

January 5, 2012

**TUCKAHOE PLANNING BOARD SPECIAL MEETING
TUCKAHOE VILLAGE HALL – 6:00pm**

Present: Chairperson Ann Marie Ciaramella
Commissioner Antonio Leo
Commissioner Tim Miller
Commissioner Clare Gorman
Commissioner Sandy Reyes-Guerra

Absent: Commissioner Eric Fang
Commissioner Raymond Nerenberg
Commissioner Melba Caliano

Also in Attendance:

John Cavallaro Village Attorney
Bill Williams Building Inspector

Chairwoman Ciaramella announced the evening's agenda as follows:

Crestwood Project - Referral memo to Zoning Board of Appeals

Commissioner Leo offered the following letter of recommendation to the Zoning Board of Appeals for the Crestwood Project as a Resolution:

MEMORANDUM

TO: VILLAGE OF TUCKAHOE ZONING BOARD OF APPEALS
FROM: VILLAGE OF TUCKAHOE PLANNING BOARD
RE: CRESTWOOD STATION LOFTS, 300-308 COLUMBUS AVENUE,
TUCKAHOE, NEW YORK

DATE: JANUARY 5, 2012

We, the Planning Board of the Village of Tuckahoe, have completed a preliminary review of the above-referenced project. We understand that the above-referenced project has been reduced from 49 studio loft units to 44 residential units, comprised of 37 studio loft units, 4 one-bedroom units and 3 two-bedroom units. We further understand that the Applicant has also reduced the height of the building by one foot.

We also understand that under the project, as revised, the Applicant proposes 61 parking spaces, which include 3 handicapped spaces, and which reflect a decrease in tandem spaces from the 12

originally proposed to 6, which will be designated for the 3 two-bedroom units. Additionally, we understand that the remaining 55 parking spaces would be shared by the other residential units and commercial space. Finally, we also understand that 36 of the spaces as proposed would be reduced by 6 inches in width, specifically, from 9 feet in width to 8 feet 6 inches in width.

Based on a preliminary review, the Applicant is further proposing to provide a net increase of 8 adjoining offsite metered parking spaces adjacent to the subject Premises. The Applicant has also proposed a zip-car rental location in one space for shared use, if desired by the Zoning Board of Appeals.

We have reviewed the relief requested from the Zoning Board of Appeals and understand that the following relief is being requested:

1. A Special Permit pursuant to Section 4-5.3.1 and Sections 6-1.1 et seq. and 6-2.4 to allow 44 residential units above a business use in the Business/Residential Zoning District.
2. An interpretation that the proposed building complies with the 42-foot height requirement of Section 4-5.3.3; or, alternatively, modification of this height requirement pursuant to Section 6-2.4 (4) in granting the Special Permit; or, alternatively, an area variance from the height requirement of Section 4-5.3.3 to permit the proposed building to exceed the 42-foot height limit by 3.91 feet.
3. An interpretation that the proposed building complies with the 3-story requirement of Section 4-5.3.3 in that the below building parking area along Lincoln Avenue does not constitute a story as defined by Section 3-1.1.31; or, alternatively, modification of this height requirement pursuant to Section 6-2.4 (4) in granting the Special Permit; or, alternatively, an area variance from the 3-story height requirement of Section 4-5.3.3 to permit the building to have 4 stories along its Lincoln Avenue frontage.
4. Approval pursuant to Sections 4-5.4 and 5-1.2.1.4 of the joint use of 55 of the proposed 61 parking spaces by the 41 proposed studio and 4 one-bedroom units and by the proposed commercial uses (with 6 designated tandem spaces for the 3 proposed two-bedroom units); and/or an area variance from the off-street parking requirements of Sections 4-5.4, 5-1.2 (a) and 5-1.2.1.3 to permit the 61 proposed parking spaces where 106 spaces are required.
5. An area variance from the parking space width requirement of Section 5-1.2.1.5 (e) to permit 36 of the proposed 61 spaces to be less than 9 feet wide. Specifically, with such 36 off-street parking spaces to be 8 feet 6 inches wide in order to accommodate the layout of the proposed 61 spaces with 6 as tandem spaces.

With regard to the Special Use Permit, under Section 6-2.4 of the Zoning Code entitled “Residential Uses in Business/Residential Zone,” subsection 1 provides that, “an application shall first be made to the Planning Board, which shall complete a preliminary review of the application and shall then forward the application to the Zoning Board. The Planning Board may forward a recommendation to the Zoning Board, including comments relating to the planning, design and land use aspects of the application.”

Moreover, under Section 7-1.4 of the Zoning Code, subsection (d), entitled “Variances in Conjunction with the Site Plan,” the Zoning Code 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, design and land use aspects of the application and requested variances.”

Based on our preliminary review of the application and the project, as revised, we recommend that the Special Use Permit be granted in that residential units above business uses in the Business/Residential Zoning District is compatible with the goals and intent of the subject zoning district. Moreover, we further recommend that the Special Use Permit be granted in that the issuance of the same would be compatible with the Village’s Master Plan, whereby residential uses on upper floors in the Crestwood area would be consistent with the Master Plan adopted in 2008.

In connection with the sought-after variances as described above, this Planning Board does not recommend the granting of the variances for building height, number of stories, off-street parking requirements or the parking space width requirement. This Planning Board recommends that the granting of the foregoing variances would be incompatible with the character of the surrounding neighborhood and community.

Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact the Planning Board Chairperson, Ann Marie Ciaramella.

Commissioner Reyes-Guerra seconded the motion and upon roll call, the motion was carried with a vote of 5 – 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.