

Planning Board
Village of Tarrytown
Regular Meeting
October 22, 2018 7:00 pm

PRESENT: Members Tedesco, Raiselis, Birgy, Aukland; Counsel Zalantis; Building Inspector/Village Engineer Pennella; Village Planner Galvin; Secretary Meszaros

ABSENT: Chairman Friedlander, Alternate Member Lawrence

Mr. Tedesco chaired the meeting in Chairman Friedlander's absence and called the meeting to order at 7:03 p.m.

APPROVAL OF MINUTES– September 24, 2018

Mr. Tedesco moved, seconded by Mr. Birgy, with Mr. Aukland abstaining, that the minutes of the September 24, 2018 be approved as submitted. All in favor.
Motion carried.

Mr. Tedesco announced the following adjournments:

- Michael Degen- 86 Crest Drive
Additions and Alterations to a single family home
- Benedict Avenue Owners Corp. –22 Glenwolde Park
Additions and Alterations to a single family home.
- Artis Senior Living, LLC – 153 White Plains Road
Construction of a 35,952 s.f. Alzheimer/Dementia Care and review of petition for zoning amendment to allow for Alzheimer/Dementia Care housing.
- E.F. Schools, Inc.- 100 Marymount Avenue
Exterior site improvements to the Esplanade between Rita and Marian Hall to improve pedestrian access and provide for emergency vehicle access
- Sisters of the Sacred Heart of Mary- 32 Warren Avenue
widening, construction of retaining wall and garden addition
- Peter Bartolacci – 67 Miller Avenue – Removal of railroad tie-wall, construction of retaining walls and landscaping of rear yard.

- Krystyn Silver, Assistant Director, National Trust for Historic Preservation – 635 Broadway – Amend Site Plan Approval for landscape restoration and site improvements to include an additional path for ADA access.

CONTINUATION OF PUBLIC HEARING –

Alex Esposito, AIA Architects -11 Emerald Woods

Alex Esposito, the project architect, appeared and introduced Mrs. Annette Simao, the owner, Robert Corke, Attorney, representing the owner, and Craig Studer, of Studer Design Associates Inc. The application before the Board is for the demolition of the existing structure and construction of a single family residence/guest house with garage space, pool cabana and site improvements. Mr. Esposito advised the Board that they have been before the Architectural Review Board and have received approval for this project.

Ms. Raiselis asked if the common ownership issue has been resolved. Counsel Zalantis advised that the owner has agreed to this and the language has been worked out and will be included in the resolution.

Craig Studer, of Studer Design Associates, presented the revised landscape plan and advised the Board that he has submitted revised plans digitally this afternoon. He commented on two items in response to Suzanne Nolan's landscape review which was included with the submitted plans.

- 1) A tree survey was done and a licensed arborist will produce a report as requested.
- 2) Ms. Nolan had concerns about the critical root areas of some of the plants identified on the planting plan. They have revised the plan to move some of the plants and understory trees in order to minimize the impact of the critical root area disturbance of the trees that they want to save.

Mr. Tedesco read a letter from Lester Jacobs, who lives at 47 Stephen Drive, into the record which is attached as "Exhibit A". Mr. Tedesco would like the applicant to contact Mr. Jacob's before the next work session. He also advised that the landscape plan will need a final review along with the required arborist report. He asked the secretary to forward the plans to the village landscape architect and the arborist report when it is submitted. In the meantime, the applicant/owner can attempt to meet with Mr. Jacobs.

Mr. Aukland is pleased with the application. He noted that on the plans, "Gracemere" has been identified as a road, which is not accurate. He would like the plans revised to reflect "Gracemere" only. He noted that Ms. Nolan's landscape review also indicated Gracemere as "Gracemere Drive" which is also not accurate. The secretary will advise Ms. Nolan of this correction.

Mr. Tedesco asked if anyone in the public or staff had any questions. No one in the public appeared.

Mr. Pennella would like clarification with regard to how the stormwater overflow will be controlled on Emerald Woods. Mrs. Simao advised that she has spoken with the president of the Homeowner's Association who lives next door to her at 9 Emerald Woods. He has agreed to allow them to connect to their stormwater system. Mr. Pennella requested that this permission be submitted in writing to be made part of the record.

With regard to Mr. Jacobs letter to the Planning Board, Mrs. Simao advised that she has not received a call from Mr. Jacobs. She is on site frequently and he has never come by. She is not sure what kind of walk-through he would like. She also advised that there is a tree down on the property and she does not feel comfortable with anyone walking on the property for safety reasons. In addition, she is not aware that any of her consultants has received a call from Mr. Jacobs. Mr. Tedesco asked the secretary to get Mr. Jacobs contact information so that they can connect.

Alex Esposito, the project architect, commented on the stormwater and said that the plan calls for numerous galleries on site resulting in a decrease in runoff. He will forward written comments on the stormwater plan to Mr. Pennella.

Mr. Tedesco asked if anyone else had any comments. No one appeared.

Mr. Tedesco moved, seconded by Ms. Raiselis, to continue the public hearing. All in favor. Motion carried.

Lorraine S. Burke-Zollo, Property Manager- Martling Owners, Inc.– 222 Martling Avenue

Paul Berté, the project engineer, appeared before the Board and presented revised plans which were emailed to the secretary late this afternoon.

Mr. Pennella advised the Board that he has received comments from Mr. Berté as a result of his site visit with Mr. Berté and Suzanne Nolan, the village landscape architect consultant. The project is broken up into 2 phases: The parking lot resurfacing and the construction of the retaining wall in back of the building. In both phases, they will be providing for stormwater retention on site. They have revised the height of the wall from 6 feet to 4 feet high and have a much better plan than the original.

Mr. Berté showed the plan which has been revised to reflect the 4 foot high retaining wall. Roof liters will come down to an infiltration system and any overflow will go to the level spreader into the wooded area. With regard to the protection of the large oak tree, they pushed the wall back about 6 to 7 feet in order to protect the root zone. An arborist report will follow as requested for the record.

There are no other changes with regard to resurfacing and drainage and re-setting curb, except to preserve the Sycamore tree which he pointed to on the plan. Currently, the stormwater volume is uncontrolled. He has submitted calculations to Mr. Pennella which will improve the overall drainage conditions. The concept is to collect runoff from the parking area into 24 inch pipes which will feed into level spreader to prevent direct discharge down the hill.

Ms. Raiselis was pleased with the changes made to mitigate the stormwater and to protect the trees and the Sleepy Hollow Gardens property. The Board members agreed.

Mr. Tedesco advised that paper copies of the revised plans will need to be submitted for review by Mr. Pennella and landscaping revisions in response to the October 16, 2018 landscape memo will also need to be submitted for a final review by the village landscape architect.

Planner Galvin confirmed that the curbs will be reset or repaired during resurfacing and there will be no need to park cars off-site during any construction phase.

Mr. Tedesco asked if anyone in the public had any comments. No one appeared.

Mr. Tedesco said only a portion of this Negative Declaration will be read. A copy will be provided to the applicant and the entire Negative Declaration will be recorded in the minutes of this meeting. Mr. Tedesco read through the Negative Declaration which is attached as "Exhibit B".

Mr. Tedesco moved that the Planning Board issue a Negative Declaration for this application, seconded by Mr. Aukland. All in favor. Motion carried.

Mr. Tedesco moved, seconded by Ms. Aukland, to continue the public hearing next month. All in favor. Motion carried.

ADJOURNMENT

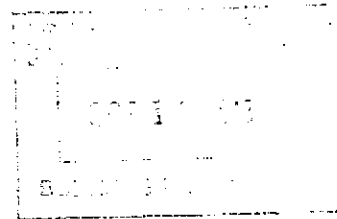
Mr. Tedesco moved, seconded by Mr. Aukland, to adjourn at 7:26 p.m. All in favor. Motion carried.

Liz Meszaros- Secretary

Exhibit A

**11 Emerald Woods Application
Mr. Les Jacobs –
47 Stephen Drive Submission**

Lester Jacobs
47 Stephen Drive
Tarrytown, NY



To Whom It May Concern:

I write regarding the action of 11 Emerald Woods. As you may recall, I attended and spoke at the August meeting regarding this application. As I indicated then, I could not innumerate my concerns, if any, regarding the proposed house, cabana, or swimming pool unless I could get a walkthrough of the property in order to visualize the changes that might occur. At that meeting, a Mr. Roger Fawn indicated his willingness to provide me entrance to the property and explain the changes that are proposed. I have tried to arrange such with Mr. Fawn by calling him three times since that meeting to no avail. I was also prepared to attend the September meeting but was informed that the action had been postponed until October. Unfortunately, my son has surgery scheduled and I will be out of town for the October meeting. Since I have not been afforded entrance to the property or a description of the action during a walkthrough, I am unable to comment further.

I respectfully request that no further action occur on the item until I can comment, with needed knowledge to either indicate that, hopefully, I have no issue with the construction, or that I do.

Thanks,

Lester Jacobs

Exhibit B

Lorraine S. Burke-Zollo, Prop. Mgr. -Martling Owners, Inc.
222 Martling Avenue
NEGATIVE DECLARATION - SEQRA

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The proposed action consists of site improvements at the Castle Heights apartment complex located at 222 Martling Avenue in the Village's M-4 District. The surrounding properties have all been developed for multi-family housing. The site improvements include drainage improvements, the milling and resurfacing of the parking lot and the construction of a new retaining wall with a length of 170 lf in the rear yard of the apartment building. No new parking lots are proposed. The existing lots are in need of resurfacing and drainage improvements. Existing stormwater runoff currently drains down slope from the parking lot without control or mitigation. To minimize the existing concentrated flow from the parking lot, an underground mitigation practice is proposed with a level spreader system installed for overflow conditions. Drainage improvements include an additional catch basin, drain pipe (solid) and perforated pipe designed for storage/infiltration installed in existing wooded area. No new impervious surface is proposed. Additionally, no regulated trees will be removed. All existing landscaping and lighting features will be maintained. Also proposed is the construction of a gravity retaining wall (6' maximum height) to prevent further erosion around the foundation of the apartment building. The wall will use a minimal amount of fill imported onto the site for backfill (135 cy). The wall will provide safe pedestrian access around the building for maintenance and use by residents. The wall will also stabilize and control erosion on the heavily wooded hillside which slopes down southward to the Sleepy Hollow apartments. The Sleepy Hollow apartments are located at a 40' lower elevation from the subject property and is separated from the project area by an existing stand of mature trees and understory vegetation. This limits visibility from the Sleepy Hollow apartments toward the Castle Heights apartment building and wall. The Village Engineer and Village Landscape Consultant have walked the site with the Applicant's Engineer. As a result of the site visit, the Applicant has agreed to relocate the wall outside the critical root zone of mature trees and added tree protection measures to the plan. The Applicant has staked the identified trees in the field. The Applicant also agreed to enhance the stormwater management system by adding four culvec chambers behind the apartment building. Based on the Planning Board's review of the proposed action, the review of the SEAF and other information provided to the Planning Board by the Village Engineer and Landscape consultant, the proposed action is not expected to result in any significant adverse environmental impacts that would rise to the level of significant adverse environmental impacts that would rise to the level of significance required for a Positive Declaration.

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Tarrytown Village Planning Board

10/22/18

Name of Lead Agency

Date

Ron Tedesco

Acting Chairman

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Ron Tedesco

Robert James Galvin, AICP - Village Consulting Planner

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

PRINT FORM

Agency Use Only [If applicable]	
Project:	Site Improvements - Castle Heights
Date:	10/15/18

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>