

**WESTCHESTER
COUNTY
PLANNING
BOARD**

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County Planning Board Referrals:

Letters dated October 16, 2014 through November 15, 2014

Meeting Date:
December 2, 2014

Ardsley

ARD 14-001 The Lock Up Self Storage

642 Saw Mill River Road

Site Plan Special Permit Subdivision Zoning Text Amend Zoning Map Amend Area Variance Use Variance Moratorium Comp Plan

Proposal to demolish two existing commercial buildings and replace them with a newly constructed 63,864 square foot self-storage facility and eight off-street parking spaces on a 0.659-acre site. In addition to site plan approval, the applicant is requesting variances for lot size, lot width, minimum rear yard and maximum height.

The County Planning Board has no objection to the Ardsley Board of Trustees assuming Lead Agency status for this review.

We find the proposed lot width variance to be a matter for local determination. The remaining variances that are requested are outside of the County Planning Board's jurisdiction. With respect to the site plan, we offer the following comments:

Letter date: Monday, October 27, 2014 **Response type:** Comment

Consistency with Westchester 2025: **Impacts to County facilities and services:** **Additional comments:**

- The site immediately abuts the Saw Mill River, which has known issues with flooding. We strongly recommend that the applicant take steps to treat and retain as much stormwater onsite as possible.
- We encourage the incorporation of as many "green" or sustainable building methods and technologies as possible into the proposed development. We also recommend bicycle parking for building employees, since the South County Trailway is nearby.

Bedford

BED 14-002 The Harvey School

260 Jay Street

Site Plan Special Permit Subdivision Zoning Text Amend Zoning Map Amend Area Variance Use Variance Moratorium Comp Plan

Proposed construction of six new tennis courts with fencing, pervious paver pad, stormwater mitigation and landscaping at the Harvey School.

Letter date: Monday, November 03, 2014 **Response type:** Local Determination

Consistency with Westchester 2025: **Impacts to County facilities and services:** **Additional comments:**

Greenburgh

GRB 14-011 Fed-Ex - SunCap Property Group

Waterside Dr. & Fairview Park Dr.

Site Plan Special Permit Subdivision Zoning Text Amend Zoning Map Amend Area Variance Use Variance Moratorium Comp Plan

Proposed construction of a 161,440 square foot, two-story warehouse distribution facility for Fed-Ex. The property is approximately 26.94 acres in size and fronts on Waterside Drive and Fairview Park Drive and currently contains one building and a golf driving range, both to be removed. The proposed first floor will contain a conveyor system to load delivery trucks and the second floor will be used for employee parking. The site is partially within a flood zone and contains wetland areas, a stream, pond, the Saw Mill River and areas of steep slopes.

Letter date: Monday, November 03, 2014 **Response type:** Comment

Consistency with Westchester 2025: **Impacts to County facilities and services:** **Additional comments:**

- We encourage the Town to ensure that as much stormwater is retained on-site as possible due to the fact that the site is located along the Saw Mill River which has flooding issues.
 - Because 106 trees will be removed we recommend that the Town give careful consideration to implementation of a mitigation landscaping plan.

Irvington

IRV 14-007 Zoning Text Amendment: Deer Fences

Site Plan Special Permit Subdivision Zoning Text Amend Zoning Map Amend Area Variance Use Variance Moratorium Comp Plan

A proposed Local Law to amend the text of the Village Zoning Ordinance by adding new provisions to permit and regulate deer fences.

Letter date: Monday, October 27, 2014 **Response type:** Local Determination

Consistency with Westchester 2025: **Impacts to County facilities and services:** **Additional comments:**

Lewisboro

LEW 14-003 Cipriano Rezoning

5 East Street & 475 Smith Ridge Road

Site Plan Special Permit Subdivision Zoning Text Amend Zoning Map Amend Area Variance Use Variance Moratorium Comp Plan

A petition to amend the Lewisboro Zoning Map to rezone three tax lots, currently zoned R1-A and RB, to GB – General Business. The subject parcels are located at the intersection of East Street and Smith Ridge Road (NYS Route 123). The purpose of the proposed rezoning is to allow the petitioners to use their existing house (located on the parcel currently zoned R1-A) as part of their nursery/garden center which is located on the abutting commercially zoned properties. If the rezoning is granted, site plan approval would also be required for the proposed modifications to the existing dwelling.

We have reviewed the proposed zoning petition and find the zoning map amendment to be a matter for local determination. We reserve comment on the proposed site plan until site plan review is initiated if the rezoning is approved.

Letter date: Monday, October 20, 2014 **Response type:** Local Determination

Consistency with Westchester 2025: **Impacts to County facilities and services:** **Additional comments:** _____

Mamaroneck (village)

MMV 14-008B DCH Toyota City

1305 East Boston Post Road

Site Plan Special Permit Subdivision Zoning Text Amend Zoning Map Amend Area Variance Use Variance Moratorium Comp Plan

Lead Agency notification for an application to renew a site plan for renovation and redesign of the Toyota City showroom located at 1305 East Boston Post Road. The applicant is seeking new site plan approval as the previous application, which was approved in 2008 and renewed in 2010, has expired. The project will renovate one story of the existing 9,708 square foot showroom/service area and change to only showroom usage. There will be 71 parking spaces in the adjacent lot.

We have no objection to the Village of Mamaroneck Planning Board assuming Lead Agency status for this review.

Letter date: Monday, October 20, 2014 **Response type:** Local Determination

Consistency with Westchester 2025: **Impacts to County facilities and services:** **Additional comments:** _____

MMV 14-009 TOD Overlay District

Site Plan Special Permit Subdivision Zoning Text Amend Zoning Map Amend Area Variance Use Variance Moratorium Comp Plan

A set of proposed amendments to the Village Zoning Ordinance that would implement the findings of a TOD Zoning Study undertaken by the Village in 2013. The amendments aim to increase the potential for transit-oriented development within walking distance of the Mamaroneck train station. Since many of the existing buildings in this area are currently non-conforming with zoning regulations, the zoning amendments also seek to reduce this non-conformity to allow for the renovation and redevelopment of existing sites without the need for variances.

Specific changes to the text of the Zoning Ordinance include:

- Adding definitions for Green Building Elements, Green Infrastructure, Green Roof and Neighborhood Stabilization Fund
- Creating a TOD Overlay District with associated regulations
- Revising area and bulk regulations in the RM-3 zone to better reflect current conditions and lessen non-conformity

Specific changes to the Zoning Map include:

- Elimination of the O-1 District within the study area
- Rezoning both sides of Mamaroneck Avenue to C-1. Other nearby parcels on Lester Avenue and Hoyt Avenue would also be rezoned to C-1
- Rezone the western side of Van Ranst Place to C-1
- Map the new TOD Overlay District on parcels along Mamaroneck Avenue, Old White Plains Road and Hoyt Avenue with underlying C-1 zoning.

Letter date: Monday, October 20, 2014

Response type: Comment

Consistency with Westchester 2025: **Impacts to County facilities and services:** **Additional comments:**

The proposed amendments are consistent with Westchester 2025 and we offer our strong support.

Mount Kisco

MTK 14-004 Jaguar/Land Rover of Mount Kisco

250 Kisco Avenue

- Site Plan
 Special Permit
 Subdivision
 Zoning Text Amend
 Zoning Map Amend
 Area Variance
 Use Variance
 Moratorium
 Comp Plan

Application to construct a 4-story, 5 level building on a 4.2 acre developed site for use as an automobile sales and service facility. The proposed building will be located on the same parcel as an existing BMW dealership and will utilize the same access driveway. The proposed building will include interior parking and access drives. There will be stormwater and landscaping improvements. The existing BMW dealership vehicle display area is proposed to be extended in order to allow for the display of additional vehicles.

We have no objection to the Mount Kisco Planning Board assuming Lead Agency status for this review.

Letter date: Monday, October 20, 2014 **Response type:** Comment

Consistency with Westchester 2025: **Impacts to County facilities and services:** **Additional comments:**

- Because the site is located in the Croton Watershed, stormwater runoff water quality protection, both during and after construction, is of critical importance.
- We encourage the applicant to include as much "green" or sustainable building methods and technologies into the proposed building as well as bicycle parking for employees.

MTK 14-005 Miscellaneous Zoning Text Amendments

- Site Plan
 Special Permit
 Subdivision
 Zoning Text Amend
 Zoning Map Amend
 Area Variance
 Use Variance
 Moratorium
 Comp Plan

A proposed local law containing technical revisions to the text of the Village/Town Zoning Code with respect to off-street parking and supplementary use regulations.

Letter date: Monday, November 03, 2014 **Response type:** Local Determination

Consistency with Westchester 2025: **Impacts to County facilities and services:** **Additional comments:**

Mount Vernon

MTV 14-009B Living Faith Church

195 West First Street

Site Plan Special Permit Subdivision Zoning Text Amend Zoning Map Amend Area Variance Use Variance Moratorium Comp Plan

Proposed construction of a second floor addition to an existing church building for office space. The first floor space at the location of the proposed addition will be renovated for use as a youth center.

Letter date: Monday, October 27, 2014

Response type: Local Determination

Consistency with Westchester 2025: **Impacts to County facilities and services:** **Additional comments:**

New Castle

NWC 14-008 Audette Pool and Sport Court

15 Random Farms Drive

Site Plan Special Permit Subdivision Zoning Text Amend Zoning Map Amend Area Variance Use Variance Moratorium Comp Plan

Proposed construction of an in-ground pool and a sports court with associated stormwater management areas on an existing residential lot containing an existing house. The subject site is 1.03 acres located at 15 Random Farms Drive.

Letter date: Monday, October 20, 2014

Response type: Local Determination

Consistency with Westchester 2025: **Impacts to County facilities and services:** **Additional comments:**

North Castle

NOC 14-011 Zoning Text Amendment: Fence Definition

- Site Plan
 Special Permit
 Subdivision
 Zoning Text Amend
 Zoning Map Amend
 Area Variance
 Use Variance
 Moratorium
 Comp Plan

A proposed Local Law to amend the text of the Town Zoning Ordinance with respect to fences. Specifically, the amendment would add a definition for "Fence" in the ordinance as well as add a provision which would prohibit tarp fences and require that any non-conforming tarp fence or similar fence be removed within six months from the date of the law's passage.

Letter date: Monday, November 03, 2014 **Response type:** Local Determination

Consistency with Westchester 2025: **Impacts to County facilities and services:** **Additional comments:**

North Salem

NSM 14-003B Gotham Enterprises

741 Titicus Road

- Site Plan
 Special Permit
 Subdivision
 Zoning Text Amend
 Zoning Map Amend
 Area Variance
 Use Variance
 Moratorium
 Comp Plan

Application to amend an existing special use permit to allow for the reconstruction of a barn as well as the construction of various other horse farm related buildings including a hay barn, sheds, pavilions and parking areas. The special use permit, which currently allows the keeping of up to 20 horses with four employees quarters, would remain at 20 horses, but the number of employee quarters would increase from three to four and permit certain design changes to previously approved plans. The proposed action relates to property shown on a proposed Lot Line Change Map encompassing 741, 749 and 751 Titicus Road (44.90 acres) and 39 Hilltop Drive (13.326 acres), known collectively as the "combined lot."

We have previously reviewed this matter and provided comments in a letter dated July 15, 2014.

Letter date: Monday, November 10, 2014 **Response type:** Comment

Consistency with Westchester 2025: **Impacts to County facilities and services:** **Additional comments:**

Ossining (town)

OST 14-002C Artis Senior Living

553 North State Road

- Site Plan
 Special Permit
 Subdivision
 Zoning Text Amend
 Zoning Map Amend
 Area Variance
 Use Variance
 Moratorium
 Comp Plan

Additional materials, including a grading and utility plan and landscaping plan , regarding a petition to amend the Town Zoning Ordinance to permit “Assisted Living Facilities” as a conditional use in the GB District. If approved, the applicant would seek to develop a 64-bed memory care assisted living facility on a 1.53-acre site located at 553 North State Road. The building will be a two-story, 35,500 square feet facility with 33 parking spaces.

We previously reviewed the zoning petition and responded to the Town in letters dated June 16, 2014 and August 19, 2014. We found the zoning text amendment to be a matter for local determination in accordance with the Town’s planning and zoning policies. At that time we noted that specific comments on the site plan would be reserved until site plan review was initiated. Since it is our understanding that this matter is now under site plan review, we offer the following comments:

Letter date: Monday, November 10, 2014 **Response type:** Local Determination

Consistency with Westchester 2025:

- We recommend the applicant consider bringing the building closer to the street, with the parking in the rear. Changing the building orientation in this manner will help to create a more pedestrian-scaled streetscape.
- While the site currently has sidewalks along its frontage with North State Road, the site plan is not clear as to whether sidewalks will continue to be provided. We urge the Town to require sidewalks in this location.

Impacts to County facilities and services:

- Increased sewage flows into the County sewer system should be offset through inflow and infiltration (I&I) mitigation.
- The applicant should verify that sufficient space will be provided for recycleables.

Additional comments:

- We encourage the applicant to consider green building technology and bicycle parking.

OST 14-005 Lexinton 202 Group LLC

530-532 North State Road

Site Plan Special Permit Subdivision Zoning Text Amend Zoning Map Amend Area Variance Use Variance Moratorium Comp Plan

A proposed 4-story, mixed use commercial and self storage building to be located on a 1.12-acre lot located at 530-532 North State Road. Parking for 31 vehicles is planned; the building will be 16,905 square feet. In addition to site plan approval, the applicant is requesting variances for lot size, minimum front yard, minimum parking, building footprint and maximum height.

We find the proposed front yard variance to be a matter for local determination. The remaining variances that are requested are outside of the County Planning Board's jurisdiction. With respect to the site plan, we offer the following comments:

Letter date: Monday, October 27, 2014 **Response type:** Comment

Consistency with Westchester 2025: **Impacts to County facilities and services:** **Additional comments:**

The site plan is not clear as to whether sidewalks will continue to be provided along the site's frontage. We urge the Town to require sidewalks in this location so as to maintain the continuity of sidewalks along North State Road.

We encourage the incorporation of as many "green" or sustainable building methods and technologies as possible into the proposed development. We also recommend bicycle parking for building employees, since the North County Trailway is nearby.

Pelham Manor

PMR 14-002 Cumberland Farms

4394 Boston Post Road

Site Plan Special Permit Subdivision Zoning Text Amend Zoning Map Amend Area Variance Use Variance Moratorium Comp Plan

Proposed redevelopment of an existing gas station and convenience store. The existing store will be demolished and a new 2,200 square foot convenience store erected, along with new gasoline dispensers, piping and dispenser islands, replacement of existing underground fuel tanks and repaving of the site. The subject site is 0.95 acre located at 4394 Boston Post Road (US Route 1).

While the submission included drawings showing signage and building elevations, we did not receive site plans to show the proposed layout. The following comments are based on the materials received as well as review of aerial photos of the existing site:

Letter date: Monday, November 03, 2014 **Response type:** Comment

Consistency with Westchester 2025: **Impacts to County facilities and services:** **Additional comments:**

- The subject site is the only one in its vicinity along Boston Post Road that does not currently have a sidewalk along its street frontage. The Village should require that the proposed redevelopment incorporate provisions of a new sidewalk

- We encourage the applicant to take steps to treat and retain as much stormwater on-site as possible.
- We recommend that the developer incorporate as many "green" building design practices as possible into the plan along with a bicycle rack.

Port Chester

PCH 14-005 BMW Dealership Service Center

110 Midland Avenue

Site Plan Special Permit Subdivision Zoning Text Amend Zoning Map Amend Area Variance Use Variance Moratorium Comp Plan

Proposed replacement of an interior hand carwash area with an automated carwash system at the BMW service center. The project will reduce the amount of interior space from 7,166 square feet to approximately 4,033 square feet. All work will be conducted within the interior of the building.

Letter date: Monday, November 10, 2014 **Response type:** Local Determination

Consistency with Westchester 2025: **Impacts to County facilities and services:** **Additional comments:**

Pound Ridge

PDR 14-004 Ridge 29

Trinity Pass and Pine Drive

Site Plan Special Permit Subdivision Zoning Text Amend Zoning Map Amend Area Variance Use Variance Moratorium Comp Plan

Lead Agency notification for the proposed construction of a 44-unit multi-family development on a 29.14-acre site located primarily in the R-1A District. The site, which contains frontage on both Pine Drive and Trinity Pass Road, would have vehicular access from the current cul-de-sac end of Pine Drive, which connects to Westchester Avenue near the hamlet of Scotts Corners. The proposed development would include five affordable affirmative furthering fair housing (AFFH) units, consistent with the Town Zoning Ordinance. As with most properties in Pound Ridge, the site would be developed using on-site wells and a common septic system.

We have no objection to the Pound Ridge Planning Board assuming Lead Agency status for this review.

We are generally supportive of proposed developments that will expand the range of housing types, a goal that is consistent with Westchester 2025. As this development would add new multi-family units in Pound Ridge and would include five AFFH units, we look forward to continuation of the site plan and special permit review process.

We note that the Town Zoning Ordinance, with respect to AFFH, includes a density bonus provision that could increase the percentage of affordable AFFH units within a development to 15%. We encourage the applicant and Town to explore this as a development option pending the adequate provision of sewage disposal and water supply.

Letter date: Monday, November 10, 2014 **Response type:** Comment

Consistency with Westchester 2025: **Impacts to County facilities and services:** **Additional comments:**

Somers

SOM 14-001C Hidden Meadows at Somers

16 Route 6

Site Plan Special Permit Subdivision Zoning Text Amend Zoning Map Amend Area Variance Use Variance Moratorium Comp Plan

Revised revised materials including a “parallel parking sketch” for the development of a 16.7-acre parcel with 53 housing units of which 37 would be single-unit townhouses and eight would be duplex townhouses containing one 3-bedroom homeownership unit on the upper floors and one 1-bedroom rental unit on the ground floor with the entrance in the rear. The 16 units in the eight duplex townhouses are to be affordable affirmatively furthering fair housing (AFFH) units. Each townhouse would contain a one-car garage. The eight rental apartments would have reserved on-street parking spaces on the internal roadways. Surface parking spaces will be provided for 21 cars to accommodate parking for visitors. Recreational spaces would also be provided throughout the site. The development is to be serviced by a common driveway/private roadway connecting into Birdsall Road (US Route 6).

The site, which is currently zoned R-80 Single-Family, is proposed to be rezoned with a zoning map amendment that would place the MFR-BP Multi-Family Residential Floating District onto the site. It is our understanding that site plan and subdivision approvals would be required.

We have previously reviewed this matter and responded to the Town in letters dated November 15, 2013, April 1, 2014 and June 9, 2014. We offer the following comments with respect to the most recent site plan revisions:

It is not clear why the five parking spaces to be constructed near the front entrance of the development that are to serve as a vehicular waiting area for school bus pick up and drop off are needed.

Letter date: Monday, November 03, 2014 **Response type:** Comment

Consistency with Westchester 2025:

Impacts to County facilities and services:

Additional comments:

We recommend the Town consider the relationship of such parking to potential conflict with Westchester County’s anti-idling law.

Our previous letters noted that the internal sidewalk network shown on the plans was incomplete. We recommend that the applicant consider making the site more walkable.

White Plains

WHP 14-008 Zoning Text Amendment: BR-1 District

- Site Plan
 Special Permit
 Subdivision
 Zoning Text Amend
 Zoning Map Amend
 Area Variance
 Use Variance
 Moratorium
 Comp Plan

A proposed amendment to the text of the City’s zoning ordinance which would add new principal permitted uses in the BR-1 Zoning District. These new uses include: “businesses or professional offices,” “offices for group education, training or counseling, in buildings containing no residential uses,” and “consumer financial service establishments.”

Letter date: Monday, November 10, 2014 **Response type:** Local Determination

Consistency with Westchester 2025: **Impacts to County facilities and services:** **Additional comments:**

Yonkers

YON 14-012B 323 Tuckahoe Road Rezoning

323 Tuckahoe Road

- Site Plan
 Special Permit
 Subdivision
 Zoning Text Amend
 Zoning Map Amend
 Area Variance
 Use Variance
 Moratorium
 Comp Plan

Additional materials with respect to a petition to amend the Yonkers Zoning Map to rezone two tax lots located at 323 Tuckahoe Road (County Road 36) from BR – Restricted Business Residences Excluded to I – Industrial. According to the accompanying SEQR documentation, it is the applicant’s intention to develop a 121,833 square foot warehouse on the subject lots and adjacent parcels, if the rezoning is approved.

Letter date: Monday, October 20, 2014 **Response type:** Local Determination

Consistency with Westchester 2025: **Impacts to County facilities and services:** **Additional comments:**

Because a new left turn lane from Tuckahoe Road to Herrmann Place, as well as a new traffic signal at Tuckahoe Road and the northbound NYS Thruway off-ramp are proposed, approval for this work from WCDPW&T is required.

We encourage the applicant to include as much “green” or sustainable building methods and technologies into the proposed building as well as bicycle parking for employees.
