MINUTES OF REGULAR MEETING OF THE PLANNING BOARD OF THE VILLAGE OF BRONXVILLE HELD ON SEPTEMBER 12, 2012 AT THE VILLAGE HALL, 200 PONDFIELD ROAD, BRONXVILLE, N.Y.

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PRESENT:	Eric Blessing	Chairman
	Anna Longobardo	Vice Chair
	Adrienne Smith	Member
	James Murray	Member
	Gary Reetz	Member
	Randolph Mayer	Alternate
	Rene Atayan	Alternate
EXCUSED:	Vincent Pici	Superintendent of Buildings

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Chairman Blessing called to order the regular meeting at 7:30PM.

APPROVAL OF MINUTES

On motion of Mr. Murray, second by Ms. Smith, the Board approved the minutes of the Regular Meeting on July 11, 2012.

SITE DEVELOPMENT – Ernie's LLC – 7 Pondfield Road – Store #2 (Restaurant/Wine Bar)

Philip Hedges, applicant, explained that the only change made to the original application was extending the menu. The issue was if this establishment was a restaurant or a wine bar. It is now a restaurant per the Village Code. He is grateful for the support from Mr. Pici, Village Engineer. He is seeking approval from the Planning Board. This site is situated in the Gramatan Building and has four windows in the front. It is a nice space with a great location – right across from the train station. He feels it will make a splendid restaurant.

Ms. Smith inquired about the number of seats and commented that the plans say seating for 33.

Ms. Maggie Marrone, architect, replied that the maximum seating capacity is for 35 people. There will be seating for 6 – 8 people in the private room.

Mr. Hedges said that the capacity is for 33 people and that they will be putting in tables for standing and talking.

Ms. Smith asked if anyone could just walk in for a glass of wine without eating. She also asked for a description of how the food arrangement is different now than before.

Mr. Hedges responded that you certainly can walk in for a glass of wine but that the law requires that food be available. The plans are not much different than before. He has added more items and platters. The menu will be written on a blackboard every day.

Ms. Smith wanted to know where the food would be prepared.

Mr. Hedges said that the food will be cooked by induction there on the premises. There is a small kitchen space. He explained that induction cooking is very precise.

Ms. Longobardo commented that the emphasis is still on wine and that the food is more of a convenience.

Mr. Hedges said the food will be very good and that the emphasis will certainly be on the wine. He promises to provide an interesting environment. Over time, this establishment will develop a wine school aspect.

Ms. Longobardo said that there was a parking issue when the applicant originally saw the Planning Board. She inquired if a parking study had been done.

Chairman Blessing answered that one had been done.

Mr. Hedges said that the available parking is more that what is required by Village Code. The parking study concluded that there were 30 available spaces and the requirement for a restaurant is 12 spaces.

Mr. Murray asked what the hours of operation were going to be.

Mr. Hedges replied that the restaurant would open at 5:30PM and close around 10:30PM six nights a week. Wine tastings/parties would be on Saturdays and the restaurant would be closed on Sunday. If there is a need for Sunday hours, he will consider it. They have received their liquor license. Besides wine, they will serve 6 or 7 very unusual spirits.

Ms. Longobardo discussed the awning over the door and the signage.

Mr. Hedges commented that the lettering is a lot for one awning.

Chairman Blessing opened the public hearing at 7:45PM.

Mr. Henry Miller, personal friend of Mr. Hedges, said that the applicant is truly a gourmet cook and wine connoisseur. He will bring something elegant and lovely to the community.

Mr. William Baker, another personal friend of Mr. Hedges, echoed the previous speaker's comments. He feels this will be a high class establishment. Mr. Hedges is truly an excellent cook.

Chairman Blessing closed the public hearing at 7:58PM.

Chairman Blessing asked for a motion to grant the site development plan and parking variance approval. It was unanimously passed on motion of Mr. Murray, second by Ms. Smith.

SITE DEVELOPMENT – Midland Gardens Owners – 3 Midland Gardens - Playground

Mr. Stephen Seacon, architect, said the applicant is applying for a modest playground in the back of the apartment complex. It is a small play structure for younger residents. It will be 35 feet long and 30 feet deep. The materials are natural wood. The surfacing will be made of synthetic mulch. This location is the natural place for this playground. There are no immediate neighbors – just the train tracks.

Chairman Blessing inquired if there was an existing playground area.

Mr. Seacon replied that there was not.

Ms. Longobardo said the space is modest in size and way in the back. However, there has been no mention of owner support.

Ms. Smith asked if there was a maintenance aspect to this project.

Mr. Seacon responded that there was unanimous support by the owners for this project. He also said that the synthetic mulch will be changed every season

Ms. Smith wanted to know if the playground would be surrounded by the street or grass.

Mr. Seacon said that the area sits back from Kraft Avenue by about 100 feet.

Ms. Smith commented that the plans show vegetative screening along Kraft Avenue.

Mr. Seacon reviewed the aerial view renderings.

Chairman Blessing said that no one can see this location because it is so set back.

Mr. Seacon reported that this location is more than 100 feet from the street and is down an incline.

Mr. Reetz inquired if there was a wall in the back.

Mr. Seacon answered that in terms of safety, there is quite a cushion between the edge of the playground and the back wall. The bushes along Kraft Avenue will be maintained.

Mr. Reetz asked if the space has been empty for some time.

Ms. Smith said there was a wire fence behind the stone wall and asked if this presented a safety issue.

Mr. Seacon responded that it is quite far away – about 15 – 20 feet away.

Chairman Blessing opened the public hearing at 8PM.

Ms. Eve Marluccio, President of the Board at Midland Gardens, said there was a playground a long time ago and many families have asked for one. This location is far enough from the apartment buildings with regard to noise. It will be a welcome addition to Midland Gardens.

Dr. Peter Rizzo, resident of Midland Gardens, reviewed the history of playgrounds in Midland Gardens. This location will be far from Kraft Avenue and close to the Colodny parking lot. It is a safe, shaded area.

Chairman Blessing closed the public hearing at 8:02PM.

Chairman Blessing asked for a motion to grant the site development plan approval. It was unanimously passed on motion of Ms. Longobardo, second by Mr. Reetz.

PRE-APPLICATION – PhatBurn – 45 Kraft Avenue – Fitness Center

Mr. Paul Wintegers, owner, explained his business. It has been in existence for one year and is high end fitness. Training is done in groups of 10 with a trainer and each group has a nutritionist. This will be a group fitness studio and not just a gym. This location is for the fitness portion and the nutritionist's office. The food will be prepared in Eastchester and delivered to the gym or the residence. Classes will be from 6AM – 8PM. The applicant has other locations in Tuckahoe and Purchase and is subletting space in other gyms.

Mr. Murray asked when the parking would have the largest volume.

Mr. Wintegers responded that there would be 10 participants per class and two classes would be going on at the same time during the popular times (6AM, 7PM and 8PM). The program put through over 100 people last year. They are eager to launch this program in their own space.

Chairman Blessing told the applicant that they will need a zoning variance.

Mr. Wintegers said he will submit an application for one once he is given the approval for moving ahead with this project.

Ms. Longobardo commented that this sounds like it would be popular.

Chairman Blessing suggested that the applicant get a variance and a parking study initiated and then return to the Planning Board.

Mr. Wintegers asked what the building was zoned for currently.

Chairman Blessing said that current zoning requires a special permit to have a gym within 250 feet of a residential district.

Ms. Smith asked if the applicant needs to go before the Zoning Board.

Chairman Blessing replied that they do with a parking study.

SITE DEVELOPMENT – 55 Palmer Avenue (Lawrence Hospital Cancer Center)

Ms. Kathy Zalantis, attorney, reported that the applicant submitted a revised landscape plan in response to the Zoning Board of Appeals and concerns with the northeast corner. This new plan has not reduced the FAR but reduced setbacks. The applicant is trying to be responsible to land use boards. The setbacks have been increased from 5.1 feet from the property line. They have discussed with the Zoning Board of Appeals reconfiguring the walkway but the general feedback was to preserve as many trees as possible. The applicant requests feedback from the Planning Board as to whether they like this new plan. The Design Review Committee has reported that the landscape plan is much improved. They also request that correspondence be sent to the Zoning Board of Appeals if the Planning Board likes this plan.

Mr. Tim Becker, architect, showed a slideshow of the site plan. He said that changes made were relative to the perspective of this project. The second floor plan had minor changes. The critical elements here are the operating rooms whose sizes are mandated by the State. All surgical suites are close to 600 feet and the larger ones are for the robotic surgery. These larger suites allow for correct clearances for the operating room team to work.

There was a desire to create a small sitting alcove on the perimeter of the building toward the traffic circle. They have maintained the street trees. The ornamental trees will be along the building perimeter. There is concern about safety along the walkway. The applicant feels this is an attractive plan. This plan has created a meandering walkway and accessible points to the walkway. The sidewalk meanders away from the curb. This creates protection and an attractive walkway.

Ms. Atayan asked about the existing trees and how difficult it will be to protect them during the construction process.

Mr. Becker replied that the areas around the trees will be protected. Fencing will be put in and maintaining the root system is key – especially making sure they do not get crushed.

Ms. Atayan asked if the trees were lost what the fall back plan would be and if replacement trees were put in would they be of the same caliber.

Mr. Becker responded that replacing the trees would be done and that they would be the same caliber but obviously not the same size. They would be trees that would eventually grow to the same size. There are many unknowns here.

Ms. Smith inquired about the path for construction vehicles and if it would be through the existing trees.

Mr. Becker answered that the construction line of entry would be between two existing trees. The plan is to bring in one week's worth of staging and materials because of limited space. The secondary drop off point is between two other existing trees. This will allow for the preservation of the trees.

Mr. Reetz asked if the traffic circle would be blocked off.

Mr. Becker said the entrance site would be on Parkway Road to Pondfield Road and that traffic would be backed up for short periods of time.

Ms. Zalantis commented that there would be no substantial impact on construction.

Mr. Reetz said he is concerned about the traffic flow and the quality of the roads.

Ms. Zalantis said that there already was discussion about the traffic flow, bringing in construction workers, etc.

Ms. Smith asked if there was a provision for any damage to the roads.

Ms. Zalantis replied that the Planning Board can consider this and make it a condition.

Ms. Longobardo reported that the Design Review Committee liked this design. They prefer to have the sidewalks setback even though there is some risk to the trees. The materials will remain the same.

Mr. John Colhoun, Design Review Committee member, commented that he agreed with Ms. Longobardo.

Ms. Marilyn Timpone-Mohammed, consultant from F.P. Clarke Associates, stated that the plans provided were before the Design Review Committee in August 2011 and that there were some revisions made. The emergency services made comments about issues with the trees along Pondfield Road. The trees may impede getting water in to the hospital. No more additional trees will be removed from the original plans. The trees in the construction areas are at risk. They must be protected and the soil and roots must be protected. This may include pruning prior to construction and after. There are different methodologies that protect the roots. The applicant has reported that there will be a post-construction assessment done. The walkway would be a porous one that would not damage the roots.

Chairman Blessing said that the Design Review Committee and Ms. Timpone-Mohammed would work on and prepare a memorandum for the Planning Board and Zoning Board.

Ms. Longobardo said she would prefer to only forward the Design Review Committee minutes to the Zoning Board.

Mr. James Staudt, attorney for the Village of Bronxville, commented that landscaping could be a significant factor. The Planning Board could make a determination and explain their reasoning of how they got to their decision on the landscaping and submit it to the Zoning Board.

Ms. Longobardo replied that the Design Review Committee gives their feedback to the Planning Board and she would not like to go beyond this. They would prefer to write their advice to the Planning Board. She does not feel it is appropriate to say more than that.

Mr. Staudt said that any questions to the evolution can be answered by Ms. Timpone-Mohammed who can explain the decision.

Ms. Zalantis commented that this Board has a certain expertise which could be expressed to the Zoning Board. The applicant does not want to have to start over again.

Ms. Longobardo said that if the Design Review Committee likes an application, they make suggestions, comments and any necessary revisions.

Ms. Zalantis responded that the Design Review Committee liked the landscape with the architecture of the building. At this point, they have a better product.

Ms. Longobardo replied that lots of things have changed and the Design Review Committee will do the best they can to express their comments but the language will remain the same.

Mr. Becker reviewed the site plan and said that the landscape complimented the building. It carries the existing theme of windows and masonry. There is a curved element. There is an open element with regard to the pedestrian walkway. There is a layer effect of the trees.

Chairman Blessing asked if the square footage has changed from the original design.

Mr. Becker responded that it had but it was minimal. The percentage change to the FAR really resulted in no change. Aesthetically, the changes have been made to the feeling of the building.

Ms. Longobardo said this now stops looking like a monolith.

Mr. Becker said the different colors of the elements make it attractive.

Chairman Blessing opened the public hearing at 8:50PM.

Ms. Helen Levitz, resident of Westbourne, has been noting all of the changes. In 1977, the Planning Board told the hospital to do everything it could do to preserve a specific tree – it is not there. It does not address the character of the neighborhood. The location is the issue. This is a residential historic area. The residents are concerned with fire and safety people comments. What will this do to the landscaping and the sound issues? Input from the public is needed for the construction management plan. Any schedule of construction should have resident comments. How will the equipment get in the area? Will the road be closed while the crane is working? How close will the crane be to the street? It is difficult to have a crane work over an existing building. It looks like the details are there with regard to the aesthetics but there is nothing else. The neighbors should have input with regard to the trees and landscaping.

Ms. Longobardo said there was an intermediate plan to remove trees but there is not a plan to show the removal of the trees.

Ms. Jill Potter, resident, wanted to know how many mature trees will be coming down.

Mr. Becker replied that there are none in the public right of way that will be removed. All will be preserved. The only change is the location of the sidewalk.

Ms. Potter inquired about the perspective from Alger Court. She would like to see a realistic perspective. She is extremely concerned about the numerous negative impacts on the environment because of this project. The majority of Alger Court residents are elderly and she feels as if they are being taken advantage of by not being able to make the night meetings.

Dr. Peter Rizzo, resident, commented that the Design Review Committee is an exceptional committee. They work tirelessly and all should be indebted to their work. In their communication to the Zoning Board, their decisions should be used as a point of information.

Chairman Blessing closed the public hearing at 9:10PM.

Ms. Zalantis asked for any comments for the future and if there was anything the applicant could do before the next meeting.

Chairman Blessing responded that if there is anything it will be communicated to them.

OTHER BUSINESS

None.

NEXT MEETING

The next regularly scheduled meeting of the Planning Board will be held on Wednesday, October 10, 2012 at 7:30PM.

ADJOURNMENT

There being no further business before the Planning Board, a motion was then adopted by unanimous vote to adjourn the meeting at 9:12PM.

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Respectfully submitted,

Karen A Buccheri

Karen A. Buccheri
Secretary to the Mayor & Village Administrator