection with this application.

The Planning Board has also reviewed and considered the noise from the site from the operation of a car wash facility and auto repair facility. The Planning Board found that the levels of noise from the site would be acceptable but further cautions the Applicant that all noise levels must comply and be below the unacceptable limits of noise as set forth in the Code of the Village of Tuckahoe, particularly the Village’s noise ordinance. This Planning Board also noted that the water run-off from the site will remain on the site for reuse in the car wash facility.

Finally, in connection with this project, the Applicant has submitted a Soil and Groundwater Sampling Report for the Premises that was prepared by Tyree Environmental Corp. The testing of the Premises occurred on or about May 19, 2010. Based on the report and laboratory analysis, there was no

evidence of soil or groundwater contamination below the subject site. The Planning Board requested that the Village Planning Consultant, BFJ Planning review the report. BFJ Planning submitted a December 5, 2011 memorandum to this Planning Board indicating that it was confirmed with Tyree Environmental Corp. that the sampling did not exceed NYSDEC or NYS groundwater regulatory limits. In addition, on February 14, 2012, EEA, Inc., the Village's environmental planning consultant issued a memorandum to this Planning Board that indicated, in relevant part, that "[a] Phase I Site Assessment was completed by HRP Associates, Inc. on February 1, 2012, in compliance with the American Society for Testing and Materials (ASTM) Practice E1527-05 (the most recent guidelines for the completion of Phase I Site Assessments)... The Phase I Site Assessment revealed no recognized environmental conditions in connection with the property. The Phase I Site Assessment also reviewed the Limited Phase II Soil and Groundwater Investigation conducted by Tyree Environmental Corp. of Brookfield, CT and concluded that 'No Exceedances above NYSDEC Subpart 375-6.8a Unrestricted Use Soil Cleanup Objectives were detected.' In addition, 'no exceedances of NYSDEC Groundwater standards were detected.'"

**3. A Quality of Building and Overall Site Design That Will Enhance and Protect the Character and Property Values of the Adjacent Neighborhood:**

On this record, and considering that the proposed use is within a General Business Zoning District, this Planning Board finds that the quality of the building will be harmonious with the General Business Zoning District. Moreover, there is no evidence on this record to suggest that the proposed use of a car wash facility and auto repair facility, which currently exists at the site, will diminish the character of the neighborhood or property values in the adjacent community. This Planning Board finds that based on the record before it the buildings as proposed will not decrease the property values in the adjacent neighborhood as new buildings are proposed to be located on the site.

### **C. Conditions:**

The Planning Board's grant of site plan approval for the project is subject to the conditions set forth below which are incorporated by reference herein. The Planning Board finds that the conditions set forth below are reasonable conditions imposed on the Applicant in an effort to make the project more harmonious with the Village's laws and ordinances, in addition to further reducing any perceived negative environmental impacts from the project. The conditions are applicable to and binding on the project:

1. Without further Planning Board approval, the Applicant may not utilize the proposed parking spaces to be located on the site, including, but not limited to, the underground parking structure, as a commercial parking lot facility for the parking of vehicles or for the parking of commuter vehicles.
2. That, an on-site field monitor, such as the Village Building Inspector, shall be present to monitor the pouring of the foundations during construction.
3. That, the Applicant shall, at all times, comply with the directives, recommendations and alike of Dolph Rotfeld Engineering, the Village's engineering consultant.
4. That, the Applicant shall plant tree seedlings in an amount, location and frequency to be determined by the Building Inspector at the rear property line of the Premises.
5. That, the Applicant shall construct, install and utilize a green roof on the building located on the Premises as shown and set forth on the plans, drawings and depictions submitted by the Applicant to this Planning Board.

## **SEQRA**

Based on the foregoing, the Planning Board of the Village of Tuckahoe finds and determines that:

1. The action taken herein is an Unlisted Action subject to the requirements of SEQRA.
2. This Planning Board is in possession of all information reasonably necessary to make the determination as to the environmental significance of the application for Site Plan approval.
3. The action taken herein shall not have any significant impacts upon the environment and declare that a Negative Declaration be adopted with respect to this action.

### **Conclusion:**

Based on the foregoing, it is resolved that Site Plan approval be and is hereby granted to the Applicant in accordance with this decision subject to the conditions set forth and contained herein. The Applicant and/or interested third parties are notified of their respective rights to appeal this decision or any part thereof in accordance with the New York Civil Practice Law and Rules.

**Commissioner Nerenberg seconded the motion.**

**Discussion:** Commissioner Caliano thanked the applicant for his responsiveness to the Board's requests. She stated that she hoped that during construction, all efforts would be made to protect the residential areas. The exterior lighting should be faced away from the residential areas. Chairwoman Ciaramella added that she appreciated the applicant's cooperation and noted that he was very accommodating.

**Upon roll call, motion was carried with a vote of 7 – 0.**

**Item #4** 146, 150, 160 Main Street, 233 Midland Avenue

Referral

Mr. Null, attorney for the applicant indicated that there were three requests for relief.

The first was for the building 150 Main St. which is residential /commercial, with 3500 sq. ft. of commercial building. The commercial space requires a higher ceiling than the residential floors. A 12 – 14ft. height for the commercial floor compared to the 9 – 10ft. for the residential floors. There is no commercial space on the Midland Pl. side. This is the section of the building that does not have commercial space and could certainly fit 4 residential floors within the 42ft. height. The height will not change. The roofline matches and fits 4 levels of residential on the Midland Pl. side. The majority of the building is 3 stories.

The second variance requested is for the change in the dimensions of the parking spaces. The current plan is for 9ft. x 20ft. parking spaces, a 20ft. drive isle and 9ft. x 20ft parking spaces. The revised plan is for 9ft. x 18ft. parking spaces with a 24ft. wide drive isle and another row of 9 x 18 ft. parking spaces. Both calculations add up to a 60ft. wide parking lot, just the dimensions of the sections are changed. The wider drive isle seems to function better and is just more convenient for the drivers. The Village Board has been advised by the Village Planner that the dimension of 9ft. x 18ft. parking spaces and 24 ft. drive isle is the more acceptable in the Westchester area.

Mr. Null added that the third variance requested was the reduction in the parking requirement. There are a total of 108 units, consisting of 59 one-bedroom units, 49 two bedroom units and 3500 sq. ft. of commercial space. If the ratio of one parking space per 300 sq. ft. of commercial space were added to the two spaces per two bedroom units required and 1.4 spaces per one-bedroom units, it would be blended to have a 1.65 ratio for parking spaces per unit. Mr. Null added that there would be an additional 10-metered parking spaces once the curb cuts are eliminated.

Mr. Null asked that the Board make a recommendation to the Zoning Board in support of the three requested variances.

**Chairwoman Ciaramella read the following memo:**

TO: RONALD GALLO, CHAIRPERSON and  
HONORABLE MEMBERS OF THE TUCKAHOE ZONING BOARD OF APPEALS

FROM: ANN MARIE CIARAMELLA, CHAIRPERSON and  
HONORABLE MEMBERS OF THE TUCKAHOE PLANNING BOARD

DATE: MAY 15, 2012

RE: THE GLENMARK PROJECT  
PREMISES: 150 and 160 MAIN STREET, 233 MIDLAND AVENUE  
SECTION 29, BLOCK 4, LOTS 1, 3-8, 13, 17, 33, 36, 39 and 40  
SECTION 29, BLOCK 9, LOT 1

In connection with the above-referenced project, we, the Planning Board of the Village of Tuckahoe, understand that the Applicant has submitted an application to the Tuckahoe Zoning Board of Appeals for certain relief under the Zoning Code of the Village of Tuckahoe. We further understand

that in connection with the Applicant's sought-after area variances, the Applicant will also require site plan approval from this Planning Board.

We write this memorandum to your attention pursuant to Section 7-1.4(d)(3) of the Tuckahoe Zoning Code, which provides that, "in cases where a use requiring site plan approval also requires one or more variances, application shall first be made to the Planning Board. The Planning Board shall complete a preliminary review of the site plan and shall then refer the application to the Zoning Board of Appeals. The Planning Board may include a recommendation, including the planning and land use aspects of the application and requested variances."

Pursuant to Section 7-1.4, the Applicant appeared before the Planning Board at one of its work session meetings. Based on the presentation made to the Planning Board, we understand that three area variances will be sought from the Zoning Board of Appeals. Specifically, with reference to 150 Main Street, we understand that the building will have three stories facing Main Street and its height will not exceed 42 feet. However, along Midland Place, the residential portion of the building will have a portion that rises to four stories, which requires an area variance for this additional story. This area variance is sought under Section 4-5.3.3 and/or Section 4-6.4 of the Tuckahoe Zoning Code. Moreover, we further understand that the project now proposes 108 dwelling units (plus two units for 146 Main Street), with 3,500 square feet of commercial space, for which 234 parking spaces would otherwise be required. We understand that the Applicant has or will propose a parking plan of 188 parking spaces, which is a 46-parking space reduction from that otherwise required by Section 5-1.2.1.4 of the Tuckahoe Zoning Code. Finally, at Section 5-1.2.1.5(e), the Tuckahoe Zoning Code requires parking spaces to be 9-feet by 20-feet in size. The Applicant proposes parking stalls for all of its parking spaces that measure 9-feet by 18-feet.

We have made a preliminary review of this application as required by Section 7-1.4(d)(3) of the Tuckahoe Zoning Code and hereby refer this application to the Zoning Board of Appeals with respect to the area variances. In connection with our referral to the Zoning Board of Appeals, we hereby issue a positive recommendation with respect to the variances sought. We are of the opinion that the benefits to the Applicant outweigh the detriment to the health, safety and welfare of the surrounding community as it concerns this application.

Finally, it should be noted that with respect to the parking space size variance, the parking aisle should be at least 24-feet and the overall parking bay should be 60-feet.

Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact me.

**Commissioner Leo motioned to accept this recommendation to the Zoning Board, was seconded by Commissioner Nerenberg.**

**Discussion: Commissioner Fang stated that applicant's responsiveness to the Board's requests during this long process was appreciated and noted. He added that the recommendation for Area Variances was context specific and appropriate here to place, location and physical context. Upon roll call, motion was carried with a vote of 7 – 0.**

**Item #5** 2 Grant St.

Site Plan

Nancy Samuel, owner of the salon, indicated that the current space is vacant. She is in the process of renovating the space to open up a spa/salon with laser hair removal and skin care services. The clients will be by appointment only. There are currently 4 rooms and a handicap accessible bathroom is being constructed, as there was no bathroom on the premises before.

**Commissioner Leo motioned to open the public hearing, seconded by Commissioner Fang and unanimously carried by the Board.**

**No Public Comments**

**Commissioner Nerenberg motioned to close the public hearing, seconded by Commissioner Miller and unanimously carried by the Board.**

Commissioner Caliano voiced her concern regarding the bathroom being installed. She asked how the applicant would install the necessary pipes.

Bill Williams, Building Inspector stated that the plans for the bathroom meet all the requirements under the current code. There is no issue with the applicant's plans for the bathroom. The plumber will connect the pipes to the existing pipes from the office bathroom next door. The bathroom will be handicap accessible. The Building Dept. will inspect the bathroom upon completion.

Commissioner Caliano asked how many employees would be at the site.

Ms. Samuel stated that there would be two employees, she and one other. She hopes to have one client per hour. The hours will be from 10:00am to 10:00pm and decrease to 10:00am to 9:00pm if necessary. The spa will be closed on Mondays.

There are metered parking spaces right in front of the building as well as metered parking lots nearby.

Commissioner Leo indicated that the increase of possibly 10 people spread over the course of 12 hours is not considered an impact to the neighborhood. He welcomed the applicant to the area.

**Commissioner Leo motioned for a negative declaration pursuant to SEQR, seconded by Commissioner Fang and carried by the Board with a vote of 7 – 0.**

**Commissioner Leo offered a motion to accept the application for Site Plan approval as presented tonight, seconded by Commissioner Nerenberg and carried by the Board with a vote of 7 – 0.**

**Item #6** Crestwood Station Plaza LLC

Return

Mr. Heapes, co-owner of the project, noted that massing was the continued concern for the Board. In response to their concern, Unit#1 was now moved and also the plans were revised to push back the corner 6ft. The revised plans removed the hedges and replaced them with paver stones, removed planters between the trees on Columbus Ave. and incorporated planters into the façade with 4 planters. The plans will clean up the opposite side of Lincoln Ave. and will replace trees with new evergreen trees by the church. The red brick elevation with corners will be pushed back 3ft. The upper end unit, on Lincoln

Ave. closest to the church was removed. The church view will now be a gable roof with windows with the middle bay pushed back to add depth and character.

Chairwoman Ciaramella asked why the applicant has not presented the requested three-dimensional model of this project.

Mr. Heapes noted that this meeting was 2 days after the workshop, and there were many changes made in the 2 days.

Mr. Frank DiMarco, Superintendent of the DPW, noted that he had submitted comments to the Board. The caliper of the trees should be 6in. caliper for the height. The number of trees presented between the church property and this site, should be doubled. The applicant proposed 5 evergreen trees, it was Mr. DiMarco's opinion that 10 evergreens should be planted, as there is a 30 ft. set back at the church.

Chairwoman Ciaramella noted that the number of trees and the caliper of trees will be discussed at length during the Architectural Review and Landscaping Plans for this application.

Mr. DiMarco stated that the lighting should have a balance; therefore, one to two lanterns should be placed on Lincoln Ave. to match Columbus Ave. Lincoln Ave. is very important, as it is very pedestrian friendly.

Commissioner Miller asked if cobblestones were standard in the Village at the base of the trees.

Mr. DiMarco noted that mulch settles so the use of cobblestone has been implemented in the Village. He added that the applicant has been very receptive to pervious pavement in the parking lot. He requested that the applicant consider installing dry wells as to try to eliminate storm water run-off into the storm system waterways.

Mr. DiMarco commented on the plans for the corner of Lincoln Ave. and Columbus Ave. and reminded the Board to consider discussing the plans with the Tree Committee as they have donated time to the Village and have a Master Tree planting plan.

Mr. Richmond, co-owner of the project, noted that some areas of the application need county approval. The applicant is prepared to put \$75,000 in escrow for the Village to have for all the details, which will continue to be discussed while completing the project. He noted that BFJ Planners and Dolph Engineers approved the water runoff plans presented by the applicant. Mr. DiMarco is asking the applicant to do beyond even what the Village Consultants are asking for. The applicant's Storm Water Plans were approved by the Village's Engineers.

Chairwoman Ciaramella noted that the \$75,000 escrow account would not likely be sufficient for this project.

Commissioner Gorman noted that if there is a way that you can do more to retain the storm water, such as dry wells that would be beneficial to the Village.

Chairwoman Ciaramella stated that it was important for this Board to view a three-dimensional model of this project. This representation is essential, as everything presented is flat. The Board is not asking for any more than we ask other applicants.

Commissioner Fang added that the three-dimensional model was requested more than three weeks ago, not just two days ago at the workshop.

Mr. Richmond noted that he respectfully disagrees that the three-dimensional model was requested at the last meeting.

Commissioner Leo added that the three-dimensional model should include the adjacent buildings to view in context.

Mr. Pinto, Village Consultant, noted that the concrete on the crosswalk should be colored. There should be an elevation for the proposed entry gate on Columbus Ave. In addition, the potential entry gate on Lincoln Ave. is on the plans and should be discussed further. There are several catch basins in the crosswalks and they should be relocated. The drop curb on the north side of Lincoln Ave. should be a planted area. He added that this Board would not approve the parallel parking plans.

Melissa Kaplan-Macey, BFJ Planning, stated that the applicant should only submit plans with the angle parking, not the parallel parking.

Mr. Richmond noted that the application has two plans for the Board's review, if it is unanimous that the plans for parallel parking be pulled, the applicant will withdraw those plans.

**Commissioner Leo motioned to re-open the public hearing, seconded by Commissioner Caliano and unanimously carried by the Board.**

Ms. Barbara Nieminen 55 Lincoln Ave. noted that she was very excited about this site being developed. She voiced her concern regarding the marketability of these high-end rental units in this very modest, family oriented Village.

Mr. Richmond stated that he and his partner have done considerable research and there is a market for these studio style units. There is a lack of high-end rental buildings in the Westchester area. There has been only one built after 2004. There are one million people and only a handful of luxury apartments. He stated that he knows the market extremely well and there is a huge demand for this project. The potential renters would be between 20 – 60 years old, single professionals or recently divorced community members and/or those wanting to downsize.

Giuseppe Dambrosio 11 Lincoln Ave. voiced his opposition to the project. He recently purchased his home and now he will no longer get sun through his windows. There will be four floors right in front of his front window. He noted that he pays \$20,000 in taxes every year and now he will live across the street to a 'ghetto'. He added that three floors would be okay, but four is too many for Crestwood. The fourth floor is unacceptable. He stated that the ground should be tested as it was home to a gas station for many years. He has a son with asthma, and has concerns regarding the contamination of the soil.

Chairwoman Ciaramella noted that this Board cannot change the approval of the Zoning Board and decrease the plans to three floors.

**Commissioner Nerenberg motioned to close the public hearing, seconded by Commissioner Leo and unanimously carried by the Board.**

**Commissioner Miller read the following resolution as a motion:**

A RESOLUTION DECLARING A NEGATIVE DECLARATION UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT AS IT CONCERNS A CERTAIN SITE PLAN REVIEW APPLICATION FOR THE PREMISES 300-308 COLUMBUS AVENUE, TUCKAHOE, NEW YORK

At a regular meeting of the Planning Board of the Village of Tuckahoe, New York (the "Planning Board") held at Village Hall, 65 Main Street, Tuckahoe, New York on May 15, 2012.

WHEREAS, the Planning Board of the Village of Tuckahoe is considering the grant of Site Plan approval for the premises commonly known as 300-308 Columbus Avenue, Tuckahoe, New York; and

WHEREAS, the project consists of the development of the site with a mixed-use building consisting of 47 residential units (43 studio units and 4 one-bedroom units), 3,600 square feet of commercial space and 61 off-street parking spaces; and

WHEREAS, based on the Environmental Assessment Form ("EAF"), submitted by the Applicant, and any supplemental materials thereto, the Planning Board has determined that there will be no significant environmental impacts from this action as it concerns the proposed Project.

NOW, THEREFORE, BE IT RESOLVED

Section 1. Based on the information included in the EAF submitted by the Applicant, and any supplemental materials thereto and the criteria contained in the State Environmental Quality Review Act and its implementing regulations, the Planning Board hereby adopts the attached Negative Declaration for this Unlisted Action under the State Environmental Quality Review Act.

Section 2. That this resolution shall take effect immediately.

**Commissioner Leo seconded the motion.**

**Discussion:** Commissioner Fang stated that the application is moving forward in the process while the Board is dealing with sensitive issues.

Commissioner Miller noted that the applicant and Board have dealt with significant issues since the beginning, such as access to the site, pedestrian safety, massing and environmental issues. The applicant needs to further address the massing issues on Lincoln Ave.

Commissioner Caliano noted that this Board is constrained by the decision of the other Boards. This Board would have liked a smaller building That choice was made for this Board. This Board will work trying to address what little we can address. Residents should have commented earlier but should continue to comment and voice their opinion.

Chairwoman Ciaramella agreed with her colleagues. The definition of the negative declaration is very narrow on its impact to the community. This is sad.

Commissioner Nerenberg stated that this project is too big, but this Board's hands are tied by others in the Village.

**Upon roll call, motioned was carried with a vote of 6 – 1 with Commissioner Nerenberg voting 'Nay' and Chairwoman Ciaramella voting 'Regrettably Yes.'**

Chairwoman Ciaramella noted that the three-dimensional model should be presented at the next meeting. She added that the applicant was moving in the right direction. The softening of the building was a major undertaking and if there was any way to ameliorate the height, she requested that the applicant review this.

Commissioner Fang added that the view of the corner of Lincoln Ave. is a major pedestrian and automobile thoroughfare. Moving the one unit was a step in the right direction. He asked the applicant to look for other opportunities.

Melissa Kaplan-Macey noted that the Fire Dept. was concerned about their access to the site.

Commissioner Gorman noted that she was not keen on the warehouse-look and requested more Tudor-like architect. In addition, the elevation facing the parking lot needs attention as is not too attractive.

Chairwoman Ciaramella requested the use of various kinds of brick, which will make the building fit in more. She asked the applicant to soften it more as it is too institutional like.

Commissioner Leo added that the elevation facing the church could possibly have a balcony with the gable roof. He asked that the firewall massing be broken up.

Commissioner Caliano requested that only one or two elevations be presented on each Board.

Chairwoman Ciaramella announced the next workshop meeting would be June 5, 2012 and the next public meeting was June 14, 2012.

Submissions should be by May 29, 2012.

**Item #7** 100 Main Street

Adjourned

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.