

September 23, 2008

**TUCKAHOE PLANNING BOARD
TUCKAHOE VILLAGE HALL – 8:00pm**

Present: Chairwoman Ann Marie Ciaramella
Commissioner James Vaughan
Commissioner Raymond Nerenberg
Commissioner Melba Caliano
Commissioner Antonio Leo

Absent: Commissioner Eric Fang
Commissioner David Colon

Also in Attendance:

John Cavallaro Village Attorney
Bill Williams Building Inspector

Chairwoman Ciaramella announced the evening's agenda as follows:

Item #1 Approval of minutes –	July 29, 2008
Item #2 1 Scarsdale Rd.	Return
Item #3 146, 150, 160, 233 Main St.	Return
Item #4 25 Main St.	Return
Item #5 50 Columbus Ave.	Site Plan
Item #6 2 Grant St.	Site Plan
Item #7 14 Fisher Ave.	Site Plan
Item #8 100 Main St.	Adjourned

Item #2 1 Scarsdale Rd. Return
Applicant not present.

Item #3 146, 150, 160, 233 Main St. Return

Mr. Null, representing the applicant Mr. Raffiani, noted that there were a few changes made to the plans since the last meeting.

Mr. Cox, architect for the applicant, stated that the few changes made to 146, 150 Main St. were that the entrance was changed, the staircase to the parking garage was removed and a more robust service area and loading dock in the rear. At 160 Main St., the lobby and the corner were changed. The building was pushed over to the right, with a carved out entrance from underneath for a handicap accessible entrance. The sidewall will now meet the retaining wall, which would provide a more private corner to the building. The sidewalk will be pulled away from the curb and placed closer to the retaining wall. A tree lawn will buffer along the street and up the hill to where the sidewalk returns to a wider sidewalk. At

233 Midland Ave., the third floor will be pushed back so that the building will appear to be two – two story wings that would keep in line with the two story houses across the street. The plans also provide for improvement to the patios in the rear of the building.

There are no changes to the parking. The air-condition units will be fully screened within acoustically rated screening. There will no longer be recessed windows at the 150 Main St. building. The plan allows for a restaurant or a retail facility and allow the windows to be a series of doors, which look across at the park setting.

Commissioner Vaughan commended that applicant on the changes to the project and noted that he was pleased. He asked for more information on walls, fences, and lighting.

Mr. Cox noted that the lighting would be submitted as part of the architectural review. Tentatively, there plans to be lighting at the building entrances, parking lots, going up Winterhill Rd, which is outside the property line, but the applicant would work with the Village to provide lighting.

Mr. Null stated that the landscaping, walls and fences, along with the lighting plans would all be part of the architectural review, with all the samples provided to the Board for review. He asked for the site plan approval tonight.

Mr. Cox stated that the applicant would return with a schematic approach to where the lighting will be placed, with no exact fixtures and no materials, and he only anticipates walls around the corner of the 160 building and a fence behind 150. There are no plans for a chain link fence.

Chairwoman Ciaramella inquired about the excavation plans and the determination of hazardous materials. She requested that a consultant/engineer representing the Village be present when the expedition takes place.

Commissioner Vaughan asked if the applicant would consider softening the view of the parking lot from the residents on Midland Pl.

Mr. Cox noted that zoning requires a buffer and the applicant will provide a buffer.

Commissioner Caliano asked about erosion and drainage.

Bill Williams, Building Inspector, noted that there are no concerns, all is acceptable.

Mr. Cox added that the lowest floor is 10ft. above grade level.

Chairwoman Ciaramella stated that the applicant could anticipate a resolution next month.

Commissioner Caliano motioned to open the public hearing, was seconded by Commissioner Vaughan and unanimously carried.

No Public Comments

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

Item #4 25 Main St. Return

Chairwoman Ciaramella announced that the applicant did not receive the necessary documents from the MTA. Adjourned until next month.

Item #5 50 Columbus Ave. Site Plan

Chairwoman Ciaramella recused herself from this applicant.

Ms. Lucia Chiocchio, attorney representing the applicant Metro PCS NY LLC, summarized the need to co-locate a wireless telecommunications facility on the roof of 50 Columbus Ave., which now handles the wireless telecommunications for three companies. The application is for four panel antennas, an electronic equipment cabinet, both placed on the roof and a utility connection in the building. This facility would provide service for the local area. Ms. Chiocchio displayed photos of a simulation of the facility once installed. The applicant will comply with all Federal laws and standards. The equipment will penetrate through the roof, which is standard practice, and will be a fire resistant penetration. A janitor's closet may be the path the applicant will use to penetrate the building. The antenna will travel through the closet from floors 2 – 10. The cell companies, which have their equipment in place, must have used this convenient path. The four panel antennas will be strategically placed to provide the best service, if moved closer to the other antennas, the service will be blocked. The equipment cabinets will be positioned 15 ft. from the end of the roof, and they will be no taller than the existing cabinets and antennas.

Ms. Chiocchio noted that the roofline measures 89ft. 6in, with the parafit it measures 90ft., and the equipment cabinet is 1.5 ft. at the base with a 12 in. beam, 2.5ft. to the cabinet and a 6ft. cabinet, measuring 8ft. total. The penthouse is 110ft. 4in. and the top of the cabinets is 98ft. 1in. The cabinet will be painted red brick to match the color of the building to blend in.

Commissioner Vaughan asked if the applicant would consider moving the cabinets to the back of the building.

Ms. Chiocchio noted that it would present issues with the structural capacity of the building and would require changes to the lease.

Commissioner Caliano asked if this was the only place that the facility could be located.

Ms. Chiocchio noted that this was a good location with 3 other telecommunications facilities that already use this building. The applicant is licensed by the Federal government to provide service to this area as there is currently no service in Tuckahoe. This is a new company, which is allowed to compete on an equal footing to provide their wireless service.

John Cavallaro, Village Attorney, noted that there is a gap in the coverage and the carrier has an obligation to close the gap as the company is now licensed by the government.

No Public Comments

Commissioner Nerenberg motioned to accept the application as presented with the cabinets painted to match the red brick on the building, and to move the equipment a total of 15 ft. back from the roofline. Commissioner Leo seconded the motion and was carried with a vote of 4 – 0.

Item #6 2 Grant St.**Site Plan**

Dr. Jonathon David, applicant, requested permission to move his medical office to 2 Grant St. also referred to as 136 Sagamore Rd. The need for approval is for the use of the site to be changed from professional office to medical office.

Architect representing the applicant, noted that all the doors are handicap accessible with 30in wide, the exit door swings out, plans to keep the heating unit in place, change the air-conditioning unit in the basement and no change to the unit on the roof. The building is a mixed use building with residential on the upper floors. There will be a full time nurse to assist the disabled with one egress for 50 people or less.

Chairwoman Ciaramella asked if the water cooler was handicap accessible. She also asked about the parking as this building offers no parking spaces.

Dr. David noted that there are 4 parking spaces per doctor in the Oak Ave. lot. Mayor Fitzpatrick promised to reserve 5 spaces, no less than 4 spaces. There will be 6 – 8 patients and escorts at any given time. There are spaces available on Sagamore Rd.

Chairwoman Ciaramella asked about a curb cut for the wheelchairs.

Dr. David noted that he will apply for the permission for a curb cut. If a sign is necessary, he will also apply for the approval of a sign at a later date.

Commissioner Vaughan asked about the medical waste.

Dr. David noted that his patients are prepped for a colonoscopy. As for other medical waste, he would follow standard guidelines as with any doctor's office and hire a special company to pick up the waste.

A discussion evolved pertaining to a door between the two buildings as to if it should be sealed off or not. It was determined that there is nothing to gain by sealing it off.

Commissioner Vaughan motioned to approve the plans as presented tonight with the following conditions: the acquisition of a minimum of 4 parking spaces in the Oak St. parking lot with the letter of confirmation be sent to Bill Williams, Building Inspector, for approval.

Motion was seconded by Commissioner Nerenberg and was carried with a vote of 5 – 0.

Item #7 14 Fisher Ave.**Site Plan**

Tony O'Sullivan and John Burke, applicants, provided plans to change the use of 12 -14 Fisher Ave from a gourmet deli to a restaurant.

Mike McGarvey noted that a restaurant is a permitted use. The proposed plans are to change the rear elevation to make a second form of egress and locate the rear door to a new handicap accessible ramp in the rear.

Commissioner Vaughan noted that the ramp was 1 in 10 and asked the applicant to make it 1 in 12.

The storefront gets 6 designated parking spots. The plans propose to change the aluminum front to a mahogany façade with special made windows with arches. The plans propose 61 seats in the restaurant, which measures less than 1000 sq. ft. patron area. The unisex handicap restroom would be added, between the ladies' room and men's room, and relocate the stairs 4 ft. over. The first floor elevation has the west end 12 in. below the right hand side. The basement will be used for storage and basic prep work. This restaurant will have to meet the Dept of Health requirements. A new air-conditioning unit

will be placed on the roof below the existing parfait. A kitchen vent on the roof for the stove and will not meet the height of the air-conditioning unit.

Chairwoman Ciaramella asked if there would be any other mechanics on the roof besides the vent and the air-conditioning unit.

Mr. Burke noted that a second vent is to bring air in which measures 2ft.

Commissioner Vaughan voiced his concern regarding the vestibule being a tight space, and the steps needed railings for the elderly. He also asked the applicant to consider making the ramp 1 to 12 instead of 1 to 10.

Commissioner Leo noted that the entrance vestibule does not meet the ADA handicap code for the amount of space for turn around and push pull doors. The kitchen double door could hit the wheelchair. The bathroom doors need to be push pull with a 12in. area on the side of the door. The ladies' room and men's room all need more space and push pull doors. He also added that the ramp in the rear must have a cover over it or a heating coil to prevent the pile up of snow.

Bill Williams, Building Inspector, stated that the applicant must keep the ramp cleared of snow.

Mr. Burke reviewed the plans for the front elevation with the proposed plans for a black awning with 2 copper lights on each side of the front door. The façade will be solid mahogany finish with a limestone base on the bottom of the mahogany. The lighting will be gooseneck, with an awning over the door. Plans are for copper planters at the base of the windows.

Chairwoman Ciaramella advised the applicant to review the new sign and awning code.

Chairwoman Ciaramella reviewed the necessary changes to the plans. It was determined that if the conditions to the resolution were not met, there will be no building permit granted. The granting of the permit is subject to review by the Building Inspector.

No Public Comments

Motion by Commissioner Nerenberg to accept the application as presented tonight with the following conditions:

- hand rails on steps**
- ramp adjusted to 12 ft.**
- interior vestibule reconfigured for ADA compliance**
- door to kitchen to swing out- cannot swing out to the ramp**
- bathrooms reconfigured**
- all doors must meet ADA requirement**

The architect noted that the ramp could be adjusted to 12 ft. if ADA requires if, but if it measures 10in risers, the 10ft. ramp will be okay.

The mahogany samples will be provided for the architectural review.

Motion was seconded by Commissioner Caliano and was carried with a vote of 5 – 0.

Item #8 100 Main St.

Adjourned

Item #1 Approval of Minutes – July 29, 2008

Motion by Commissioner Nerenberg to approve the minutes from the July 29, 2008 meeting was seconded by Commissioner Vaughan and carried by the Board 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 at 9:38pm.