

February 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

**Absent:** Commissioner Clare Gorman  
Commissioner Sandy Reyes-Guerra (ad hoc)

**Also in Attendance:**

John Cavallaro	Village Attorney
Bill Williams	Building Inspector
Frank Fish	Village Consultant
James Pinto	Village Consultant

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

**Item #1** Approval of Minutes- Special Meeting held on January 5, 2012  
Approval of Minutes- Special Meeting held on January 12, 2012  
Approval of Minutes- Regular Meeting held on January 17, 2012  
**Item #2** 9 Jackson Avenue Return  
**Item #3** Crestwood Station Plaza LLC  
300 Columbus Avenue Site Plan  
**Item #4** 100 Main Street Return  
**Item #5** 16 Chestnut Adjourned  
**Item #6** 181 Marbledale Rd. Adjourned

**Chairwoman Ciaramella introduced Melissa Kaplan-Macey, Senior Associate with BFJ Planning, whom will review all plans seeking site plan approval before the plans are presented to the Board. This will result in timesaving and more efficient procedures as incomplete plans would be addressed prior to the applicant appearing before the Planning Board.**

**Item #1 Approval of Minutes Meeting held on January 5, 2012**

**Motion by Commissioner Miller to approve the minutes from the Special Meeting – January 5, 2012 was seconded by Commissioner Leo and was carried by the Board with a vote of 5-0, with Commissioner Caliano abstaining due to her absence.**

**Approval of Minutes- Special Meeting held on January 12, 2012**

**Motion by Commissioner Leo to approve the minutes from the Special Meeting – January 12, 2012 was seconded by Commissioner Caliano and was carried by the Board with a vote of 6-0.**

**Approval of Minutes- Regular Meeting held on January 17, 2012**

**Motion by Commissioner Nerenberg to approve the minutes from the Regular Meeting – January 17, 2012 was seconded by Commissioner Leo.**

**Discussion: Commissioner Fang asked that a comment made by him regarding 9 Jackson Ave. be changed to read, “The zoning information should separate the equipment storage from parking cars.”**

**Amendment was offered by Commissioner Caliano and seconded by Commissioner Nerenberg and was carried by the Board with a vote of 6-0.**

**Motion by Chairwoman Ciaramella to approve the amended minutes was seconded by Commissioner Leo and carried by the Board with a vote of 6 – 0.**

**Item #2 9 Jackson Avenue**

**Return**

Mr. Lucente, applicant, noted that this application is for a proposed building which will be a garage and office. A few minor changes were made to the proposed plans.

Mr. Leonard Brandes, architect for the applicant, indicated that the handicap space was moved. All the parking spaces that were in front of the garage were eliminated to allow better circulation of the vehicles. He added that the applicant would run sewer lines from the building to the town’s sewer system.

Mr. Brandes displayed the materials for the proposed building. The facade will be tan and beige stucco to match the original building on the site. Light fixtures were presented with the cut sheets last meeting.

Bill Williams, Building Inspector indicated that a memo from Anthony Oliveri Associate with Dolph Rotfeld Engineering was received by his office reporting the sediment and erosion control and percolation test results.

Mr. Pinto, Village Consultant, stated that he reviewed the memo from Dolph Rotfeld Engineering and his only concern was the drainage.

**Commissioner Nerenberg motioned that the Board adopts a negative declaration pursuant to SEQR. The motion was seconded by Commissioner Caliano and unanimously carried with a vote of 6 – 0.**

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

**No Public Comments**

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

**Commissioner Caliano motioned to accept the plans as presented tonight with the addition of the submitted memo from Anthony Oliveri, Dolph Rotfeld Engineering. Commissioner Nerenberg seconded the motion and it was unanimously carried by the Board.**

**Item #3 Crestwood Station Plaza LLC**

**300 Columbus Avenue**

**Site Plan**

Chairwoman Ciaramella noted that this is the first time the Board is viewing these plans, as the applicant was unable to attend the workshop this month.

Mr. Richman noted that the Zoning Board approved the plans last month with a total of 47 units, comprising of 43 studio lofts and 4 one-bedroom units. There are 61 parking spaces, which will be shared between the commercial and residential units. Therefore, there will be no assigned spaces, as all spaces will be shared. The Zoning Board granted 4 variances – height variance for an additional 3.91 ft.; maximum number of stories from 3 stories to 4 stories; parking variance, 112 required, 61 provided; reduced the width of the parking spaces from the required 9ft. to 8.5 ft. In addition, the ZB granted the Special Use Permit and approved a Negative Declaration pursuant to SEQR.

Commissioner Miller asked how the parking lot would be monitored to prevent commuters from parking their vehicles in the lot all day.

Mr. Richman stated that a gate would be installed at the entrance on Fisher Ave. Either the gate will require a ticket to be validated at the commercial site, or it will be coin operated. The gate will sit on the property line, with the swing arm located on the property about 6 ft. in from the gate.

Commissioner Leo noted that a vehicle is approximately 15 ft. long, and voiced his concern that the vehicle would block the sidewalk as it waits at the gate.

Chairwoman Ciaramella stated that the details of the gate would need to be discussed at length at the next workshop meeting.

Commissioner Caliano asked who the current owner of the property is.

Mr. Richman stated Crestwood Station Lofts, LLC. He added that the property has not been purchased as of yet.

Mr. Fish, Village Consultant voiced his concern regarding the route a truck would have to take to unload the garbage dumpster. He asked the applicant to examine the plans to see if there could be a more sufficient route.

Commissioner Nerenberg asked if the applicant would consider relocating the utilities below ground on Columbus Ave.

Mr. Richman noted that his engineers are beginning to investigate the plans and cost.

Mr. Richard Heapes, co-owner, displayed elevations from Columbus Ave and Lincoln Ave. The revised plans would fit into the Crestwood area better than the original monolithic building. The revised plans had one façade facing Columbus that was one long building, separated into three sections. The commercial side would be stucco, the middle section was the entry into the lobby, and the third section, closest to the corner of Lincoln Ave., would be residential only and all brick. The façade facing Lincoln Ave. would have three parts to the one façade, with a Dutch gable roof. It would look more residential and therefore fit into the neighborhood found on Lincoln Ave. The height of the building on Lincoln Ave. is as follows, the left corner – 37ft., right corner - 45ft.

Commissioner Fang stated that he appreciates the two different facades to blend into the neighborhood better. He asked the applicant to display views with more detail from various focus areas, such as coming down Lincoln Ave., as it is a major pedestrian thoroughfare, going up Lincoln Ave., from the corner of Lincoln Ave. with the massiveness of the building compared to other buildings. He asked if the applicant would consider a setback.

Mr. Richman noted that the setback in this zone is 0ft. or 6ft. The ZB approved the plans with a 0ft. setback. In order to provide the parking requirements, there is no flexibility to move the building to provide a greater setback.

Commissioner Nerenberg noted that the 0ft. setback on Lincoln Ave. ruins the residential nature of the street. He noted that he had hoped the ZB would not have granted the variances, as he prefers a 6ft. setback.

Commissioner Caliano asked about the width of the sidewalk on Lincoln Ave. Mr. Richman stated that it was 8 – 10 ft. He noted that the 0ft. setback was the same as the next building. He added that if the Board wants a wider sidewalk, there is plenty of right of way.

Mr. Heapes identified a narrow path on the right side of the building leading from Columbus Ave. to the rear parking lot. He noted that the path is 6ft. wide and would have lights, landscaping and would be kept open all hours.

Chairwoman Ciaramella voiced her concern regarding the safety of the pathway. Mr. Heapes noted that the plan is to control vehicular traffic, not pedestrian traffic. If the Board has safety concerns regarding this pathway, we would consider the Board's requests.

Chairwoman Ciaramella noted that the items to be addressed at the workshop are the exact plan which a resident or patron would have to take when they park the car in the lot and get permission from the retail site and the safety issue with this narrow alleyway.

Mr. Richman noted that the commercial property measures 3600sq. ft. and could be separated into small retail units.

Mr. Heapes described the residential portion from Columbus to Lincoln Ave. The first floor on Columbus will have the lobby, access to the elevators, a sitting area, and a conference room. It will be the public part of the residential building. Along Lincoln Ave., the first floor is essentially a vertical

garden as it is the parking level, which will be screened with a hedge or vines to allow air circulation, but the vehicles will not be visible. It will not be glass or masonry but rather a vertical garden.

Commissioner Miller advised the applicant to focus on the corner of Lincoln Ave. and Columbus Ave. This corner is very important and should be celebrated, as it is the gateway to Crestwood.

Commissioner Fang noted that although the setback and width of the sidewalk may not be up for discussion, the Planning Board is charged with coming up with a mutually acceptable site plan. The site plan must be agreeable to all.

Commissioner Leo noted that although the Zoning Board approved variances, they did not approve the location and footprint of the building.

Mr. Davis, attorney representing the applicant, summarized Condition #2 of the Zoning Board approval: The area variances granted herein and the Special Use Permit granted herein are conditioned upon the development and use of the property substantially as set forth in the following plans and drawings submitted to the Zoning Board: (see Conditions ZB approval)

Any variation to the plans would not be in compliance with the Zoning Board approval. The Zoning Board approved the numbers of parking spaces. The layout is very important and the Zoning Board looked very carefully at the tandem spaces and approved the reduction of the width of the spaces.

Chairwoman Ciaramella voiced her concern that the applicant stated that the Zoning Board approved the plans and therefore, the Planning Board had no right to make any changes to the plans. The Planning Board's ability to make changes to the plans is not possible due to the Zoning Board's condition.

Commissioner Caliano voiced her concern that the Zoning Board's condition turned the Planning Board into an Architectural Review Board. The Planning Board is left with colors, materials, indents and bump outs etc.

Mr. Richman stated that the Planning Board already addressed changes this evening such as the gate entry, dumpster location and the alleyway. He added that he is bound by the Zoning Board approval.

Commissioner Caliano added that each item addressed by the Board, the applicant answers by saying that they are bound by the Zoning Board approval. The applicant achieved their goal with the Zoning Board.

John Cavallaro, Village Attorney, noted that the zoning code allows for a 0ft. setback or a 6ft. setback. This Board can ask the applicant for a 6ft. setback, but the way the code is written is for 0ft. or 6ft. If this Board wants a reduction of the 61 approved parking spaces, then the applicant must return to the Zoning Board.

Commissioner Nerenberg noted that the number of units is not cast in stone and therefore the Planning Board may have to reduce the number of units.

Mr. Fish, Village Consultant, referred to a memo sent to the Planning Board from BFJ Planning dated Feb. 14, 2012 noting that the applicant chose to submit this application for uncoordinated review under

the State Environmental Quality Review Act. As a result, a complete EAF needs to be submitted to the Planning Board so the Board can make its own determination of significance.

The applicant should be prepared to submit plans in detail regarding the details of the vehicular gate, the façade perspective for the corner of Lincoln Ave., details of the alleyway, loading and unloading of the trash and the parking lot, and if it will be entirely asphalt.

Mr. Richman stated that he would be prepared to address all the issues. He asked the Board to suggest any additional design concepts.

**Commissioner Caliano motioned to end the presentation with this applicant tonight, and continue at next month's work session. The motion was seconded by Commissioner Nerenberg and unanimously carried by the Board.**

**Item #4** 100 Main Street

Return

Mr. Les Maron, attorney for the applicant, indicated that this building sits in a Business/Residential zone. The property has already been granted variances and a Special Use Permit with the previous owner, but was never granted Site Plan approval. The proposed building has since been revised and reduced in size. The Planning Board is required to forward this to the Zoning Board for review. The applicant plans to appear before the Zoning Board for modification of the Special Use Permit and will then submit a formal Site Plan to the Planning Board for review once the variances are received by the Zoning Board. The proposed building will have a smaller footprint. The proposed building is for 3315 sq. ft., which is 600 sq. ft. less than the previously approved building. There will not be any evacuation plans. The front of the retail sites will run along the street line with a 7ft. sidewalk and 6.5ft. sidewalk near Terrace Pl. The second and third floors do not run parallel to the street and will be set back from the road. There will be a partial fourth floor for only three apartments and will be set back 18 – 20 ft. from Main Street. The building will measure 42ft. with three stories on Main Street and the fourth floor should be within the 42 ft. due to the grade of the property, as this will be confirmed with the Building Inspector. The required FAR is 1.2, but the variance granted was for 1.96, and the proposed building will be 1.49, which is within the existing variance.

The original plans were for 22 apartments and 61 parking spaces, the updated proposed plans are for 21 apartments and 33 parking spaces. The 22 apartments will be 16 two-bedroom apartments and 5 one-bedroom apartments.

Mr. Maron added that the Planning Board had previously asked to change Terrace Place into a two-way street. There will be an entrance on Main St. and Terrace Pl.

Mr. Maron noted that the applicant has decided to build a 6ft. corridor between this building and Mrs. Angelillo's building to allow light and space between buildings. There is an ongoing water issue, which Mr. Murray plans to build a waterproof wall along the property to protect Mrs. Angelillo's property. He will get the necessary permits for this wall. As a side, Mr. Murray has already rebuilt the retaining wall with the adjacent property on Terrace Pl. and shared the cost with the owners.

Mr. Maron asked for a favorable review from the Planning Board to the Zoning Board.

Mr. Fish, Village Consultant, noted that the previous plans had two levels of parking which is why more spaces were provided. The lower level of parking would require excavation. The new plans would have only one level of parking. He noted that the variance granted to the Crestwood Lofts is not a precedent for this project. The Crestwood Lofts are only studio apartments, while this application is for two-bedroom units.

Mr. Fish suggested eliminating the fourth floor apartments, which would lessen the parking variance and eliminate the height variance.

Mr. Maron noted that he would take the suggestion of removing the fourth floor from the plans under advisement.

Commissioner Caliano asked if the fourth floor were eliminated, could the loss of the three apartments be fit somewhere else in the three remaining floors?

Mr. Maron answered 'no'; the loss of the fourth floor would be a loss of the three apartments.

Mr. Pinto added that the fourth floor plans are for only three apartments. These apartments would be the most expensive to build as the additional cost to provide the elevator shaft, stairwell etc. for only three apartments.

Commissioner Fang advised the applicant to examine the plans for the parking as the layout or configuration may possibly be changed to fit more spaces.

Chairwoman Ciaramella noted that if the applicant were to remove the fourth floor from the plans, it would lessen the parking variance and lessen the problem of density. She asked that full size plans be submitted prior to the next workshop meeting. She also asked that the plans be in the proper direction with the front of the building on the bottom of the plans.

**Item #5** 16 Chestnut

Adjourned

**Item #6** 181 Marbledale Rd.

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.