

October 18, 2022
TUCKAHOE PLANNING BOARD
Tuckahoe Village Hall Regular Meeting – 7:30pm

Present: Chairperson Antonio Leo
 Commissioner Raymond Nerenberg
 Commissioner David Barra
 Commissioner Susana Carpenter
 Commissioner Paul Wolfson

Absent: Commissioner Adrienne Michel (ad hoc)

Also in Attendance:

 Gary Gjertsen Village Attorney
 Mike Seminara Assistant Building Inspector
 Carolina Fonseca Village Consultant

Chairman Leo announced the evening's agenda as follows:

Item #1 Approval of the minutes – September 20, 2022
Item #2 170 Marbledale Rd. Revise Site Plan
Item #3 111 Lake Ave. Amend Site Plan
Item #4 25 Main St. Adjourned

Item #1 Approval of the minutes dated September 20, 2022

Commissioner Nerenberg motioned to approve the minutes from the September 20, 2022 Planning Board meeting, seconded by Commissioner Wolfson and carried with a vote of 3-0, with Commissioner Barra and Commissioner Carpenter abstaining due to their absence.

Item #2 170 Marbledale Rd.

Revise Site Plan

David Barbuti, architect representing the applicant, noted that the retaining wall was approved in January 2022. After further review, the applicant concluded that he would need additional parking spaces. To achieve that, he needs to push back the retaining wall an additional 10 – 15 ft.

The maximum height of the retaining wall will be 20 ft. The original proposed and approved retaining wall was for a stamped concrete. The applicant has run into issues with the supply chain and now requests that the retaining wall be a stone veneer, similar to the stamped concrete. The size of the stone will be 8 – 12 inches. There will be construction joints at each step. The North end will be 4 – 5 ft. lower. Their drainage plans will be sent to the Village consultant for review.

Chairman Leo asked for a 3D rendering of the wall.

Mr. Barbuti noted that he was unable to achieve that request at this time.

Chairman Leo motioned to open the public hearing, seconded by Commissioner Nerenberg and carried unanimously.

No Public Comments

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

Chairman Leo noted that this approval would be conditional.

Chairman Leo offered the following resolution in the form of a motion:

APPLICANT/OWNER: Frank Ackermann IRR Trust

LOCATION OF PROJECT: 170 Marbledale Road, Tuckahoe

SECTION: 39 BLOCK: 3 LOT: 4A

DESCRIPTION OF PROJECT: Approval of retaining wall

THE FOLLOWING IS THE RESOLUTION/DECISION OF THE PLANNING BOARD OF THE VILLAGE OF TUCKAHOE, N.Y.

Applicant in February of 2022 received approval of this Board to make improvements on its property located at 170 Marbledale Road, Tuckahoe. The approval required the Applicant to come back to this Board for final approval of the retaining wall as it was undetermined back in February how much excavation was needed and how big the wall needed to be. Applicant now appears before this Board for approval of the retaining wall. Based on the plans we are satisfied with the retaining wall subject to the following conditions:

1. The Village's engineer must approve the drainage plan submitted by the Applicant.
2. A final 3D rendering must be submitted and there shall be no objection by any Board member as to the rendering.
3. The Applicant must use the materials approved by this Board on the record at the October 18, 2022 meeting.

We find based on the work sessions and presentations at the public hearing that the applicant has met its burden as to 7-1 of the Village of Tuckahoe's Zoning Code.

EVERY REPRESENTATION OF THE APPLICANT MADE IN ITS APPLICATION AND PRESENTATION WILL BE A CONDITION OF THIS APPROVAL. ANY DEVIATION FROM THE REPRESENTATIONS MADE SHALL BE CAUSE FOR THE REVOCATION OF SAID APPROVAL.

Commissioner Nerenberg seconded the motion and upon roll call was carried with a vote of 5 – 0.

Item #3 111 Lake Ave.

Amend Site Plan

Daniel Davis, applicant, noted that he is the manager of the Relax and Day Spa. The application is to add a licensed acupuncturist to the staff. The spa is open for business from Monday to Saturday from 10:00am to 9:00pm by appointment only, and on Sunday from 10:00am to 7:00pm by appointment only.

Chairman Leo asked about the process in which the needles are disposed.

Mr. Davis noted that they are placed in a secure bottle and then he will bring the bottle to the medical waste drop off facility or have them pick it up.

Chairman Leo motioned to open the public hearing, seconded by Commissioner Nerenberg and carried unanimously.

No Public Comments

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

Chairman Leo offered the following SEQRA resolution in the form of a motion:

APPLICANT/OWNER: Relax Day Spa Inc

LOCATION OF PROJECT: 111 Lake Avenue, Tuckahoe

SECTION: 32 BLOCK: 4 LOT: 1

DESCRIPTION OF PROJECT: Amend an existing massage/spa business to include an acupuncturist

SEQRA RESOLUTION

Pursuant to the regulations of SEQRA this Board finds that:

1. The action taken herein is an Unlisted Action subject to the requirements of SEQRA and its implementing regulations.
2. This Board is in possession of all information reasonably necessary to make the determination as to the environmental significance of the proposed site plan application.
3. That the action taken herein shall not have a significant adverse impact on the environment and it is declared that a Negative Declaration is hereby adopted with regard to this action.

Commissioner Nerenberg seconded the motion and upon roll call was carried unanimously.

Chairman Leo offered the following resolution in the form of a motion:

THE FOLLOWING IS THE RESOLUTION/DECISION OF THE PLANNING BOARD OF THE VILLAGE OF TUCKAHOE, N.Y.

Applicant is seeking to add an acupuncturist to its existing massage/spa business located at 111 Lake Avenue in Tuckahoe. The existing business currently has 3 employees with 2 parking spaces. We find that adding acupuncture services will have a de minimis effect to the overall business in that the addition of the service does not change the fact that the business currently has 3 spa rooms. So, whether massages are offered or acupuncture services it will not change the maximum amount of people using the business at any given time. We find based on the work sessions and presentations at the public hearing that the applicant has met its burden as to 7-1 of the Village of Tuckahoe's Zoning Code and therefore the application is approved with the following conditions:

EVERY REPRESENTATION OF THE APPLICANT MADE IN ITS APPLICATION AND PRESENTATION WILL BE A CONDITION OF THIS APPROVAL. ANY DEVIATION FROM THE REPRESENTATIONS MADE SHALL BE CAUSE FOR THE REVOCATION OF SAID APPROVAL.

Commissioner Nerenberg seconded the motion and upon roll call was carried unanimously.

Mike Seminara included that the applicant must call the Fire Dept. for an approval of the application and then call the Building Dept. for a final inspection before granting a new Certificate of Occupancy.

Item #4 25 Main St.

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.