MINUTES OF REGULAR MEETING OF THE PLANNING BOARD OF THE VILLAGE OF BRONXVILLE HELD ON APRIL 13, 2011 AT THE VILLAGE HALL, 200 PONDFIELD ROAD, BRONXVILLE, N.Y.

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PRESENT:	Donald Henderson	Chairman
	Anna Longobardo	Vice Chair
	Eric Blessing	Member
	James Murray	Member
	Adrienne Smith	Member
	Gary Reetz	Member
ALSO PRESENT:	Vincent Pici	Superintendent of Buildings

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

APPROVAL OF MINUTES

On motion of Mr. Reetz, second by Mr. Blessing, the Board approved the minutes of the Regular Meeting on March 9, 2011.

SITE DEVELOPMENT APPLICATION – Benefit Cosmetic Boutiques (change of use – retail to personal service – 66 Pondfield Road)

John Gordon, realtor with Bronxville Realty, spoke about Benefit Cosmetic. He said that 80% of their business is retail but that they do have a service component as well. Benefit Cosmetic is here to get relief in zoning to allow a normal amount of service ancillary to the retail component. They have stores in Rye and New Canaan. Their product is high end cosmetics, spray tanning and waxing.

Mr. Pici, Village Engineer, commented that Benefit Cosmetic was here for a change in the use of this space.

Chairman Henderson asked about the zoning and if they would require a variance from the Zoning Board. He said the Planning Board deals with the change of use and the aesthetics, impacts on parking and traffic. They will need approval from both the Zoning Board and the Planning Board. He asked them to give a presentation on their plans and what they intend to do.

Ron Brien, Benefit Cosmetic, said that the headquarters is in San Francisco with 14 locations throughout the United States. They are opening a store in Westport, CT and in Manhattan very soon. They sell cosmetics and accessories – only their own line. The boutique will be set up with different areas for cosmetics, accessories and ancillary services (spray tanning – no ultra violet lights, sugar beet extract sprayed on that lasts about a week). There will be two waxing rooms. The front 75% will be retail with three rooms for personal services in the back.

Mr. Murray asked if this was a franchise or corporately owned.

Mr. Brien answered that it is corporately owned.

Ms. Smith asked if all services are provided in the store and if any stores are just retail. Also she asked what percentage of revenues do the services provide.

Megan Edwards, Benefit Cosmetic, commented that all stores offer the same services and products. The services initially provide 20% of revenues but this grows as the business grows.

Chairman Henderson inquired about the number of employees.

Ms. Edwards replied that they have five full time employees but this number will change as the volume/needs change.

Mr. Murray asked how many customers they have at one time in the store.

Ms. Edwards answered that it is hard to say. Using her New Canaan store as an example, there are times when they have 20 – 30 people at one time. It can get quite busy.

Ms. Smith inquired if they would need any additional plumbing and how the spray tanning was done.

Ms. Edwards responded that no water was needed. The spray tanning is hand done by licensed technicians and is customized to the customer.

Mr. Brien said this is a destination boutique that will attract business in the area.

Chairman Henderson opened and closed the public hearing at 7:41PM as there was no public comment.

Ms. Longobardo reported that Benefit Cosmetic went before the Design Review Committee and that there were no changes to the exterior.

Mr. Blessing asked about the number of parking spaces that would need to go with this retail space.

Mr. Pici responded that retail use and service use have an equal value and that he did not have specific information for this.

Ms. Smith commented that this seems like a classy store and that it would be a great addition to the Village.

Chairman Henderson asked for a motion to grant the preliminary site plan approval. It was unanimously passed on motion of Ms. Smith, second by Mr. Murray.

SITE DEVELOPMENT APPLICATION – 117 Pondfield Road (Zoning Changes – The Lombardo Group)

Chairman Henderson said the applicant is looking to re-zone the property at 117 Pondfield Road and that the Planning Board's role is to give advice to the Board of Trustees.

Jim Rudio, attorney representing Lombardo LLC, spoke about the concerns that exist about changing the current zone to Commercial A District. He met with Village Attorney, Jim Staudt, and Village Engineer, Vincent Pici, as well as consultants to come up with a solution. The proposed solution is a buffering district that would allow the Board of Trustees to change the district and then determine what requirements would be necessary on a case-by-case basis. He did mention that he has a few questions and that this new zoning would work for his client.

Mr. Rudio is concerned that the parking requirements listed in the solution is too much for this property. There is only room for 11 spaces and not 22. Also, with regard to the setbacks, will the Board of Trustees decide on a case-by-case basis or will they ask the Planning Board what they recommend.

Mr. Rudio reported that overall his client has no objections to this new zoning.

Chairman Henderson asked if there were any updates or changes to the plans and what other properties would be included in the 150 feet distance to the central business district.

Village Attorney, Jim Staudt, said that he and Mr. Pici looked at the zoning and went around the perimeter of the zone with the notion of appropriateness for properties in that area. He said that if a property is eligible it does not mean it will ever be re-zoned. The Board of Trustees can decide this on a case-by-case basis. The zoning is applied to specific properties if appropriate. The Board of Trustees can apply an overlay zone if an application is sent in by an applicant. It should not be automatically assumed. There are transition attributes that need to be approved by the Board of Trustees. For example, the church property could be eligible to receive this type of zoning.

Ms. Smith asked if this is creating a creeping business zone and if it could become difficult to say "yes" to some and "no" to others.

Mr. Staudt replied that if a property has the same attributes as another property, then it could have a good case and receive the designation. However, there are really no two properties that are the same and each would have to be looked at and analyzed.

Ms. Smith asked if this would be considered spot zoning if only used once and if other towns use this overlay zone.

Mr. Staudt responded that it would not as long as there is the potential for others to come and present their case. The overlay zone is a fairly common land use technique.

Ms. Longobardo said the mixed use is appealing to use on a case-by-case basis.

Mr. Staudt commented that the mixed use concept tries to create a transition between residential and commercial districts. In this situation, the commercial use is lesser in density with greater setbacks.

Ms. Smith said this is a quant village and that encroachment is a cause for concern. She inquired if there was a transitional zone in Scarsdale.

Chairman Henderson said the concern is taking something that is used as residential and turning it into a business.

Mr. Murray asked if the church property would be eligible to become a retail site.

Mr. Staudt responded that it would be eligible if this zone was approved.

Mr. Pici said there is a distinction between the two properties. 117 Pondfield Road fronts Pondfield Road, which is the business district. The overlay zone would be structured to look better at issues and is more project specific. It can alleviate concerns such as changing residential to non-residential, frontage requirements, and not moving business district into residential district. The 150 feet does not entitle you to the zoning - it is a pre-qualifier. This new zoning deals with properties transitional in nature. The intent is to look at the implications of putting this in and offering flexibility to control it.

Ms. Longobardo commented that language could be added to make this zoning a bit tighter.

Mr. Pici said that other pre-qualifiers could be added.

Chairman Henderson said the parking can be left up to the Village and that they will review the zoning presented and tighten it up.

Mr. Staudt replied that he can tell the Board of Trustees that the Planning Board supports the concept and to look at permitted uses.

Chairman Henderson said the Planning Board will not make the final decision on this zoning.

Mr. Staudt will draft a local law to change the zoning for the Board of Trustees to hold a public hearing on and vote on.

Chairman Henderson said the Planning Board will revisit the plans as things move along and that they will be in touch with Lombardo LLC.

Marilyn Mohamed, F.P. Clarke & Associates, commented that she just received the revised plans. Her concerns are with the clarifications and missing information. There are no planting plans for the green roof. However, she has nothing that would stop the application – all issues can be resolved and would not change the site plan. Technical changes are not major site plan changes.

Ms. Longobardo replied that there will be no wall changes or tree removal until the Board of Trustees approves the zoning change.

Chairman Henderson said he would be in touch with the Mayor and Trustees.

SITE DEVELOPMENT APPLICATION – Lawrence Hospital Cancer Center

Ms. Kathy Zalantis, attorney, said that they have submitted a letter that focuses on an analysis of the current and new space. The only new function will be radiation. There are revised green roof plans. The hospital is zoning compliant with regards to parking. They are taking great steps to handle the needs of parking now and for the future. At this time, there is no need for additional parking but many alternatives are available.

Mr. Tim Becker, architect, reviewed the re-utilization of the hospital by showing several charts of the new space and the re-design of current space for efficiency. Many spaces will be restored to their original function. The only new service will be radiation oncology with only 22 new patient visits per day.

Mr. Reetz was interested in looking at the square footage for the proposed foot print.

Mr. Becker responded that the only thing to be moved into the new expansion would be surgical suites that would have higher ceilings and bigger areas. The spaces in the current hospital will be re-vamped and provide a new pre-op area and a recovery area. All spaces would be larger but would require no change in the number of patients served. It would just provide better service in a modern facility.

Ms. Longobardo asked why the additional space is so large. She said she understands that there will be the same number of operating rooms and that they will be larger in size.

Mr. Becker replied that some of the spaces are stairwells, the elevator tower and common areas. The total square foot expansion includes these three. There is a difference of 20,000 square feet but there is currently vacant space that represents about 4,800 square feet. This will now be part of the support service in the new facility. There will be a total of 40,000 square feet on the three floors.

Ms. Longobardo said it would be nice to see a model of what it will look like. It appears that the building is encroaching further onto the sidewalk. The site seems logical looking in the drawing but she would like to see a model.

Mr. Becker responded that he has a model and that he will bring it to the next meeting. He agreed that seeing a model makes it easier to see the space. The project was made as small as it could be to fit the space – kept foot prints as tight as possible to accommodate functionality. This includes the setbacks as well.

Mr. Becker showed the rendering of the upper level and the green garden. He said that he recognizes that open space was lost with the addition but they tried to incorporate green effects outside on the roof. There will be more green than there is currently. In lieu of concrete, there will be an increase of greening with layers of vegetation to screen the building and use of depth perception.

Chairman Henderson asked if there were decorative features or windows on the side of the building.

Mr. Becker replied that they were decorative features to make the building more pedestrian friendly. There will be large planters with vines that will soften the look of masonry and to recall the current green space.

Mr. Murray asked if the trees in front will be in the shade for most of the day.

Mr. Mike Morrison, landscape architect, said the trees will be fine and that they will get ambient light. There will be a layered look for trees with a nice public façade. The roof garden will be green throughout the year. The main terrace will use more soil – a stratified landscape employing flowering trees, the ability for fruits for the birds, and to support the critical habitat in an urban environment. There will be deciduous and evergreen trees and shrubs. The garden will be like your backyard.

Ms. Smith asked about the maintenance required for this and if it would require hiring new employees.

Mr. Morrison responded that there is maintenance required for this. There is a drip irrigation system installed, green screens to offset the wall for vines and that it will be fully surrounded by plant material.

Ms. Smith said she hopes it will be kept attractive for residents across the street.

Mr. Morrison said that the residents actually helped him to design the roof this way. He commented that green roofs create many benefits overall.

Chairman Henderson commented that a model would be helpful for everyone to see.

Ms. Smith inquired about the difference in cost to support three floors plus and the cost for six floors.

Mr. Becker responded that it is only a 3 – 4% increase in cost for six floors - a minimal cost to the overall cost of the project. It is just a matter of prudence for providing for something that may occur sometime in the future. He said that Mr. Dinan, President of Lawrence Hospital, sent a letter that states the hospital has no plans to go six stories at this point. Mr. Becker said that it does not make sense cost wise not to have these footings.

Mr. Dinan, President of Lawrence Hospital, said that it would be short sighted on the hospital's part not to make an elevator shaft for six stories. The last changes to the hospital were made in the 1970's.

Mr. Tim Tracy, Desman Associates, did a parking study for the hospital. He evaluated the parking and developed a report using an analysis of existing parking, demands vs. supply, forecasting future anticipated growth and the impact on parking, and making an assessment if current supply accommodates future demand.

Mr. Tracy showed a parking supply rendering. He said the hospital parking is systematic in allocation of parking spaces – 683 parking spaces as part of capacity with 450 spaces provided in the parking garage. There are three lots for use by employees and are operated under assisted parking operation to maximize parking. The hospital employs a valet parking system for its garage to assist with visitors.

Mr. Murray asked if the off-site parking was leased or owned by the hospital.

Mr. Tim Hughes of Lawrence Hospital responded that two of the lots are leased for 10 years and the third lot is leased for five years.

Mr. Tracy said that they took two days of data collection studying the demand to give a profile of how demand fluctuates throughout the day. They were able to get a snapshot of peak conditions (12Noon – 1PM) when the greatest number of cars assembled on and off-site. The data collection shows that 570 cars were parked and a lot were accommodated through valet parking. The off-site lots had the balance and were running at about 75% occupancy. These peak conditions consisted of 70% employees, 20% visitors and 10% physicians. They used parking demand values for the number of spaces required for these components and then translated into anticipated future growth. They also looked at the last ten years of hospital statistics for the percentage of growth. They need to provide a practical capacity of 5%. The result was that they recommend 650 spaces for the hospital needs. Based on natural growth, in 2018, with no increase in parking capacity and keeping the valet parking system, the hospital will reach the 650 spaces of practical capacity.

Mr. Tracy continued by saying that based on the new building and program, it will result in 15 – 20 additional parkers at peak periods. This shortens the timeframe when the practical capacity will be reached.

Chairman Henderson asked if the current system prohibts access to the parking deck other than through the valet.

Mr. Tracy said that at certain hours that is correct – drop off is at the circle by the front door.

Chairman Henderson said that under the proposed plans, if you go in the front door, there will be a corridor that leads into the cancer center.

Mr. Becker said that there will be an entrance as well as the private one at the front of the center.

Mr. Murray wanted to know what happens if the landowner does not want to renew the lease for the parking lots currently leased.

Mr. Hughes responded that the hospital is always evaluating parking situations and that they are looking at other locations. They could effectively use shuttles for employees. They have relocated the physical rehabilitation to a new location which took off 100 visitors per day to the hospital site and 20 employees. As back-up plans, the administration departments could be moved off-site which would provide for another 65 employee spots.

Mr. Dinan said that from a business point of view, making parking convenient for patients is key and that it is important that parking be addressed.

Chairman Henderson opened the public hearing at 9:18PM.

Ms. Jane Stracken, resident of Stoneleigh Plaza, spoke and reported that she had submitted a letter to the Planning Board. She has received a copy of the hospitals' Certificate of Need filed with New York State. This was filed 9.5 years ago, with 12 requests for extension and has not received a final approval by the Department of Health or by any State agency. They have only received contingent approvals. She feels the public is in the dark about this project. The number of patients and the impact on traffic was responded to by the hospital for this extension was projected to be 8,800 patients in year one and 10,000 in year ten. The hours of operation need to be clarified as well. There is a lack of transparency and understanding by the public. The hospital needs to be more forthcoming with its neighbors.

Helen Levitz, resident of Westbourne, commented that tonight's discussion was to be on construction and that all will be impacted by the construction, the building now and in the future. This will be massive and will feel massive. The trees may or may not survive. This project will surround Westbourne. She has paced off where the building will be across the street to Westbourne and it is 50 feet to the property line. The Planning Board needs to look at the property boundary. She is concerned about the timeframe of the construction – will it really be 18 months as proposed. The hospital is required to make another filing soon so what would be the real start date. Her issue is that the hospital is different than any other in Westchester County. All cancer centers are in commercially zoned areas. The HVAC equipment sound is a concern as well as where the air will go to. The Community Plan of 2009 shows concern about excavation on the edge of residential neighborhoods and she would like to follow up on this. She inquired about the funding and where it will be coming from. She also said that the architectural firm involved with this project also provides financing, they own several buildings/hospitals and is Chicago based. She asked if this was about development or something else for them.

There was a question about the parking study and if it included the physicians as well.

Mr. Tracy said that all factors were incorporated in the study, including all staff.

OTHER BUSINESS

None.

NEXT MEETING

The next regularly scheduled meeting of the Planning Board will be held on Wednesday, May 11, 2011 at 7:30PM.

ADJOURNMENT

There being no further business before the Planning Board, the meeting was adjourned at PM on motion of Mr. Blessing, second by Ms. Smith.

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Respectfully submitted,

Karen A Buccheri

Karen A. Buccheri
Secretary to the Mayor & Village Administrator