

Planning Board
Village of Tarrytown
Regular Meeting
August 22, 2022 7 pm

PRESENT: Chair Raiselis; Members Aukland, Gaito, Alternate Member Mezey, Counsel Zalantis; Village Engineer Pennella; Village Planner Galvin; Secretary Meszaros.

ABSENT: Members Friedlander and Mendez-Boyer

Chair Raiselis called the meeting to order and announced that the public will be given the opportunity to address the Board on agenda items only. Each speaker will be given 3 minutes during the public comment period. The Board welcomes public written comments emailed to imeszaros@tarrytowngov.com or mailed to the Village of Tarrytown, Planning Dept. - 1 Depot Plaza, Tarrytown, NY 10591, and should be received no later than the Friday before the meeting, in order to be distributed in advance of the meeting.

APPROVAL OF MINUTES: July 25, 2022

Ms. Mezey moved, seconded by Mr. Aukland, with Mr. Gaito abstaining, to approve the minutes of the July 25, 2022 meeting, as submitted.

Ms. Raiselis asked for a roll call vote:

Chair Raiselis: Yes
Member Aukland: Yes
Alt. Member Mezey: Yes

All in favor. Motion approved. 3-0

CONTINUATION OF PUBLIC HEARING - MERCY COLLEGE – 828-832 South Broadway

John Kolesar, Attorney, with the law firm of Harris Beach, PLLC, appeared, representing Mercy College and introduced Thomas Simmonds, Vice President of Operations at Mercy College, and Deanne Pericak, the project engineer, with Foit-Albert Associates, present to answer questions this evening.

Mr. Kolesar presented the site plan and advised that they have been working diligently to revise the plans based upon the comments from the Board and the public received after the first public hearing and follow up site visits with the Board and Mr. Pennella.

The original plan called for 83 new spaces and, under the new plan, they have reduced that number to 26 spaces. The total spaces on site will now increase from 129 to 155 spaces.

Mr. Kolesar presented an overlay of the revisions to the original plan showing added pedestrian access lanes and sidewalks throughout the site creating connectivity from the parking lots to the buildings. They have also added trees and screening in the upper lot, and have added parking islands placed every 10 spaces as required by code. In addition, EV charging stations and bike racks have been added and they have addressed stormwater impacts. Mr. Kolesar confirmed receipt of the Village Consultant's Landscape Report this morning and will address Ms. Nolan's recommendations. He is happy to answer any specific questions or comments from the Board before they finalize their plans to include stormwater and landscaping.

Ms. Raiselis asked the applicant to carefully address the Nolan Landscaping recommendations with regard to the accuracy of the trees. Deanne Pericak, the project engineer, advised the Board that they will be submitting a full planting plan with full tree protection details with notes for digging around any tree root areas. They are proposing to remove 2 10-inch trees on the north side of the property. The stormwater management bioretention plan will specify native plants that can handle inundated situations.

Ms. Raiselis is concerned about protecting the trees during the sidewalk installation. Mr. Pennella commented that he met on site with the design engineer and landscape architect. He discussed the protection of trees around the new sidewalk and the landscape architect had no objection to putting a sand layer and flexible pavement on top of it to protect the tree roots. Ms. Pericak advised that they did not survey the south west corner area where the existing pavement is and trees since they originally did not anticipate work there. They will go back and pick up the trees of concern in this area. She pointed to the existing width of the road and they are hoping to be able to pave about a foot or two to get the required width to allow for two cars to pass with only adding about five new feet of pavement. Ms. Raiselis confirmed that they will stripe the pedestrian route to clearly delineate it from the vehicular area, and that it will be continuous to the new path.

Mr. Galvin would like them to address the portion of the parking area they are taking away for the shuttles and the different pervious surfaces. Ms. Pericak explained that they intend to make more room for the crosswalk and will need to extend the pavement slightly. They will also need to extend the pavement about 20 feet or so for the shuttle bus spots in the corner that are too long to fit in the existing spots. They will also restripe the area for a two-way, with perpendicular parking to make better use of the space, without having to add impervious area and additional pavement.

Ms. Raiselis asked if anyone in the public would like to comment. No one appeared.

With regard to public comment, Ms. Raiselis thanked the public for the letters received which the Board Members have read which will be made part of the record and posted on the website:

1. Paul Birgy representing The East Belvedere Homeowner’s Association
2. Ms. Kapilow, Irvington, NY
3. Dean Gallea - Tarrytown Environmental Advisory Committee (TEAC)
4. The O’Connor Family, Irvington, NY
5. The Historical Society of the Tarrytown’s

Mr. Aukland moved, seconded by Ms. Mezey, to declare Lead Agency Status for the environmental review of this application.

Ms. Raiselis asked for a roll call vote

Member Aukland:	Yes
Chair Raiselis:	Yes
Member Gaito:	Yes
Alt. Member Mezey:	Yes

All in favor. Motion approved. 4-0

Mr. Galvin would like the applicant to respond in writing to the public comments for the record to be included in the environmental review.

Ms. Raiselis asked Counsel how the State DOT will become involved since there is striping being done on route 9 in the right-of-way. Counsel advised that there can be a condition of approval that the applicant obtain a permit from the State to do this work.

Mr. Pennella believes Ms. Raiselis is referring to the crosswalk which is not on the plan. He advised that they will only be connecting to the corner and are not proposing any changes in the State right-of-way. All the work is proposed on the Mercy College property so no highway work permit will be required.

Mr. Kolesar confirmed that they don’t plan to make any changes outside of their property line but they will assist the village in giving information to the State or Village when a project is planned.

Ms. Raiselis is concerned that the crosswalk going across Broadway is not going to be completed. Ms. Pericak pointed out the crosswalks are not on Mercy’s property and are to be provided by the jurisdiction. Mr. Pennella explained that the village would have to petition the State to put a crosswalk at this location, which would involve a traffic study, which could take at least a couple of years.

Mr. Kolesar noted that Mercy College doesn't own that piece on the corner that would connect to that crosswalk there. It sort of juts out but it stops where they own it. So, that crosswalk, in theory, would connect to municipal property, not directly to Mercy.

Mr. Gaito would like to make it as safe as possible without tying this project up with the DOT. He asked Mr. Kolesar how they plan to make it safer at the intersection for students. Mr. Kolesar said that the work they are proposing is on Mercy's property. Mercy is not changing the intensity of the use; it is staying as offices. There is no classroom instruction on the site, so there are no students at this site. Safety is always a concern of the college but students coming and going from class is not what is happening at this site. They are not seeking any permits to do work on the State road and are not proposing any striping. There is a gate at the intersection and they will restore it to make it look nice. Other than that, there is no other work, in terms of function. Ms. Raiselis said that hopefully they are putting in the sidewalks so people will use them and ride their bikes to work, or walk, or take the bus, which was a conversation that took place at the site visit. It was explained at the site visit that the college's mission was to provide more public access.

Mr. Simmonds came to the podium and explained that they did a second walkthrough with Mr. Pennella and left with a different understanding that is now reflected on the plans. There is an existing crosswalk along Broadway that is on the Irvington side at the intersection of West and East Sunnyside Lane with bus stops on both sides of Broadway, heading north and south. They do not think it makes sense to put a crosswalk 20 feet away from the existing crosswalk on the Irvington side of the intersection, and they believe the State will most likely agree. At the site visit, they watched people get off the bus and take this route and both he and Mr. Pennella felt that it was safer to cross over on W. Sunnyside and use the existing crosswalk on the Irvington side. They came out of that meeting with the understanding that they would replace the slab at the end of their walkway, on their property, to help support the crosswalk already in place.

Mr. Pennella agreed and said that the timing of the lights would also need to change with the new crosswalk, since it is a busy intersection. Mr. Pennella advised that he will make an inquiry to the DOT about the striping and timing. Ms. Raiselis thinks it is silly to ask people to go through three crosses to get to where they are going and she would like Mr. Pennella to make this inquiry to the State to see if it makes sense to add the crosswalk at this location.

Mr. Simmonds pointed out that there is no sidewalk on that corner where the crosswalk is proposed so they would be dumping pedestrians where there is no sidewalk. At the site visit, the Board was in favor of opening the gate for access and restoring the pathway. The request was to restore the gates, fix this walkway, and fix the area of

their property on the end where the concrete had collapsed to allow direct access to their pathway. Mr. Pennella agreed and said the area proposed for the crosswalk across Broadway has a number of signs and utility poles, and it didn't seem safe to him. Ms. Raiselis agreed to go forward with this plan and watch it for a year to see if it is working.

Mr. Aukland asked Mr. Pennella to clarify the process involved with a crosswalk request to the DOT. Mr. Pennella advised that the Board of Trustees would have to petition the State for the crosswalk. The Village of Irvington could also be involved to support the petition. He will reach out the DOT to see if there is any proposed work in the area and get their thoughts on the proposed crosswalk. Ms. Raiselis thinks this is fair and reasonable.

Ms. Raiselis advised that there is still work to be done on the landscaping, stormwater, and revised plans. If the plans can be completed and reviewed by next month, the Board could take action.

Mr. Aukland moved, seconded by Mr. Gaito, to continue the Public Hearing.

Ms. Raiselis asked for a roll call vote:

Member Aukland: Yes
Chair Raiselis: Yes
Member Gaito: Yes
Alt. Member Mezey: Yes

All in favor. Motion approved. 4-0

CONTINUATION OF PUBLIC HEARING – DCD REALTY HOLDINGS, LLC - 480 S. Broadway

John Hughes, ESQ., the project attorney, appeared before the Board and introduced Philip Fruchter, the project architect, with Papp Architects, and Veronica Prezioso, representing Kimley Horn, the traffic consultant.

Mr. Fruchter presented the site plan and advised that they have made some revisions after listening to the Board's comments at the work session. He will respond to the questions raised by the Board. Mr. Fruchter advised that the client and their team decided that it was in their best interest to eliminate the car stackers from the plan. They are only proposing cars on grade now and have therefore eliminated the need to plant Norway Spruces on the east side and the north side of the property. They are proposing three of the large Norway Spruces to be planted by the on-ramp area on the northside of the building to soften the appearance of the building. He advised that this area is owned by the State and would require permission to plant the trees from the

Thruway Authority. He asked the Board if they would agree to have them plant the trees when they receive permission from the State, but not hold up this approval. They have added landscaping between the display areas and the sidewalk to prevent cars from driving onto the sidewalk, and bike racks have been added on the south side of the building. At the last meeting, there was a discussion about the lighting and possibility of turning the lights off after a certain time in the evening. They have revised the lighting plan to replace the luminaires with a modern system that does not have spill light off the site, and certainly not into the neighboring homes. They do not think it is practical to turn the lights off at night, however, they can install a system that dims the lights to 50%, after a certain time. They are agreeable to that concept, but security is an issue, to protect the cars and property.

Mr. Fruchter advised that this dealership participates in the Honda Green Dealership program which includes installing energy efficient LED lighting with automatic controls, high efficiency HVAC units, construction of the building with high performance envelope criteria, a cool white roof, low flow water fixtures, smart irrigation system, recycling bins, a water source reduction program, light colored hardscape and installing alternative fueling stations, which they have provided. They will retrofit the building to make it solar panel ready. The HVAC system will all be electric as part of their Green initiative. He introduced Veronica Prezioso to discuss the 2 two-way driveway configuration and the sidewalk request on Walter Street.

Ms. Prezioso, of Kimley Horn, noted that the Board expressed their opinion at the work session that they thought the east and west driveways should not be two-ways, rather the east driveway should be an entrance only and the west driveway, an exit only. It is the opinion of Kimley Horn that the site would be best served by keeping both driveways a two-way. The main purpose of having the 2 – two-way driveways is for safety and operational purposes. It will help keep the activity separate between the customers and the delivery trucks (UPS, FEDex) and make it easier and safer for them to directly access Walter Street from the east driveway. If they were to exit from the west driveway, the maneuvers would be very difficult and they would interfere with the customer parking. They would like to keep these activities separate. The Board also discussed the possibility of a sidewalk on Walter Street at the work session. Ms. Prezioso advised that they installed cameras in this area for 12 hours to watch the pedestrian activity and there was only one pedestrian that used that side of the road to walk along the grassy area adjacent to the site during this time period. In addition to the limited population in the area and very low vehicular traffic, they do not believe a sidewalk is warranted at this location. If a sidewalk were warranted, people would have to walk there. She also noted that there is a sidewalk on the other side of the street.

Ms. Raiselis advised that the Village encourages the installation of sidewalks for connectivity, which was the reason for the Board's request.

Ms. Prezioso said, in addition to the low pedestrian and vehicular activity in the area, that grassy area is currently used by the village when they plow the snow, so that would have to be eliminated if the sidewalk were to be installed. Mr. Pennella said that the snow plows go straight and that would not affect any proposed sidewalk.

Ms. Presiozo also commented that if a sidewalk were to be installed, it would remove 26% of the landscape that is as proposed in that area. The local residents occasionally use this area to walk their dogs, and it should be noted that the DOT may not even allow the sidewalk to continue to the portion of property owned by them on Broadway. Mr. Fruchter showed the area on the plan which would require DOT approval to continue the sidewalk to the intersection of Broadway.

Ms. Raiselis asked the Board if they had any questions or comments.

Mr. Aukland asked if they are cutting down the number of spaces as a result of removing the car stackers. Mr. Fruchter advised that the number of spaces will be reduced by 8 spaces.

Mr. Aukland commented that he welcomes the changes in the lighting plan and asked if there will be no light shed beyond the property boundary. Mr. Fruchter said they have submitted a photometric plan that shows very minimal spill even to the edge of the property, like half a foot candle or less, which is really less than what the streetlights produce. The neighbors will not be receiving any spill and the fixtures will not have the glare that the present fixtures have. Mr. Aukland liked the idea of reducing the illumination at night. Mr. Fruchter advised that the new photometric plan was included in the current submission.

Mr. Gaito asked the distance between the 2 driveways on Walter Street. Mr. Fruchter said it is about 35 feet between the two driveways. There is a gate on the west driveway. Customers can only make a right hand turn out. Both driveways will be opened during the day and there is a sign that says customer entrance. The idea is to keep the traffic away from the residential area. Ms. Mezey asked if this is the current situation and if there is currently confusion with customers entering in the wrong entrance. Mr. Fruchter said no because there is only one driveway in use at this time.

Mr. Galvin asked about the landscaping plan. Mr. Fruchter advised that they reviewed it briefly and will add canopy trees off-site. The sidewalk installation would have terminated the two pear trees; the Mulberry will be replaced, which is a fairly mature tree, which they prefer not to remove.

Ms. Raiselis noted that the applicant needs to go to the ZBA for some variances. Mr. Fruchter advised that they will be going in September.

Ms. Raiselis opened up the hearing to the public who will be given 3 minutes to speak.

PUBLIC COMMENT:

Simon Cohen, who lives at 11 Glenwolde, the second house on Glenwolde, is concerned about the floodlights. The lights are so bright, they can have dinner by their lights. He would be interested in seeing the lighting plan for the dimmed lighting. He also believes that one entrance in and out of the facility will be much safer. They are planning an entrance and exit for the delivery trucks. It is difficult to make the turns and if a gate is installed it will create more traffic on Walter Street. With regard to the proposed sidewalk, if it is installed, he would only have to cross once which is safer for him and his family. Ms. Raiselis said the gate will be opened so the traffic will not be an issue.

Marissa Feind, of Walter Street, had questions about the landscape plan. She is concerned about looking out her window and seeing the parked cars. She noted that she would also use the sidewalk on Walter if she needed to, but it would not make a big difference in her life. She would like better screening so she does not have to see the cars.

Adam Miller, of 22 Glenwolde Park, confirmed with the Board that car carriers are not allowed on the property. He advised that between the last public hearing and this public hearing, there was a car carrier literally sitting in the middle of Broadway, in the turn lane, for about 30 minutes, blocking people from being able to turn. This may be something that doesn't happen often, but it literally just happened between the two sessions and he wanted to make the Board aware.

END OF PUBLIC COMMENT

Ms. Raiselis advised Ms. Feind that the landscape plans are available on the website or in Village Hall. Mr. Fruchter said they are in the process of revision.

Mr. Aukland moved, seconded by Mr. Gaito, to continue the Public Hearing.

Ms. Raiselis asked for a roll call vote:

- Member Aukland: Yes
- Chair Raiselis: Yes
- Member Gaito: Yes
- Alt. Member Mezey: Yes

All in favor. Motion approved. 4-0

NEW PUBLIC HEARING – Jorge B. Hernandez, RA - 37 S. Washington Street

Ms. Raiselis read the following public hearing notice into the record:

PLEASE TAKE NOTICE that the Planning Board of the Village of Tarrytown will hold a public hearing on **Monday, August 22, 2022 at 7:00 p.m.** at the Municipal Building, One Depot Plaza, Tarrytown, New York, to hear and consider an application by:

Jorge B. Hernandez, RA, AIA
100 Executive Boulevard
Ossining, New York 10562

For site plan approval for the conversion of an existing two-story, two-family dwelling, into a three-family dwelling.

The property is located at 37 S. Washington Street and is shown on the Tax Maps of the Village of Tarrytown as Sheet 1.70, Block 33, Lot 7, located in the M 1.5 Zoning district.

Documents are available for inspection in the Planning and Zoning Office. All interested parties are invited to attend and be heard. Access to the meeting room is available to the elderly and the handicapped. Signing is available for the hearing-impaired; request must be made to the Village Clerk at least one week in advance of the meeting.

Additional approval will be required from the Architectural Review Board.

By Order of the Planning Board

Lizabeth Meszaros
Secretary to the Planning Board

Dated: August 12, 2022

The mailing receipts were received and the signs were posted.

Jorge B. Hernandez, RA, appeared before the Board and presented the proposed site plan to convert an existing two-family into a three-family home. They are adding a 3rd unit in the basement which requires that additional parking be provided on site. He noted that there were violations on the property which have been rectified. They were before the Zoning Board of Appeals for side and rear yard setbacks, all which have been approved, except for the parking variance, and they revised the plan to provide for 8 spaces as required by the code. They have made the necessary revisions to the landscape plan, as recommended by

Ms. Nolan, and advised that they converted the parking area in the back to permeable pavers.

Ms. Raiselis asked if the Board or staff had any comments. There was no comment.

Ms. Raiselis asked if anyone in the public had any comment. No one appeared.

Mr. Aukland moved, seconded by Ms. Mezey, to close the public hearing.

Ms. Raiselis asked for a roll call vote:

- Chair Raiselis: Yes
- Alt Member Mezey: Yes
- Member Gaito: Yes
- Member Aukland: Yes

All in favor. Motion carried. 4-0

Mr. Aukland read through portions of the draft Resolution. A copy will be provided to the applicant and the entire Resolution will be recorded in the minutes of this meeting as follows:

**RESOLUTION
VILLAGE OF TARRYTOWN PLANNING BOARD
(Adopted August 22, 2022)**

**Application of Jorge B. Hernandez, RA, AIA
Property: 37 South Washington Street (Sheet 1.70, Block 33, Lot 7 and Zone M1.5)**

Resolution of Site Plan Approval

Background

1. The Applicant requested site plan approval for the conversion of an existing two-family residence to a 3-family residence in the M1.5 district. The existing garage will be used as a storage and office space for tenants in addition to parking. The third unit would be located in the basement of the existing residence. The property provides the required eight parking spaces. As part of the application, Applicant’s existing garden wall and fence in front of the residence which had been built on the Village r-o-w will be eliminated.

2. The Planning Board on August 22, 2022, determined this to be a Type II Action under NYS DEC 617.5 (c) (11) “*construction or expansion of a single-family, a two-family or a three-family residence on an approved lot...*” and, therefore, no further SEQRA review is necessary.

3. The Planning Board has conducted a duly noticed public hearing on August 22, 2022, at which time all those wishing to be heard were given the opportunity to be heard.

4. The Planning Board has carefully examined the Application including the Applicant’s *Cover Letter dated June 24, 2022 describing the project, the Environmental Clearance and Zoning Compliance forms, the set of site plan drawings prepared by ARQ Architects dated July 22, 2022 and revised July 22, 2022, including the stormwater management plans (Sheet SD-1), a survey prepared by Charles Riley, Land Surveyor, dated February 4, 1988, photographs of the residence and surrounding street views, August 9, 2022, and received comments and recommendations from the Consulting Village Planner in a memorandum dated August 9, 2022, from the Village Landscape Consultant in a review of the landscape plans dated August 16, 2022 with recommendations and a final review dated August 18, 2022 indicating that the plantings have been diversified as recommended, and a denial letter from the Building Inspector/Village Engineer dated March 24, 2022, which the Board has considered.*

5. The Zoning Board of Appeals reviewed the Applicant’s request on July 11, 2022, for several area variances including a window well variance to allow for required egress for the proposed 3rd apartment, setback variances to accommodate a new parking configuration; and a one space parking variance requested since the Applicant’s proposed two tandem parking spaces were not allowed by Code. The ZBA reviewed the project, and several changes were made during the meeting. Applicant agreed to reconfigure the parking plan, eliminating the tandem parking spaces, enter the garage from the south and maintain the two parking spaces in the garage and provide two parking spaces at the rear of the property adjacent to the garage. The new configuration provides eight parking spaces and complies with the Village’s parking requirements. The Zoning Board of Appeals closed the public hearing on July 11, 2022, and approved the requested area variances on that date with the exception of the one parking space variance.

6. The Planning Board closed the public hearing on August 22, 2022. After closing the public hearing, the Planning Board deliberated in public on the Applicant’s request for approval.

Determination

The Planning Board determines that based upon the findings and reasoning set forth below, the Application for site plan approval is granted subject to the conditions set forth below.

I. Findings

The Planning Board considered the standards set forth in Village of Tarrytown Zoning Code (“Zoning Code”) Chapter 305, Article XVI and finds that subject to the conditions set forth below, the proposed site plan is consistent with the site plan design and development principles and standards set forth therein.

The Planning Board has reviewed the Applicant’s site plan. The subject property is located on the west side of South Washington Street, opposite West Elizabeth Street. The property is adjacent to the United Methodist Church. The subject property is 7.983 sf in the M1.5 district. It contains an existing frame barn used as a garage at the rear of the residence. The Floor Area Ratio (FAR) increase is less than 33 percent.

Applicant’s proposed project is the conversion of the existing 2-family resident to a 3- family residence. The 3rd apartment would be in the basement of the existing residence. The existing barn had previously been converted into a garage. Applicant is now proposing to repurpose the upper level of the garage as

a storage and office space for tenants working remotely. There will be no increase in the footprint of the existing structures. There will be no exterior changes to the existing buildings. Finally, the application proposes to eliminate the existing concrete garden wall and fence in the front of the residence which had been built on the Village r-o-w. The Village Engineer/Building Inspector provided a *Denial Letter* dated March 24, 2022, outlining the variances needed by the Applicant.

Applicant has revised the plans to reflect the reconfiguration of the parking spaces. The new parking configuration complies with the requirement to provide eight parking spaces on-site. The Applicant has provided two parking spaces at the rear of the property adjacent to the garage. The garage continues to maintain two parking spaces and includes a new 16’ wide garage door to provide a more residential appearance. The Project has received the necessary area variances from the ZBA.

Applicant has provided a stormwater management system where there formerly was no stormwater management. The new system consists of four cultec chambers with a 6” steel trench drain to mitigate runoff from the property. The Village Engineer has reviewed the stormwater calculations and the system proposed for installation on the property. Applicant has also reduced the impervious surface by adding permeable pavers in the rear yard between the garage and the rear property line. Applicant provided a new landscape plan which has reflects the recommendations of the Village Engineer and Village Landscape consultant. The landscape plan maintains the existing hedge on the north side along the driveway and adds the recommended plantings to the planting schedule (Sheet S-3).

II. Approved Plan:

Except as otherwise provided herein, all work shall be performed in strict compliance with the plans submitted to the Planning Board and approved by the Planning Board as follows:

-Architectural Plans prepared by ARQ Architecture PC for *Ribeiro & Sons LWR LVL Apartment at 37 S. Washington St, Tarrytown NY 10591* dated 11/18/21 and last revised 8/16/22 unless otherwise noted.

Architectural Plans

- T-1 “Maps & General Notes”
- S-1 “Exist & Proposed Site Plan”
- S-2 “Exist & Proposed Site Plan”
- S-3 “Proposed Landscaping Plan”
- A-1 “Existing & Proposed Lower-Level Floor Plans”
- A-2 “Existing & Proposed Garage Floor Plans”
- A-3 “Exist & Proposed Garage Upper-Level Floor Plan”
- A-4 “Garage Front & Rear Elevations”
- A-5 “Garage Left & Right-Side Elevation”
- G-1 “Details” last revised
- G-2 “Details”
- G-3 “Neighborhood Study”
- *Survey of 37 Washington Street Property prepared for Virgilio Viegas Located in the Village of Tarrytown, Town of Greenburgh, Westchester County, New York* prepared by Charles Riley, Land Surveyor dated February 4, 1988.
(the “Approved Plans”).

III. General Conditions

- (a) Requirement to Obtain Approvals: The Planning Board’s approval is conditioned upon Applicant receiving all approvals required by other governmental approving agencies without material deviation from the Approved Plans.
- (b) Changes to Approved Plans: If as a condition to approval any changes are required to the Approved Plans, the Applicant shall submit: (i) final plans complying with all requirements and conditions of this Resolution, and (ii) a check list summary indicating how the final plans comply with all requirements of this Resolution. If said final plans comply with all the requirements of this Resolution as determined by the Village Engineer, they shall also be considered “Approved Plans.”
- (c) Commencing Work: No work may be commenced on any portion of the site without first contacting the Building Inspector to ensure that all permits and approvals have been obtained and to establish an inspection schedule. **Failure to comply with this provision shall result in the immediate revocation of all permits** issued by the Village along with the requirement to reapply (including the payment of application fees) for all such permits, the removal of all work performed and restoration to its original condition of any portion of the site disturbed and such other and additional civil and criminal penalties as the courts may impose.
- (d) The Applicant shall pay all outstanding consultant review and legal fees in connection with the Planning Board review of this Application.

Mr. Gaito moved, seconded by Mr. Aukland, to approve this resolution.

Ms. Raiselis asked for a roll call vote:

Chair Raiselis: Yes
 Alt Member Mezey: Yes
 Member Gaito: Yes
 Member Aukland: Yes

All in favor. Motion carried. 4-0

NEW PUBLIC HEARING – Steven Secon, RA – 169 Neperan Road

Ms. Raiselis read the following public hearing notice into the record:

PLEASE TAKE NOTICE that the Planning Board of the Village of Tarrytown will hold a public hearing on **Monday, August 22, 2022 at 7:00 p.m.** at the Municipal Building, One Depot Plaza, Tarrytown, New York, to hear and consider an application by:

Steven Secon, RA
 145 Palisade Street – Ste 403
 Dobbs Ferry, New York 10522

For site plan approval for the construction of a new 680 s.f. first and second floor addition with new rear patio.

The property is located at 169 Neperan Road and is shown on the Tax Maps of the Village of Tarrytown as Sheet 1.50, Block 22, Lot 3, located in the R-10 zoning district.

Documents are available for inspection in the Planning and Zoning Office. All interested parties are invited to attend and be heard. Access to the meeting room is available to the elderly and the handicapped. Signing is available for the hearing-impaired; request must be made to the Village Clerk at least one week in advance of the meeting.

Additional approval will be required from the Architectural Review Board.

By Order of the Planning Board

Lizabeth Meszaros

Secretary to the Planning Board

Dated: August 12, 2022

The mailing receipts were received and the sign was posted.

Mr. Aukland moved, seconded by Mr. Gaito, to declare this a Type II action with no further environmental review required under SEQRA.

Ms. Raiselis asked for a roll call vote:

Chair Raiselis:	Yes
Alt Member Mezey:	Yes
Member Gaito:	Yes
Member Aukland:	Yes

All in favor. Motion carried. 4-0

Steve Secon, RA, appeared before the Board, representing the Kaufman Family, and presented the plan to build a two story addition and second story on the northside with a small patio in the rear. They will supplement existing shrubs and provide for adequate stormwater. As a result, they are slightly over the 25% threshold which brings them to the Planning Board for approval. In addition, they have also submitted a narrative to request a waiver of the steep slope. The plan was to build the addition with the least disturbance to the slope but still have a reasonable size addition for their family.

Ms. Raiselis commented that the narrative he provided was done very well.

Mr. Gaito agreed that the narrative was well done and also said that the plan as presented treated the lot well.

There was no further comment from the Board or staff.

Ms. Raiselis asked if anyone in the public had any comment. No one appeared.

Mr. Aukland moved, seconded by Ms. Mezey, to close the public hearing.

Ms. Raiselis asked for a roll call vote:

Chair Raiselis:	Yes
Alt Member Mezey:	Yes
Member Gaito:	Yes
Member Aukland:	Yes

All in favor. Motion carried. 4-0

Mr. Gaito read through portions of the draft Resolution. A copy will be provided to the applicant and the entire Resolution will be recorded in the minutes of this meeting as follows:

RESOLUTION
VILLAGE OF TARRYTOWN PLANNING BOARD
(Adopted August 22, 2022)

Application of Steven Secon, Architect
Property: 169 Neperan Road (Sheet 1.50, Block 22, Lot 3 and Zone R-10)

Resolution of Site Plan Approval

Background

1.The Applicant acting as agent for the owners, Odelya and Aryeh Kaufman, requested site plan approval for interior renovations and a 2nd story addition on a 18,879-sf property at 169 Neperan Road in the R-10 zoning district. The first-floor alterations include the updating and expansion of the existing kitchen, addition of new dining room in the rear and mudroom connecting existing garage to the interior of the house. The 2nd floor addition is proposed to be constructed over the garage and kitchen and adds two bedrooms and a bathroom. A new stone patio will be constructed in the rear. The existing footprint will be increased by 386 sf.

2.The Planning Board on August 22, 2022, determined this to be a Type II Action under NYS DEC 617.5 (c) (11) *“construction or expansion of a single-family, a two-family or a three-family residence on an approved lot...”* and, therefore, no further SEQRA review is necessary.

3.The Planning Board has conducted a duly noticed public hearing on August 22, 2022, at which time all those wishing to be heard were given the opportunity to be heard.

4. The Planning Board has carefully examined the Application including the Applicant’s *Cover Letter dated August 1, 2022, describing the proposed project*, set of drawings, prepared by Steven Secon, Architect for the Kaufman Residence dated March 29, 2022 and last revised June 21, 2022, *Topographical Survey, Stormwater Management Plan* for the site which includes three drywell culverts and an erosion control plan (Sheet A-1), *Zoning Compliance form, Environmental Clearance form, Photo montage streetscape, Steep Slopes Narrative prepared by Steven Secon, the Architect* dated August 11, 2022, and received comments and recommendations from the Consulting Village Planner in a memorandum dated August 9, 2022, and a denial letter from the Village Engineer/Building Inspector dated July 5, 2022, which the Board has considered.

5. The Planning Board closed the public hearing on August 22, 2022. After closing the public hearing, the Planning Board deliberated in public on the Applicant’s request for approval.

Determination

The Planning Board determines that based upon the findings and reasoning set forth below, the Application for site plan approval and the waiver for steep slopes disturbance are granted subject to the conditions set forth below.

I. **Findings**

The Planning Board finds that the Applicant has satisfactorily addressed the criteria for granting the waiver for steep slope disturbance under 305-67(F)(1)(b) and the Planning Board finds that the applicant has established that the benefit to the applicant outweighs the detriment to the health, safety and welfare of the neighborhood or community by such grant. The Applicant’s *Steep Slopes Narrative* prepared by Steven Secon, Architect dated 8/11/22 is made part of the findings of the Planning Board and described below:

The Planning Board has reviewed and considered the *Steep Slopes Narrative* prepared by Applicant’s Architect. The 0.43-acre subject property (18,879 sf) slopes approximately 45’ from east to west and contains minimal flat area for outdoor use. The current 3 bedroom/2 bathroom, house/garage footprint is 1,428 sf. The existing conditions contain patios of 193 sf and related stone retaining walls totaling 51’. There is a single attached garage at the north side and driveway descending from the east off of Neperan Road. Approximately 5,104 sf of the site has regulated slopes of 25% or greater.

The proposed footprint will add 386 sf. The proposed 4-bedroom/3- bathroom house will be 640 sf larger than the existing and the patio area which will be expanded by 190 sf. The adjoining retaining wall will be modified to accommodate the newly configured house and patio. The length of the existing +/- 3.5’ high retaining wall will increase approximately 8’ in a southerly direction.

Appropriate retention drainage and erosion control measures have been designed and provided for in the drawings submitted. Several additional taxus shrubs will be provided at the new leveled areas and the disturbed areas shall all be reseeded to blend in with the existing landscape.

Pursuant to Village Code Section 305-67 F (1) (b), a steep slopes waiver may be granted if the applicant establishes that the benefit to the applicant outweighs the detriment to the

health, safety and welfare of the neighborhood or community by such grant. The applicant respectfully requests the Planning Board grant the waiver given consideration of the following:

Neighborhood Character: *Granting a waiver will not produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties since the upgrades will improve the curb appeal of the home and character of the neighborhood will be enhanced.*

Alternate Feasible Method to achieve benefit sought by applicant: *The benefit cannot be sensibly achieved by some other method due to the existing configuration of the lot, slopes and the existing house. This is the minimum proposal that successfully addresses the needs of the owners while minimizing the impact on the property.*

Impact on Other Properties: *The Proposed Steep Slope disturbance will have no adverse effect/changes on the physical or environmental conditions in the neighborhood or community. The physical and environmental conditions will essentially remain the same as a result of the proposed retaining walls, storm drainage and landscaping proposed.*

Consistency of Project with Intent of the Steep Slopes Chapter:

Granting the waiver will be consistent with the purposes, objectives of general spirit and intent of the "visual character and environmentally sensitive areas" chapter because the proposed improvements will:

- a. Afford a more stable and easily maintainable condition providing long-term protection from soil erosion and sedimentation*
- b. Provide increased slope stability to protect against slope failures*
- c. Provide an improved storm water drainage system, which will minimize storm water runoff and flooding*
- d. This project will improve the site's aesthetic character, while maintaining sufficient protection to the public health, safety and general welfare of the Village of Tarrytown.*

Additionally, the Planning Board finds that under 305-67(F)(2) that for the reasons set forth above, the proposed development will not be materially detrimental or injurious to other properties and will not increase the danger of fire or flood, endanger public safety or result in substantial impairment of the slope area. Also, as set forth above, the waiver will not be inconsistent with the purposes, objectives or the general spirit and intent of the chapter.

Finally, the waiver is the minimum relief necessary to relieve the extraordinary hardship established by the Applicant. The Planning Board considered the standards set forth in Village of Tarrytown Zoning Code ("Zoning Code") Chapter 305, Article XVI and finds that the steep slope waiver being sought is minor and typical of those that have been routinely granted. Applicant is seeking a sensibly scaled addition and site improvements that will enable them to enjoy their remodeled home for years to come. Additionally, the ratio of the addition vs the small existing footprint of the house, determines the 27 percent increase in the footprint. Accordingly, a 2 percent increase over the allowable 25 percent footprint is a minor request with no discernable impact to the site and neighborhood. As such, no detriment to health, safety, or welfare seems to exist for the neighborhood and the benefit to the applicant clearly outweighs any detriment.

The Planning Board considered the standards set forth in Village of Tarrytown Zoning Code (“Zoning Code”) Chapter 305, Article XVI and finds that subject to the conditions set forth below, the proposed site plan is consistent with the site plan design and development principles and standards set forth therein.

The 18,879-sf subject property is an existing residentially developed site. The proposed project is zoning compliant and does not require any variances from the ZBA. The Project proposes to increase the gross floor area of the existing residence by 870 sf. Most of this increase is on the second floor including the two bedrooms and a bathroom. The footprint of the existing residence is 1,428 sf which is being increased by 386 sf. The area of steep slopes is 5,214 sf. The existing location of the residence is situated close to the property’s steeper slopes. *The area being disturbed consists of 110 sf which is approximately 2 percent over the 25 percent allowable threshold.* Applicant provided a *Narrative* detailing how the proposed steep slope disturbance meets the criteria for the waiver.

Applicant has provided details on Sheet A-1 regarding the stormwater management for the site which includes three drywell cultecs and the erosion control plan. Currently there is no stormwater management provided on the site. The Plan includes runoff calculations which have been reviewed by the Village Engineer.

. Based on review of the Environmental Clearance form, there are no environmental issues on the site. The subject property is not in the wetlands or a wetland buffer. The subject property is not in a flood zone nor in a critical environmental area. The site does not contain high ground or hilltops. There are no historical landmarks in proximity to the site. Moreover, the site does not contain significant amounts of existing vegetation or significant trees.

II. Approved Plan:

Except as otherwise provided herein, all work shall be performed in strict compliance with the plans submitted to the Planning Board and approved by the Planning Board as follows:

-Architectural Plans prepared by Steven Secon Architect for the *Kaufman Residence – Alterations & Alterations- 169 Neperan Rd, Tarrytown NY 10591* dated 3/29/22 and last revised 6/21/22 *unless otherwise noted.*

- A-1 “Site Plan, Zoning Data, Notes & Legend”
- A-2 “Outline Specifications”
- A-3 “Existing Plans and Elevations”
- A-4 “Proposed BSMT & 1st FL Plan”
- A-5 “Proposed 2nd & Roof Plan”
- A-6 “Proposed Exterior Elevations”
- A-7 “Proposed Section”
- A-8 “Proposed Section”
- A-9 “Schedules and Details”
- *Topographic Survey of Tax Lot 7 in Block 2, Section 1.50 as shown in the official Tax maps of Village of Tarrytown Located at Village of Tarrytown, Town of Greenburgh, Westchester County, State of New York, Address” 169 Neperan Road, Tarrytown, N.Y. prepared by Summit Land Surveying P.C. dated March 8, 2022.*

(the “Approved Plans”).

III. General Conditions

- (a) Requirement to Obtain Approvals: The Planning Board’s approval is conditioned upon Applicant receiving all approvals required by other governmental approving agencies without material deviation from the Approved Plans.

- (b) Changes to Approved Plans: If as a condition to approval any changes are required to the Approved Plans, the Applicant shall submit: (i) final plans complying with all requirements and conditions of this Resolution, and (ii) a check list summary indicating how the final plans comply with all requirements of this Resolution. If said final plans comply with all the requirements of this Resolution as determined by the Village Engineer, they shall also be considered “Approved Plans.”

- (c) Commencing Work: No work may be commenced on any portion of the site without first contacting the Building Inspector to ensure that all permits and approvals have been obtained and to establish an inspection schedule. **Failure to comply with this provision shall result in the immediate revocation of all permits** issued by the Village along with the requirement to reapply (including the payment of application fees) for all such permits, the removal of all work performed and restoration to its original condition of any portion of the site disturbed and such other and additional civil and criminal penalties as the courts may impose.

- (d) ARB Review: No construction may take place and a building permit may not be issued until Applicant has obtained approval from the Board of Architectural Review in accordance with applicable provisions of the Village of Tarrytown Code.

- (e) The Applicant shall pay all outstanding consultant review and legal fees in connection with the Planning Board review of this Application.

Mr. Aukland moved, seconded by Ms. Mezey, to approve this resolution.

Ms. Raiselis asked for a roll call vote:

Chair Raiselis: Yes
Alt Member Mezey: Yes
Member Gaito: Yes
Member Aukland: Yes

All in favor. Motion carried. 4-0

NEW PUBLIC HEARING – Peter and Phyllis Beck – 11 Quarry Lane

Ms. Raiselis read the following public hearing notice into the record:

PLEASE TAKE NOTICE that the Planning Board of the Village of Tarrytown will hold a public hearing on **Monday, August 22, 2022 at 7:00 p.m.** at the Municipal Building, One Depot Plaza, Tarrytown, New York, to hear and consider an application by:

Peter and Phyllis Beck
11 Quarry Lane
Irvington, NY 10533

For site plan approval for the extension of a first floor and second story addition to a single-family home with new decking and related site improvements.

The property is located at 11 Quarry Lane, Irvington, NY (Tarrytown jurisdiction) and is shown on the Tax Maps of the Village of Tarrytown as Sheet 1.270, Block 137, Lot 25, located in the R-10 zoning district.

Documents are available for inspection in the Planning and Zoning Office. All interested parties are invited to attend and be heard. Access to the meeting room is available to the elderly and the handicapped. Signing is available for the hearing-impaired; request must be made to the Village Clerk at least one week in advance of the meeting.

Additional approval will be required from the Architectural Review Board.

By Order of the Planning Board

Lizabeth Meszaros

Secretary to the Planning Board

Dated: August 12, 2022

The mailing receipts were received and the property signs were posted.

Matthew Cardone, RA, appeared before the Board, representing the applicant, Peter Beck, also present. He presented the site plan and their proposal to add a second story onto the existing home. The home was built in the mid-20th century and the Beck's need more space for their family. He noted that the lot configuration is difficult with many trees and vegetation, in addition to the steep slope.

Mr. Cordone noted that they have submitted a steep slope narrative for the record. The existing retaining walls will be kept away for the tree and vegetation to protect root balls and drip lines. He showed streetscape of the single-story home. They will go up one floor and extend out at the northern side of building. In addition to pulling back the retaining walls, they are engaged with an arborist to help with the planting plan, which will provide for native species. They will need to add notes and tree protection details to the plans and resubmit for review. He advised that they have changed the original proposed patio with a deck structure.

Mr. Gaito asked about the retaining wall. Mr. Cordone said the lot has a strange shape. The driveway is off of Quarry Lane and the sewer lines also come from Quarry Lane.

Ms. Raiselis advised that there is still work to do on the Landscape Plan.

Mr. Aukland moved, seconded by Mr. Gaito, to declare this a Type II action with no further environmental review required under SEQRA.

Ms. Raiselis asked for a roll call vote:

Chair Raiselis:	Yes
Alt Member Mezey:	Yes
Member Gaito:	Yes
Member Aukland:	Yes

All in favor. Motion carried. 4-0

Ms. Raiselis asked if any staff had questions.

Mr. Galvin advised that a future deck is shown on the plan. Ms. Raiselis said as long as the deck dimensions are shown, that sounds reasonable.

Ms. Raiselis asked if anyone in the public would like to comment on this application.

PUBLIC COMMENT:

Robert Balsam, 20 Quarry Lane, appeared on behalf of his wife, and his neighbor, Howard Stone, who lives at 3 Quarry Lane, who could not attend this evening. He is pleased with the plan. He has concerns about the light plane affecting his property. He would also like to get a better visual perception of how the new addition will affect his home and asked how long the construction will take.

END OF PUBLIC COMMENT

Mr. Cordone advised that he did a light plane study for zoning purposes. He showed the height of the proposed addition, which will be 27 feet where 30 feet is permitted. He showed the plan indicating that Mr. Balsam will be looking down onto the roof. In addition, the existing trees in this area are higher than 27 feet, so there will be no impact on light exposure.

With regard to the length of construction, Mr. Cordone advised that there is not a lot of earth work, the foundation will remain as is with mostly interior alterations. The demolition period should last about 2 months, weather permitting. It will be done as quickly and quietly as possible. They are on rocky terrain but there will be no blasting or chipping of rock. It will be done by hand, or with light machinery, with no vibration and minimal impact.

Ms. Raiselis said they need to work on finalizing the landscape plan for review and approval by Ms. Nolan. A draft resolution can be prepared.

Mr. Aukland asked Mr. Pennella if the applicant is compliant with the height. Mr. Pennella advised that a zoning review has been completed and the applicant has complied.

Mr. Aukland moved, seconded by Ms. Raiselis, to continue the public hearing.

Ms. Raiselis asked for a roll call vote:

- Chair Raiselis: Yes
 - Member Aukland: Yes
 - Alt Member Mezey: Yes
 - Member Gaito: Yes
- All in favor. Motion carried. 4-0

NEW PUBLIC HEARING – First Korean Methodist Church of NY – 500 S. Broadway

Ms. Raiselis read the following public hearing notice into the record:

PLEASE TAKE NOTICE that the Planning Board of the Village of Tarrytown will hold a public hearing on **Monday, August 22, 2022 at 7:00 p.m.** at the Municipal Building, One Depot Plaza, Tarrytown, New York, to hear and consider an application by:

First Korean Methodist Church of NY
500 South Broadway
Tarrytown, NY 10591

For site plan approval for the construction of a parking lot with related stormwater and site improvements to include ingress and egress access from properties located at 14 and 18 Walter Street, respectively.

The properties are listed below and are located in the Village of Tarrytown in the R 7.5 zoning district and are identified on the Village of Tarrytown tax maps as follows:

500 South Broadway – Sheet 1.180, Block104, Lot 7

14 Walter Street – Sheet 1.180, Block 104, Lot 3

18 Walter Street – Sheet 1.180, Block 104, Lot 2

Documents are available for inspection in the Planning and Zoning Office. All interested parties are invited to attend and be heard. Access to the meeting room is available to the

elderly and the handicapped. Signing is available for the hearing-impaired; request must be made to the Village Clerk at least one week in advance of the meeting.

Additional approval will be required from the Zoning Board of Appeals, the Board of Trustees and the Architectural Review Board.

By Order of the Planning Board

Lizabeth Meszaros

Secretary to the Planning Board

Dated: August 12, 2022

The mailing receipts were received and the signs were posted.

Thomas Kerrigan, PE, appeared before the Board representing the applicant, also present, and presented the site plan. The church is proposing to construct 14 spaces in the rear of the property with ingress and egress access from 14 and 18 Walter Street. It is their intention to create access easements through 14 and 18 Walter Street due to concerns of having multi uses on one lot. The homes at 14 and 18 Walter will not be demolished. He noted the stream that runs south to north which is piped to Walter Street. He showed the existing wetland which does not disturb the wetland but is within the wetland buffer. He reminded the Board of their 2005 proposal, which connected the property through Lakeview and directly impacted the wetland. He noted that a stormwater system has been designed for 25-year storm with erosion control to protect the wetland. At the work session, the Board asked about putting potential spaces along Lakeview Avenue as an alternative plan. Mr. Kerrigan advised that the congregation is getting older and there is a need to have closer access with ADA accessibility to the church. With regard to the existing parking spaces off of Walter, they were there in 1976, so they have been there for at least 50 years. They will restripe them.

Ms. Raiselis asked the staff if they have any questions.

Mr. Galvin noted that it is a complicated application. One of those 4 spaces off of Walter is too close to the intersection. The applicant is impacting the wetland buffer and therefore the applicant will need to provide a detailed wetland report, from a qualified wetland consultant, to include mitigation measures. He noted that the Board spent a lot of time on the 22 Glenwolde site plan application that was before this Board which also impacted the wetland. Mr. Galvin advised that the Board can declare this project an unlisted action under SEQRA and declare intent to act as Lead Agency on this action. He noted that the applicant will need a 2-acre minimum variance for impervious coverage and the ingress and egress of the flow of traffic on Walter will need to be studied.

Mr. Pennella is also concerned about the traffic flow on Walter and the need to have the easements in place. He advised that the applicant is only very close to the wetland, about 3 feet, which is concerning.

Counsel Zalantis advised that the applicant will need to hire a wetland consultant to provide a wetland mitigation plan. The Board should also consider hiring a wetland consultant to review the wetland report, once submitted. From a legal perspective, she will need to have a better understanding of the properties that will be burdened since the applicant is not proposing to merge the lots. If properties are not merged, there could also be setback issues, requiring variances.

Mr. Aukland is sympathetic to the needs of the church. If they are not merging properties, this Board will have to look at each of the properties individually for approval, which can be done, but it will be complicated. He asked Mr. Kerrigan if the church ever approached Honda to use their parking lot for Sunday services. Mr. Kerrigan said they have not approached Honda. He explained that the congregation is getting older and they need spaces closer to the church itself. Their primary concern is for access for their older congregation, which is the purpose of the application.

Mr. Aukland suggested that the applicant could also approach the Village to see if parking could be done on Lakeview. He is just looking at alternatives since the application will be challenging.

Mr. Gaito asked Mr. Kerrigan to go over the parking flow during Sunday services. Mr. Kerrigan said there is no parking on site except for the spaces by the intersection. They park along Sheldon and Willowbrook, but there are not enough spaces. He does not have the actual parking numbers available, but will provide a count for a typical Sunday service.

Ms. Raiselis would like this information for their review. She has concerns about encroaching on the wetland, and a lot of work has to be done. This will need to be studied carefully to determine the impacts.

A brief conversation took place about how to study the application if the lots are not merged. Counsel Zalantis said that it will remain as one application that will study the lots and the impacts and the access easements will need to be worked out.

Ms. Raiselis opened the meeting to the public who will be given 3 minutes each to comment.

PUBLIC COMMENT:

Adam Balkin, who resides at 1 Glenwolde Park, next to the church, appreciates the Board's effort. He believes that replacing a wetland with a parking lot is not acceptable. He bought this property to live next to a forest, not a parking lot. He is sympathetic to the church, but they are aware of the wetland. He has observed the elderly being dropped off in front of the door for Sunday services. He believes that this parking lot will wreck the neighborhood to accommodate parking for Sunday services that only take place one day a week. He reminded the Board that they live in the Glenwolde Park Historic District.

Mr. Pennella clarified they will be using existing curb cuts at 14 and 18 Walter and adding a loop behind the homes.

Mr. Kerrigan said no trees are coming down. The forest is not being disturbed; only the lawn area behind the church and behind 18 Walter Street will be impacted. No screening would be affected, and there will be no visual impact.

Mr. Balkin raised his concern about providing for a 25-year storm event, when over the last couple of years, they have experienced 100-year events.

Adam Miller, who resides at 22 Glenwolde Park, read his statement into the record:

“I live at 22 Glenwolde Park and my home is adjacent to the new proposed parking lot. We bought our home in May of 2021. We were the first to occupy it since a gut renovation was done in 2019. It included a finished basement with a bedroom and bathroom. We got water in our basement during every named storm last year and then during IDA, the basement was flooded and is still not useable today. The home was built to recent code including a cultec chamber and we still had massive flooding. I’m deeply concerned that if a parking lot is created right behind my home that this will only exacerbate the problem, and, at a minimum, an environmental study must take place before anything could move forward.

The church has been able to exist for decades without this parking lot and the added traffic cannot be mitigated. We will have cars backed up onto Walter Street and out onto Sheldon that are exiting/entering during peak times. making it hard for Glenwolde Park residents to access their homes. The streets are very narrow and there are already problems with people taking wrong turns out of the Honda dealership and getting stuck back in Glenwolde.

The Pastor’s home and the additional hoe h bought on Walter Street are zoned for single family residences. The idea of putting a driveway through both homes and essentially combining all three properties makes a large unintended mega property in a residential community. We bought here for the historic nature of the location in an idyllic community to raise a family. We don’t know what will happen after hours in a parking lot.

The parking lot itself is only proposed to be 12 spaces. Why should the town allow the potential flooding impact and wetland destruction for the creation of only 12 spaces? Lakeview Drive is generally not used by churchgoers on Sundays, for some reason. The street could easily accommodate more than 12 cars. The churchgoers currently park on Sheldon which seems to be sufficient for their needs.”

Mr. Kerrigan advised that the project itself will not contribute to additional stormwater flow. They are open to explore something more pervious. Mr. Aukland clarified that the applicant is encroaching into the wetland buffer.

Simon Cohen, who resides at 11 Glenwolde, stated that 18 Walter Street will require an additional curb cut. The submitted plan is 20 to 30 years old and is not to scale. The plan does not show the homes and true property lines. In order to create ingress and egress, there is not enough space between 18 and 14 Walter Street to get around and noted the existing garage. He is also concerned how the cars will make the turn out on Walter since it is very narrow. The proposed area for the parking lot is currently grass. The stream already cannot handle the water and this grass helps absorb some of the rain. On Sunday, 10 cars already park in the driveway at 14 Walter Street. He would like to know who will be monitoring the parking in the new lot. He believes that there is plenty of parking on Sheldon; they drop off elderly members and then they park.

Pastor In Gyu Song explained that he lives at 18 Walter Street. They tried to get parking on site 15 years ago and now their congregation is getting old. The previous pastor fell and is wheelchair bound, and needs better access. He wants to have good relationship with the neighbors.

Mr. Balkin came back and thought that the Honda idea sounds like a simple solution. Ms. Raiselis said it would have to be voluntary and an arrangement would have to be made between Honda and the Church. The Board cannot compel the applicant to enter into an agreement.

Vinny Del Mastro, who resides at 9 Glenwolde, suggested that they plant trees as a buffer to disguise the lot. If they are only using the lot on Sundays, the lot will be open for 6 days. He asked if they can put in a gate for access for security reasons. They will also need lighting and again noted that Glenwolde Park is an Historic District.

Pastor In Gyu Song came back and said they need more spaces for their congregation. He will share the lot with the neighbors when services are not in session. He allows 8 Walter Street to use the existing spaces during the week.

Ms. Raiselis thanked the Pastor and noted that everyone wants to be a good neighbor. They are here to weigh the benefits and environmental concerns.

Graham Miles, who resides at 12 Walter Street, next to where the proposed driveway will be, is concerned about the flooding. They have had two 100-year storm events in 17 years. A system designed for a 25-year storm event is completely inadequate. The parking lot will contribute to flooding. They already have people parking on the street to go to the OCA and he believes that once the word gets around, the lot will be used for a means it is not intended for.

The Pastor returned and said that the existing grass area was a playground about 15 years ago. The children used to play basketball there.

Vinny Del Mastro, 9 Glenwolde, came up again and said that part of the land that belongs to the church is taken care of by the neighbors. They trim the bushes and take care of this piece of property, like good neighbors.

END OF PUBLIC COMMENT

Ms. Raiselis said that a lot of information has been requested and is needed and there will be an environmental review. She invited the public to come back and participate and she appreciates the input.

Mr. Aukland moved, seconded by Mr. Gaito, to declare this an Unlisted Action, under SEQRA.

Ms. Raiselis asked for a roll call vote:

- Chair Raiselis: Yes
 - Alt Member Mezey: Yes
 - Member Gaito: Yes
 - Member Aukland: Yes
- All in favor. Motion carried. 4-0

Mr. Aukland moved, seconded by Ms. Mezey, to declare the Board’s intent to act and Lead Agency on this application with proper notification made to the Involved and Interested agencies, and to Westchester County Planning Department, under GML.

Ms. Raiselis asked for a roll call vote:

Alt. Member Mezey: Yes
Member Gaito: Yes
Chair Raiselis: Yes
Member Aukland: Yes

All in favor. Motion carried. 4-0

Mr. Aukland Moved, seconded by Ms. Mezey, to set an escrow for this application at \$10,000.00.

Ms. Raiselis asked for a roll call vote:

Alt. Member Mezey: Yes
Member Gaito: Yes
Chair Raiselis: Yes
Member Aukland: Yes

All in favor. Motion carried. 4-0

Mr. Aukland moved, seconded by Ms. Mezey, to continue the public hearing.

Ms. Raiselis asked for a roll call vote:

Alt. Member Mezey: Yes
Member Gaito: Yes
Chair Raiselis: Yes
Member Aukland: Yes

All in favor. Motion carried. 4-0

ADJOURNMENT

Mr. Aukland moved, seconded by Mr. Gaito, to adjourn the meeting at 9:15 p.m.

Ms. Raiselis asked for a roll call vote:

Alt. Member Mezey: Yes
Member Gaito: Yes
Chair Raiselis: Yes
Member Aukland: Yes

All in favor. Motion carried. 4-0

Liz Meszaros – Secretary