

Planning Board
Village of Tarrytown
Regular Meeting
Wednesday, May 29, 2019 7:00 pm

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

ABSENT: Alt. Member Lawrence

APPROVAL OF MINUTES - March 25, 2019 Planning Board Minutes

Mr. Tedesco moved, seconded by Mr. Birgy, with Ms. Raiselis and Mr. Aukland
abstaining, to approve the March 25, 2019 minutes as submitted. All in favor.
Motion carried.

APPROVAL OF MINUTES – April 22, 2019 Planning Board Minutes

Mr. Tedesco moved, seconded by Mr. Aukland, with Chair Friedlander abstaining,
to approve the April 22, 2019 minutes as submitted. All in favor. Motion carried.

ADJOURNMENTS:

Dr. Friedlander announced the following adjournments:

Continued Public Hearings

- Michael Degen- 86 Crest Drive
Additions and Alterations to a single family home
- Peter Bartolacci – 67 Miller Avenue – Removal of railroad tie-wall,
construction of retaining walls and landscaping of rear yard.

Continued Preliminary Presentation

- Lexington 202 Group, LLC - 29 South Depot Plaza - Referral by Board
of Trustees for the review of petition for zone changes to allow for the
development of 46 residential units above a Self-Storage facility with parking.

CONTINUATION OF PUBLIC HEARING

Sisters of the Sacred Heart of Mary – 32 Warren Avenue

The applicant advised that they would not be present this evening and asked Mr. Pennella to update the Board. Mr. Pennella referred to the 4-29-19 site visit he attended with Planning Board Members, the Village Landscape Architect, and the Project Architect. A revised plan was received on May 17, 2019 based upon comments received at the site visit. The new plan provides for 2 tiered walls which will reduce the impact to the area and no longer encroach on the village property. The number of trees originally proposed for removal has drastically been reduced. Drainage comments and landscaping will still need to be addressed and should be submitted by the next meeting. The applicant has also removed 50% of brush from the beginning of the project site going south toward Neperan

Road. The remainder will be addressed in the site and landscaping plan for this application.

Dr. Friedlander asked if anyone in the public had any questions. No one appeared.

CONTINUATION OF PUBLIC HEARING - Artis Senior Living, LLC-153 White Plains Rd

Don Walsh, of Development Strategies, White Plains, NY, a planning and consulting firm for Leon Silverman of Crescent Associates, owner of 153-155 White Plains Road, appeared before the Board also on behalf of the applicant, Artis Senior Living, also present. Mark Fry, of Main Street Consulting, who is assisting in the preparation of the SDEIS for this project, was also present, along with the project applicant, architect and attorney John Kirkpatrick. Mr. Walsh yielded to Planner Galvin who will present to the Board.

Planner Galvin stated that he has reviewed the May 10, 2019 draft SDEIS submission and at the May 16, 2019 staff meeting he presented a completeness memo to the Board recommending that the document is complete for the purpose of public review and comment. He has developed a Resolution of Completeness for the Board to consider this evening which includes that a Public Hearing on this matter be set for June 24, 2019.

The Document will be distributed to all Interested and Involved agencies and will be available on the village website. The ENB bulletin will be sent to the NYS, DEC, and hard copies of the document will be provided at Village Hall and the Warner Library.

Mr. Tedesco read through portions of the Resolution of Completeness and advised that a copy will be provided to the applicant and included as part of these minutes.

RESOLUTION
VILLAGE OF TARRYTOWN PLANNING BOARD
Adopted May 29, 2019

Re: Artis Senior Living, LLC - Resolution Determining Completeness of
Supplemental
Draft Environmental Impact Statement

RESOLUTION

Whereas, the Planning Board at its meeting on March 25, 2019 determined that the revised SDEIS submitted by Artis Senior Living, LLC on April 18, 2019 was not complete and inadequate for public review. This determination was based on the *Consulting Planner's March 20, 2019 Completeness Memorandum* (which incorporated the Village Engineer's comments), the *Village Attorney's supplemental memorandum dated March 22, 2019* and the need to include the discussion of

Assisted Living Affordability and the Con Edison Natural Gas Moratorium as noted by the Planning Board in a February 18, 2019 memorandum; and

Whereas, the Planning Board directed the Applicant to revise the SDEIS to address the comments made in the Completeness reviews referenced above and resubmit a revised SDEIS for further completeness review by the Planning Board; and

Whereas, the Applicant substantially revised and resubmitted the SDEIS on May 10, 2019. This was reviewed by the Consulting Planner in consultation with the Village Attorney and Village Engineer and recommended that the revised document has addressed the comments made in the prior Completeness reviews and is adequate for public review. The discussion of the additional issues of *Assisted Living Affordability and the Con Edison Natural Gas Moratorium* have been provided within Appendix W in the SDEIS. Additionally, the Applicant has eliminated the document’s conclusory statements and corrected the grammatical errors, formatting and the incorrect numbering of appendices as noted in the Village Attorney’s review. The Applicant has also rewritten sections in the SDEIS such as water and sewer in response to comments from the Village Engineer; and

Whereas, on May 29, 2019, the Planning Board reviewed the *Village Consulting Planner’s Completeness Memorandum dated May 13, 2019* and determined that the revised SDEIS dated May 10, 2019 is adequate for public review.

NOW THEREFORE BE IT:

RESOLVED, on May 29, 2019, the Planning Board determined that the revised SDEIS submitted on May 10, 2019 is adequate for public review and set a public hearing for June 24, 2019 pursuant to §617.9 (a) of the SEQRA regulations; and be it further

RESOLVED, that Artis Senior Living, LLC is directed to provide a final SDEIS document to Village staff for public review at the Building Department and Public Library, for inclusion on the Village’s web site and for distribution to involved and interested agencies. Staff is also directed to provide *Notice of Completeness for the SDEIS and Notice of Public Hearing for the NYS DEC Environmental Notice Bulletin (ENB)*.

Mr. Tedesco moved, seconded by Mr. Aukland to adopt this Resolution. All in favor. Motion carried.

Counsel Kirkpatrick approached the Board and asked if the zoning part of this application is still adjourned. Planner Galvin advised that the hearing is on the SDEIS, which includes the zoning part of the application.

A brief discussion took place and it was determined that once the FEIS is submitted, the Planning Board will make a determination of completeness, issue SEQRA findings, and based on the findings will make a recommendation to the BOT for the zoning change. If the zoning is approved by the BOT, the applicant will return for site plan approval.

Counsel Kirkpatrick was concerned about the noticing to the public and was advised that the noticing must be done for the June 24, 2019 public hearing.

CONTINUATION OF PUBLIC HEARING-JCC on the Hudson-371&425South Broadway

Ms. Raiselis recused herself from this application and left the meeting room.

Ronen Wilk, RLA, appeared before the Board and showed the site plan to expand the west parking lot to provide for additional parking. They have revised the plans in response to comments from the neighbors, Mr. Pennella and the village landscape architect. They have added 42 evergreens along the north side of the property as proposed by the village landscape consultant. They have provided the Village Engineer with a stormwater analysis to treat the additional impervious area and additional stormwater prevention details during construction and have submitted a photometrics lighting plan. The fire department has requested that the emergency access gate be widened from 12 feet to 15 feet, which will be included in the plans.

Mr. Pennella advised the Board that he has not received any comment from the Police Department with regard to this project but a request has been made. The only other item he would like to discuss is the merging of the lots.

Brad Schwartz, Attorney and Vice Chair of the JCC Board, advised that in his discussions with Counsel Zalantis and Village Engineer Pennella there are 4 separate lots owned by the JCC and they will take the necessary steps to merge the 4 lots into one.

Mr. Tedesco asked for an update on the parking arrangements. Frank Hassid came up and advised the Board that he has returned to serve as the interim director for the JCC. He said that they are focusing on rebuilding relationships with the neighbors. He has visited with Mrs. Fante and Ms. Weisel, President of the Irving Neighborhood Preservation Association. In addition, they do have a relationship with the Doubletree Hotel with regard to overflow need for employee parking. They are hoping to formalize an agreement. The relationship is very positive. Mr. Galvin advised that he would like this agreement formalized if possible for the record. He will try to get something in writing. Mr. Hassid also advised that this is a communication issue and they will be appointing 2 JCC staff members to act as liaisons to the neighborhood to address any concerns they may have so that matters are addressed in a timely fashion as they have in the past.

Dr. Friedlander asked if anyone in the public had any other questions. No one appeared.

Mr. Tedesco moved, seconded by Mr. Galvin to continue the public hearing. All in favor. Motion Carried.

Mr. Galvin advised the Board that he could draft a Negative Declaration for their consideration at the next meeting.

Mr. Tedesco moved to authorize staff to prepare a draft Negative Declaration, seconded by Dr. Friedlander. All in favor. Motion carried.

Mr. Schwartz advised that they have made an application to the Zoning Board of Appeals for a variance to allow for the additional parking spaces and will appear at the June 10, 2019 ZBA meeting. Mr. Tedesco advised that until the Negative Declaration is issued, the zoning board cannot make a determination.

Mr. Galvin and Counsel Zalantis advised that the merging of the lots can become a condition of the site plan resolution rather than requiring a separate application.

Mr. Tedesco moved, seconded by Mr. Galvin, to continue the public hearing. All in favor. Motion Carried.

Ms. Raiselis returned to the Board room.

MS4 Annual Report Stormwater Management Meeting

Village Engineer Pennella briefly described the Stormwater Management Report a draft of which was posted on the village website on May 10, 2019 and duly noticed. This meeting is open to comment from the public.

Mr. Pennella advised that the village continues to do inspection of the SWPP sites. They only have 2 active sites in the cycle this year: one at Greystone and the other at Wilson Park (which just recently started up). Out of the 40 outfalls, 4 violations have been issued, relating to dumping on the street, sump pump discharge, and pool discharge.

The Stormwater Report will be revised and finalized and submitted to the DEC by June 1, 2019, and the final report will be available on the village website. This year the village is required to re-inspect all of its outfalls, which involves documenting all of the sites, taking pictures, and ensuring that they are in good condition.

Member Birgy asked about Wilson Park Drainage going down to the lake. Mr. Pennella said the Homeowner's Association has its own bio-retention system which is private. Part of the stormwater program is to have these private systems installed. The village inspects them annually to make sure they are being properly maintained. The village maintains the public ones; there are others that are maintained privately. If pollutants are found, the village addresses this immediately. A brief discussion took place about the process. Mr. Pennella explained that it is similar to a water/oil separator; contaminants settle at bottom and eventually the ponds will need to be dredged.

ADJOURNMENT

Mr. Tedesco moved, seconded by Mr. Birgy, to adjourn at 7:33 p.m. All in favor. Motion carried.

Liz Meszaros- Secretary