

**WESTCHESTER  
COUNTY  
PLANNING  
BOARD**

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**County Planning Board Referrals:**

*Letters dated January 16, 2015 through February 15, 2015*

Meeting Date:  
**March 3, 2015**

# Greenburgh

## GRB 15-002 Zoning Text Amendment: Day Care Centers in CA District

## Central Park Avenue

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

A petition to amend the text of the Town Zoning Ordinance to allow child day care centers as a special use permit use in the CA District. The applicant is proposing a day care center for no more than 121 children at a site located at 246 North Central Avenue.

While the zoning text amendment is a matter for local determination, we reserve comment on the potential site plan and special permit applications until those reviews are initiated if the zoning amendment is approved.

**Letter date:** Wednesday, February 11, 2015   **Response type:** Local Determination

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

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## GRB 15-004 Zoning Text Amendment: Massage Establishments

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

A proposed amendment to the Town Zoning Code to permit and regulate establishments that perform massages. While the proposed amendment would add a new Chapter 375 to the Town Code, it would also amend various sections of the Zoning Ordinance by allowing message establishments as a special permit use in all non-residential zoning districts. The intent of the proposed amendment is to eliminate unlicensed or illegal establishments which may jeopardize the public health, safety and welfare.

**Letter date:** Wednesday, February 11, 2015   **Response type:** Local Determination

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

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## Harrison

### HAR 15-002B Happy Highland Subdivision

225 Highland Road

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

Site plan application for a proposal to subdivide a 5.11-acre lot into three conforming, buildable lots. The existing house will remain in the center lot and two new single-family homes will be constructed on the additional lots.

**Letter date:** Tuesday, January 20, 2015      **Response type:** Comment

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

Because Highland Avenue is a County road (CR 308) an approval is required from WCDPWT.

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## Mount Pleasant

### MTP 15-001 Baker Residential Subdivision

582-590 Columbus Avenue

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

The applicants propose to subdivide a 164.78-acre property, owned by the Legion of Christ religious order and located at 582-590 Columbus Avenue (County Road 64), for the purpose of constructing a 121-lot residential cluster subdivision.

We previously corresponded with the Town with respect to this matter in a letter dated December 23, 2014 in response to a notification to designate a Lead Agency. At that time we requested that we be sent additional materials and plans as the review continues. Now upon receiving the requested materials, we have determined that this matter is not subject to referral to the Westchester County Planning Board because the proposed subdivision does not contain a new road connecting into either a State or County road. While the subject site contains frontage on Columbus Avenue (County Road 64), no new road or driveway curb cuts are shown along Columbus Avenue.

**Letter date:** Wednesday, January 28, 2015      **Response type:** NJR

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

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# Mount Vernon

## MTV 15-001 Oneness Rehoboth Apostolic Church

131-141 East Third Street

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

Proposed construction of a two-story church with 11,358 square feet of floor area and an accessory building of 5,748 square feet on a 0.51 acre vacant lot located at the corner of East Third Street and Franklin Avenue. The site plan also shows construction of a parking garage with 114 spaces and provision of a recreation area built on top of a portion of the garage. The application materials state the church will house up to 400 members during services and that many of the congregants walk to the church and others are transported in church vans.

**Letter date:** Tuesday, January 20, 2015 **Response type:** Comment

**Consistency with Westchester 2025:**

**Impacts to County facilities and services:**

**Additional comments:**

- Because the development will increase sewage flows from this site into County sewers, I&I mitigation should be performed.  
- The applicant should verify that sufficient space is available to accommodate the storage of recyclables.

- We encourage the applicant to consider incorporating as much green building technology as possible into the proposed development along with bicycle parking. We commend the developer for the green roof areas shown on the current plans.

## MTV 15-002 ALTA Mount Vernon

1 Bradford Road

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

Lead Agency notification regarding a petition to amend the City Zoning Map with respect to a site located at 1 Bradford Road. The site, which abuts Willson's Woods County Park, is currently zoned LI-7.5 and contains a building used for light industry/offices. The applicants are petitioning the City to rezone the property to RMF-15 which would allow for the construction of a residential apartment building on the site.

We have no objection to the Mount Vernon City Council assuming Lead Agency status for this review.

While the proposed zoning map amendment is 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:** Wednesday, February 11, 2015 **Response type:** Local Determination

**Consistency with Westchester 2025:**

**Impacts to County facilities and services:**

**Additional comments:**

**MTV 15-003 Alexander Development Group**

**42 Broad Street**

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

Additional site plan materials for the proposed development of an 18-story mixed use building containing 249 market rate apartments (33 studio, 118 one-bedroom, 82 two-bedroom and 16 three-bedroom) with 12,330 square feet of street level retail space on a 1.52-acre located at 42 West Broad Street in the Fleetwood section of the city. On-site amenities shown include a pool, a 7,183 square foot roof deck and a 4,930 square foot community space. Parking for 533 vehicles would be provided in a renovated parking structure behind the proposed building. This parking structure is currently City-owned, containing 430 spaces. The structure would be renovated to include 366 attendant spaces and 167 self-park spaces along with 7,350 square feet of street level retail space along its frontage with Broad Street. After the proposed renovation, the parking structure would be turned over to the applicant as part of the proposal.

We have previously reviewed the proposed development and responded to the City in letters dated March 10, May 7, May 12, June 9, August 19 and December 29, 2014. We have no additional comments at this time, but we refer you to our previous comments, as noted below:

**Letter date:** Wednesday, February 11, 2015   **Response type:** Comment

**Consistency with Westchester 2025:**

- The re-use of an existing site in a transit-oriented neighborhood center with a mixed use building is consistent with the policies set forth in Westchester 2025

**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 incorporate green or sustainable building methods and technologies into this project.  
- We recommend that bicycle parking be provided for building residents

# New Castle

## NWC 15-001 Chappaqua Hollows

## 120 & 126 King Street

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

The applicants propose to merge two lots located at 120 and 126 King Street (NYS Route 120) to create a 1.36-acre site for a new multi-family development. 120 King Street currently contains a vacant church, which would be demolished. 126 King Street contains a residential structure, a commercial building and a garage, which would also be demolished.

The applicant proposes to combine the lots for the purpose of constructing 10 townhouse units, 8 of which would be three-bedroom and 2 of which would be 2-bedroom. As per the Town's affordable affirmatively furthering fair housing (AFFH) regulations, one unit would be set aside as an affordable AFFH unit. The site is currently zoned B-R (Retail Business) which according to zoning may be developed under the MFR-C (Multi-Family Residential C) District regulations.

Vehicular access to the site would be provided by a new driveway connecting into King Street. Each townhouse would contain a garage (18 total spaces) and 11 additional parking spaces would be provided at grade. Sidewalk connections would be provided along the new driveway to both King Street and Senter Street (via a stairway).

In addition to subdivision and site plan approvals, the submitted materials also indicate that two area variances will be sought from the Zoning Board of Appeals, one for development coverage (49.4% proposed where 35% is permitted) and one for building coverage (20.9% proposed where 20% is permitted).

**Letter date:** Wednesday, February 11, 2015   **Response type:** Comment

**Consistency with Westchester 2025:**

- The proposed development is consistent with Westchester 2025 because it will provide for a range of housing types, including one affordable AFFH unit, in an existing hamlet center within walking distance to stores, services, bus stops and a train station.

**Impacts to County facilities and services:**

- Because the development will increase sewage flows from this site into County sewers, I&I mitigation should be performed.

**Additional comments:**

- The proposed site plan shows subsurface stormwater quality and retention infrastructure. To ensure the continued operability of this system, the applicant should provide an enforceable maintenance program.  
- We encourage the applicant to consider incorporating as much green building technology as possible into the proposed development  
- Because King Street is a State Road (NYS Route 120), Town should forward a copy of the application to NYS DOT.

**NWC 15-002 Barrett Swimming Pool**

**22 Hollow Ridge Road**

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

Construction of an in-ground swimming pool behind an existing house.

**Letter date:** Wednesday, February 11, 2015 **Response type:** Local Determination

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

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**New Rochelle**

**NRO 15-001 Zoning Map Amendment: Central Parking Area**

**North Av/Burling Ln/Rochelle PI**

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

A proposed amendment to the City's Zoning Map to expand the Central Parking Area (CPA) to include the DB zone along the North Avenue corridor. The CPA provides less restrictive parking standards than in other areas of the city due to the availability of municipal parking structures and mass transit.

**Letter date:** Thursday, February 05, 2015 **Response type:** Local Determination

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

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**NRO 15-002 Zoning Text Amendment: Hotels in DB District**

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

A proposed text amendment to the City's Zoning Code. The proposed amendment would include hotels as a permitted use in the Downtown Business District (DB).

**Letter date:** Thursday, February 05, 2015      **Response type:** Local Determination

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

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**NRO 15-003 425 Wilmot Road**

**425 Wilmot Road**

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

A proposed lot line adjustment modifying two existing tax lots to create a 1.31 acre lot with an existing single-family dwelling and an approximate 1.14 acre zoning compliant lot for construction of a new single-family dwelling. A third lot will be created to include a new private access cul-de-sac road for access to both new residential lots. Therefore one new parcel will be buildable and developed with a single-family house. In addition to subdivision approval, a site plan approval is required.

**Letter date:** Thursday, February 05, 2015      **Response type:** Local Determination

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

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# North Castle

## NOC 15-001 Park Place at Westchester Airport - Final EIS

## 11 New King Street

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

The proposed development involves the construction of a privately-owned automated parking garage on a 3.3-acre site located at 11 New King Street, to the north of the Westchester County Airport. The site contains one tax lot (2.47 acres) and a 0.87-acre portion of an adjacent lot that will be used for the construction of stormwater management infrastructure by way of a drainage easement. The site currently contains a 9,700 square foot office building which would be demolished. The site is encumbered with a significant amount of wetlands, as well as a watercourse which drains to the Kensico Reservoir (Rye Lake) through the rear (west side) of the site.

While the project was initially proposed as a 1,450 space automated parking garage with a car wash, the project has been revised to reduce the building footprint so as to not encroach on any of the on-site wetlands. As a result, the car wash is no longer proposed and the garage has been reduced to 1,380 spaces. Building height, however, has increased to 59 feet from 56 feet initially proposed. The applicant is also proposing to construct the building to LEED certification, incorporating a number of green building elements including stormwater planters and a rooftop solar array.

The applicant is petitioning the Town for an amendment to the text of the Zoning Ordinance to allow parking structures in the Industrial AA (IND-AA) zoning district as a special permit use. The petition also proposes raising the maximum allowable building height in the IND-AA district to 60 feet, where 30 feet is the current maximum. If the zoning amendments are approved, the applicant would then proceed with site plan and special permit applications.

Through coordination with the County Department of Public Works and Transportation, we have also consulted with staff of the County Airport and the Federal Aviation Administration (FAA) for this review.

**Letter date:** Wednesday, February 11, 2015   **Response type:** Comment

**Consistency with Westchester 2025:**

- There are serious concerns about the prudence of amending the Town Zoning Ordinance to allow the processing of the proposed development. At issue is the compatibility of the proposed development with the need to protect people and property on the ground within certain zones around the airport.
- The project's "No Hazard" determination for construction in a runway protection zone (RPZ) expired on August 14, 2014. Since the FAA has examined new review criteria since the initial approval, the project must be re-evaluated using the interim RPZ policy.

**Impacts to County facilities and services:**

- The plans include stormwater planters to treat roof stormwater. These plantings raise a concern that birds will be attracted to the site and that bird strikes with airplanes may increase. We recommend that this impact be evaluated.
- The plans include solar panels which may cause glare issues for aircraft. We encourage the applicant to follow FAA guidelines for solar installations.
- The proposed traffic mitigation would include restriping of the Airport Access Road (County Road 135). A Road Permit is required from WCDPWT

**Additional comments:**

- While the development will no longer disturb any on-site wetlands, there will be extensive site disturbance within wetland buffer areas. This should be of concern, especially because the site is in close proximity to the Kensico Reservoir and contains a watercourse which drains directly to the reservoir.

## Scarsdale

### SCD 15-001 Moratorium on Gravel Surfaces

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

Proposed moratorium on certain applications to the Planning Board, Zoning Board of Appeals, Board of Architectural Review, or the Building and Engineering Departments that involve gravel surfaces. Public concerns regarding the bulk of residential homes and the preservation of neighborhood character have led to the initiation of a comprehensive study on the use and impact of gravel surfaces on the Village's lot coverage regulations and the effect of treating gravel surfaces as impervious consistent with the Village's stormwater regulations. An analysis will be submitted to the Board of Trustees on or before June 30, 2015. The purpose of this temporary moratorium is to provide a reasonable time for review of the issue. Exceptions from the moratorium will be considered on a case-by-case basis by the Board of Trustees.

The proposed moratorium appears to have a specific intent and purpose and should not extend beyond a reasonable time frame.

**Letter date:** Thursday, February 05, 2015      **Response type:** Comment

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

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## Yorktown

### YTN 15-001 1805 & 1833 East Main Street Rezoning

### 1805 & 1833 East Main Street

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

A resolution to amend the Yorktown Zoning Map with respect to properties totaling 1.5 acres in size located at 1805 and 1833 East Main Street (US Route 6) in the Mohegan Lake section of the town. As proposed, the zoning designation would change from O (Office) to C-3 (Commercial Limited).

We have no objection to the Yorktown Town Board assuming Lead Agency status for this proposal.

**Letter date:** Wednesday, February 11, 2015      **Response type:** Local Determination

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

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