

**Minutes of June 18, 2019**  
**Date Approved Sept. 17, 2019**  
**Date Filed/Village Clerk \_\_\_\_\_**

**June 18, 2019**  
**TUCKAHOE PLANNING BOARD**  
**TUCKAHOE VILLAGE HALL**  
**Regular Meeting – 7:30pm**

<b>Present:</b>	Chairperson	Antonio Leo
	Commissioner	Raymond Nerenberg
	Commissioner	Ann Marie Ciaramella
	Commissioner	David Barra
	Commissioner	Ladislao Castellanos
	Commissioner	A. J. Forgione – Ad Hoc

**Also in Attendance:**

Gary Gjertsen	Village Attorney
Bill Williams	Building Inspector
Georges Jacquemart	Village Traffic Consultant

**Chairman Leo announced the evening's agenda as follows:**

<b>Item #1</b>	<b>Approval of Minutes</b>	<b>May 15, 2018</b>
	<b>Approval of Minutes</b>	<b>September 19, 2018</b>
	<b>Approval of Minutes</b>	<b>March 19, 2019</b>
<b>Item #2</b>	<b>21 Columbus Ave</b>	<b>Site Plan</b>
<b>Item #3</b>	<b>10 Fisher Ave</b>	<b>Architectural Review</b>
<b>Item #4</b>	<b>72 Main St.</b>	<b>Site Plan</b>
<b>Item #5</b>	<b>125 Marbledale Rd.</b>	<b>Site Plan</b>
<b>Item #6</b>	<b>47 Rogers St.</b>	<b>Adjourned</b>
<b>Item #7</b>	<b>82 Wallace St.</b>	<b>Adjourned</b>
<b>Item #8</b>	<b>1 Scarsdale Rd.</b>	<b>Adjourned</b>

<b>Item #1 Approval of Minutes</b>	<b>May 15, 2018</b>
<b>Approval of Minutes</b>	<b>September 19, 2018</b>
<b>Approval of Minutes</b>	<b>March 19, 2019</b>

**Commissioner Nerenberg motioned to approve the minutes from the May 15, 2018 meeting, seconded by Chairman Leo and carried with a vote of 3 – 0.  
(Commissioner Gorman voted with a signed affidavit)**

**Chairman Leo motioned to approve the minutes from the September 19, 2018 meeting, seconded by Commissioner Ciaramella and carried with a vote of 3 – 0.  
(Commissioner Gorman voted with a signed affidavit)**

**Commissioner Nerenberg motioned to approve the minutes from the March 19, 2019 meeting, seconded by Chairman Leo and carried with a vote of 3 – 0.**

**Chairman Leo introduced two new members to the Board - Commissioner Castellanos and A.J. Forgione. He thanked them for volunteering for this Board and thanked all the residents that applied.  
Chairman Leo also thanked Commissioner Gorman for all her time she has committed to the Village of Tuckahoe. Commissioner Gorman will be missed.**

#### **Item #2 21 Columbus Ave              Site Plan**

Mr. Adam Wekstein, attorney for the applicant, The Learning Experience Day Care Center, noted that the applicant is proposing a day care center at the site of Epstein's retail store. The application requires a Special Use Permit.

The day care center will operate on the weekdays and never on weekends. He added that this is a re-use of a commercial structure, so as of January 2019; a SEQR review is not required. There are no parking specifics for a day care center in the zoning code, so it rests with the Planning Board to decide.

Mr. Matthew Jarmel, architect for the applicant, noted that he specializes in designing day care centers and has designed over 300 day care centers.

The Learning Experience Day Care Center is a national chain. They currently are proposing centers in Briarcliff Manor, Ossining and White Plains. There are 240 centers, which are responsible for the care of over 30,000 children daily. The center will be licensed by NYS. The center will fill the needs for working parents for their children ages 6 weeks to 6 years old.

Mr. Jarmel noted that Epstein's would be completely renovated. The exterior brick will be cleaned up; sides of the building will be repaired and painted. The rear parking lot will be converted to an outdoor play area. The small loading dock will be demolished.

The first floor will have a vestibule, which will be locked. The parents will have a key fob to gain access to the site. A touch screen, with a personal pin number for each child to check in; this allows to check in for payment purposes and for the center to take responsibility of the child. This drop off process takes approximately 5 minutes. The parents can drop off their children on the way to catch the Metro North. The site will have a storage area to accommodate their strollers for those that walk to the train. The drop off times will be 6:30 am to 9:30 am and pick up will be 4:00pm to 6:00pm.

The outdoor play area will measure approximately 1000 sq. ft.

An indoor play area will measure 1265 sq. ft.

The classrooms are set up by age appropriate levels. Each classroom has a bathroom in the room.

In addition, an elevator will be installed, fire alarm system, sprinkler system, fire stairs and monitors throughout to view the site.

The capacity for a day care center is determined by the state, but the projected total capacity is expected to be 178 children. It is projected that 25% of the children will be siblings and 10% of the children will be absent.

Mr. Jarmel added that this project is exempt from the SEQR review, but there has been an extensive environmental examination of the property. The applicant searched for underground oil tanks; the oil tanks were in the building, they will be removed. There will be a brand new HVAC system installed.

Andrew Villari, Traffic Engineer, submitted a report to the Board on June 10, 2019. He has since made a slight revision and submitted the update report.

The drop off process lasts approximately 5 minutes. The parent walks the child into the facility, uses the key fob, signs the child in with the pin number and then heads back to their car. The parking space that the parent will use would only be utilized for a brief period of time. There should be no spike in the traffic.

The afternoon pickup starts approximately 2:30 to 3:30 to 6:30pm.

Mr. Villari conducted a study on Thursday May 23, 2019 from 6:00am to 7:00pm.

He collected data with Epstein's still open. The data showed that 68% of the parking spaces were occupied; this number should be less once Epstein's closes.

A typical day center is 10,000sq. ft., which requires 25-26 parking stalls.

This site measures 14,000sq. ft., which would need 33 parking spaces.

It was Mr. Villari's opinion that 40% of the parents would be taking the Metro North. There may also be parents that already have parking permits for the village owned commuter lots.

Chairman Leo noted that the majority of parking permits are issued to non-village residents.

Mr. Villari noted that this day care center would generate less than 100 trips or less. If an application is determined that it would produce 100 trips or less, a traffic study would not be required. This center borders on this number.

Chairman Leo asked if the applicant could possibly add some additional days to their data collection, as the date that the data was collected was the Thursday prior to the Memorial Day Holiday weekend. The traffic light at the intersection of Main St. and Columbus Ave. is 140 seconds and adding 100 more vehicles to that intersection would be concerning. Chairman Leo stated that a traffic study should be administered to understand the impact.

Chairman Leo asked about the staff and where their parking would be located.

Mr. Villari noted that there would be 20 full time employees and 9 part time employees.

Chairman Leo noted that there is a day care center located in Village Hall. It is an ongoing problem for these day care workers to find parking spaces in the village. This is a small village and there are very limited parking available. This day care center may exacerbate the parking issues with 20 full time staff and 9 part time staff.

Chairman Leo also noted that the day care center in Village Hall has a secure drop off location. This proposed location may find that the parents double park for a few minutes. There is a fire hydrant located at the curb cut in front of the building and a cross walk in front of Epstein's.

Mr. Villari noted that some of the prospective parents may already be driving to the train station and therefore would not be adding to the number of vehicles. Their vehicle would already be at that intersection.

Mr. Villari noted that there is published data that describes that the peak for that intersection is during the afternoon hours. The peak for the day care center would be at 8:30am, not during the published peak hour.

Mr. George Jacquemart, Village Traffic Consultant, noted that he has been involved with the planning of several Learning Experience Day Care Centers. He asked that Mr. Villari submit the data report regarding the afternoon peak hours at that intersection.

He added that it is true to some degree that some people already make the trip to the train station daily and now would drop off their children to the day care center. It would not add to the traffic. Not every trip to the day care center is an additional trip through town. He suggested a traffic study be conducted to analyze the intersection. The combination of 33 parking spaces for both the parents and the staff should be separated as they have separate demands. Two hour parking for parents and 12 hour parking for staff.

He requested data from similar environments like Tuckahoe. The percent of parents that would go to the center by foot. He also added that the practical capacity of parking is at 90%.

Commissioner Barra noted that the proximity of the parking lots to the day care center would be a challenge for some parents.

Mr. Villari noted that the furthest parking lot would be a three-minute walk. He added that the current day care centers are situated in a much more suburban setting and are mostly vehicle based. There are no Learning Experience Day Care Centers located within 400 sq. ft. from the train station, like this proposed location.

Mr. Jarmel noted that there would be 29 employees for 178 children. The infants have a 1:4 ratio; toddlers 1:5; pre-k 1:9

Not every classroom has a licensed teacher, but all staff members are well trained in first aid and CPR. There is an extensive background check on all employees.

Commissioner Ciaramella asked if the staff members would walk the children to the nearby parks.

Mr. Jarmel indicated that the policy is for the children to always stay on the premises. The children will always stay in a controlled environment.

He added that his office is adjacent to a Learning Experience Day Care Center and there are never more than six parents at a time dropping off and picking up their children. He noted that the operations staff would not have approved this potential spot if it were not going to be safe and successful, even with the Andrus Day Care Center and other competition.

Chairman Leo stated that the impact to the traffic is the major concern. There are many developments in the Village and the parking is very limited.

Mr. Wekstein noted that Mr. Jacquemart stated that the current parking situation was at 90% capacity, but that is with adding the current use and the proposed use together; both uses would not be used.

Commissioner Nerenberg suggested that the applicant speak to the adjacent business, Tuckahoe Paint to discuss a potential agreement to drop off and pick up the children using their parking lot.

#### Public Comments

Corrine Lurry-Mabin, Andrus Early Learning Center, VP Community Based Initiatives, noted that the parking situation in the Village is a great concern for both staff and parents. There is a need for day care centers in the area.

Mr. Wekstein noted that the Planning Board sets the required parking spaces, so when satisfied; the Planning Board must notify the Zoning Board. The applicant plans to present to both Boards in the next month.

#### **Item #3 10 Fisher Ave      Architectural Review**

Mr. Leonard Brandes, architect for the applicant, Martine's Bakery, indicated that the applicant would like to spruce up the exterior of the bakery.

New large windows, new handicap accessible front door, extend the brick and place planters with seasonal flowers. The applicant will clean the current brick and place black trim around the large windows. The existing menu boards will stay in their current location. The new signage will be presented before the Sign and Awning Committee.

**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.**

**Commissioner Barra offered the following Resolution in the form of a motion:**

APPLICANT/OWNER: Martine's Fine Bake Shoppe, LLC

LOCATION OF PROJECT: 10 Fisher Ave, Tuckahoe

SECTION: 42 BLOCK: 9 LOT: 12

DESCRIPTION OF PROJECT: Remove the existing awning and construct a new façade

---

### **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.**

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

Applicant, Martine's Fine Bank Shoppe LLC is seeking to construct a new façade to their existing business located at 10 Fisher Avenue. The proposed façade will greatly enhance the look to the existing building, which is in need of improvements. We find that the applicant has met its burden as to 7-1 of the Zoning Code and therefore the application is approved as submitted.

**Chairman Leo seconded the motion and was carried unanimously by the Board.**

**Item #4 72 Main St.                              Site Plan**

Mr. Leonard Brandes, architect for the applicant, noted that this is an existing coffee shop. The applicant would like to renovate the interior and install a full kitchen and two handicap bathrooms. The exhaust system will have the vent on the side of the building. It will be located high enough (10 ft. high) so it would not cause an issue with a vehicle in the very narrow driveway.

Chairman Leo asked that the exhaust vent be painted the same as the exterior of the building to prevent an eyesore.

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

**No Public Comments**

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

**Commissioner Nerenberg offered the following SEQR resolution in the form of a motion:**

APPLICANT/OWNER: ODO LLC

LOCATION OF PROJECT: 72 Main Street, Tuckahoe

SECTION: 33 BLOCK: 9 LOT: 13

DESCRIPTION OF PROJECT: Construct a new café/restaurant located at 72 Main Street, Tuckahoe.

### **SEQRA RESOLUTION**

Pursuant to the regulations of SEQRA this Board finds that:

- 4. The action taken herein is an Unlisted Action subject to the requirements of SEQRA and its implementing regulations.**
- 5. 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.**
- 6. 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.**

**Chairman Leo seconded the motion and was carried unanimously.**

**Commissioner Nerenberg 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, ODO LLC is seeking to construct a new café/restaurant to be located at 72 Main Street, Tuckahoe. Prior to the application, there existed at said location a café that did not have a kitchen. This applicant is looking to expand the use to include a kitchen and expand the existing bar area. There will also be the addition of 2 handicapped bathrooms in the premises. We find that the applicant has met its burden as to 7-1 of the Zoning Code and therefore the application is approved with the following conditions:

1. Applicant will have the premises serviced by natural gas and will not utilize a propane tank

**Chairman Leo seconded the motion and was carried unanimously.**

**Item #5 125 Marbledale Rd.      Site Plan**

Mr. Leonard Brandes, architect for the applicant, presented a proposed plan to create an athletic space for baseball training for children ages 8 years old to HS. This location was where an auto body shop was previously located.

The owners George Jaquette, Team Crush, and Jerry DeFabbia, Tuckahoe HS Baseball coach, noted that there was a need for this type of facility. Training for the baseball teams happen in other towns. This Team Crush Organization has 150 kids ages 13- 17.

This facility, 4500 sq. ft., will have 3 batting cages, and 2 half-length batting cages. The cages will have the proper safety nets and the floor will be turf material. The facility will be open for team practices only. The teams will range from 12 – 15 kids with their coaches. The busy times will be after school hours.

The three full-size batting cages will have two hitting machines and one for a pitcher. There will also be a section for strength and agility training.

The plans are to close the existing entrance and close up the curb cut. This will add one parking space on Marbledale Rd. The main entrance will have a new awning and the side entrance will also be fitted with an awning.

Mr. Brandes noted that the building will have the Team Crush colors with banding.

Chairman Leo asked the hours of operation.

Mr. Jaquette stated Monday – Friday 3:00 to 10:00pm

Saturday and Sunday 8:00am to 8:00pm and school holidays 8:00am to 8:00pm

The capacity will be maximum 20 people.

There will be a bike rack in front by the main entrance for some athletes to ride to the facility.

The batting cages will be mostly used during the off-season, November to April, when the weather outside is not suitable for baseball. The off-season includes agility, yoga and stretching for the baseball players.

Chairman Leo requested more attention be given to the elevation. He suggested the Team Crush logo be painted on the façade.

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

#### **No Public Comments**

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

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

APPLICANT/OWNER: Team Crush Baseball

LOCATION OF PROJECT: 125 Marbledale Road, Tuckahoe

SECTION: 35 BLOCK: 1 LOT: 1.C

DESCRIPTION OF PROJECT: Perform interior alterations at an existing building located at 125 Marbledale Road to create a baseball training center with batting/pitching

cages and a stretching area for ages 8-18. The facility will utilize 2 existing bathrooms and add a handicapped unisex bathroom.

## **SEQRA RESOLUTION**

Pursuant to the regulations of SEQRA this Board finds that:

- 7. The action taken herein is an Unlisted Action subject to the requirements of SEQRA and its implementing regulations.**
- 8. 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.**
- 9. 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 Barra seconded the SEQR motion and 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, Team Crush Baseball, is seeking to perform interior alterations to an existing building located at 125 Marbledale Road. The applicant is seeking to use the premises as

a baseball-training center with batting/pitching cages and a stretching area. The training center will be used for participants ages 8 through 18. We find that the applicant has met its burden as to 7-1 of the Zoning Code and therefore the application is approved with the following conditions:

2. The applicant will provide a bicycle rack at the premises
3. The hours of operation shall be as follows:
  - a. M-F 3pm to 10pm (During School Days)
  - b. Sat and Sun 8am to 8pm
  - c. If schools are out of session for the summer, recess or holidays then the hours may be extended M-F from 8am to 8pm.
4. The curb cut in the front of the premises shall be removed at the direction and approval of the Tuckahoe DPW
5. The applicant shall contribute \$ 1950 towards the installation of short-term metered parking in front of applicant's location. This will prevent commuters parking in front of applicant's location so as to deprive applicant's customers from parking in the vicinity of the premises.
6. Applicant shall make the following improvements to the façade of the applicant's building:
  - a. Architectural review of the façade design

**Commissioner Barra seconded the motion and was carried unanimously by the Board.**

<b>Item #6</b>	<b>47 Rogers St.</b>	<b>Adjourned</b>
<b>Item #7</b>	<b>82 Wallace St.</b>	<b>Adjourned</b>
<b>Item #8</b>	<b>1 Scarsdale Rd.</b>	<b>Adjourned</b>

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.