Approved 11/8/06

Minutes of Regular Meeting
Bronxville Planning Board
Wednesday, September 13, 2006

Present:	Anna Longobardo, Vice Chairperson John Westerfield, Member Eric Blessing, Member Adrienne Smith, Member Richard Carey, Alternate Member
Absent:	Donald Henderson, Chairman Maryann Palermo, Counsel
Also Present:	Vincent Pici, Superintendent of Buildings Jeffrey Faville, Design Review Committee Member Renee Byers, Design Review Committee Member James Staudt, Outside Counsel to the Board Marilyn Timpone Mohamed, Consultant to the Board

1. Call to Order

In Mr. Henderson's absence, Ms. Longobardo as Vice Chair called a regular meeting of the Planning Board to order at 7:35 P.M. in the Eastchester Town Hall. Ms. Longobardo noted that Alternate Member Mr. Carey is replacing Mr. Henderson and is a voting member this evening. She indicated there was a quorum present.

Ms. Longobardo noted that the Site Plan Application for 77 Kensington Road has been postponed until a future meeting.

2. Minutes

Approval of the July 12, 2006 minutes was deferred to the next meeting. The Vice Chair asked that comments be made to Ms. Palermo for her review.

Ms. Longobardo announced that long time Village resident Mildred McLearn wished to address the Board, and citing Mrs. McLearn's difficulty in traveling to and from the meeting, allowed Mrs. McLearn, a member of the new Citizens Committee, to address the Board prior to commencing with the regularly scheduled agenda. Mrs. McLearn stated that the 100 Pondfield Road project has not gone forward since the applicant did not accept the Planning Board's recommendation. She asked that the Planning Board advise the Mayor that the Trustees should condemn the property using eminent domain and tear it down. Further, she recommended that this property be used for parking only. Ms. Longobardo stated that this matter is currently in litigation and that, therefore, the members of the Planning Board could not comment at this time.

3. Site Development Application/77 Kensington Road - Postponed

Pursuant to a written request by the applicants, Elena and Daniel Ladas, this matter was postponed until the October meeting.

4. Site Development Application – Trustco Bank/5 Park Place

Joseph J. Bianchine of ABD Engineers and Surveyors of Schenectady, N.Y., spoke on behalf of the applicant, Trustco Bank. Mr. Bianchine noted that the applicant has branches in Bedford, Briarcliff Manor, Mamaroneck and Elmsford. He believes 5 Park Place, the proposed site of the Bronxville branch of the bank, conforms to the new Village code and is applying for a special permit under Section 310-42 J of the Bronxville Zoning Code. He stated that the proposed site formerly had two businesses operating there and Trustco wants to combine those two storefronts into one site measuring a total of 24' wide by 59' deep. He showed drawings of the proposed front, signage and interior. He stated that there would be two tellers and an ATM which would require twelve parking spaces. He asked for a waiver of the parking requirement stating that the applicant has leased four spaces from the Avalon and only 9 spaces were required when the site was used as retail establishments. He further stated that the two nearest banks are 172' and 176' away from the applicant's proposed site, and he stated his belief that the applicant's plans were in conformance with the Village code.

The Design Review Committee (the "DRC") reported that the proposed storefront design was reviewed and approved, and that no sign application for the site has been submitted. The members of the DRC recommended that the Board approve the application. Ms. Smith asked if the lack of parking would cause a problem with double parking. Mr. Pici noted that this is a concern and if there is double parking then the police would enforce the prohibition on double parking.

Ms. Smith questioned if the Special Permit goes with the property or the applicant. Mr. Pici responded that special permits are issued particular to a particular applicant and any other bank would have to go before the Board to open a branch in this particular location and further stated that the Board may impose conditions on the special permit. Ms. Smith asked if the Avalon spaces were subject to a contract. Mr. Bianchine responded that if the Board required a contract for the parking spaces he would arrange for one.

Ms. Longobardo opened a Public Hearing at 7:45 PM.

Dorothy Brennan expressed her view that this plan is very shortsighted because this location is the hardest place to park in the Village. She believed when she was on the board in the '80s that they had made the law tight enough but that it was violated by the placement of a North Fork branch on Parkway Road. She believes there is no point in having another bank branch in Bronxville.

Bill Murphy, the Village Parking Commissioner, stated:

- Shortening loading zones will not happen
- The Fire & police chiefs have agreed to allow Federal Express trucks to park at fire hydrants
- We are dealing with a very crowded situation
- The spaces from the Avalon have not been agreed to
- The Village is anticipating using the Mobil site, across from the Avalon, when the Kensington construction starts
- The Village is contemplating condemning the Mobil site

A resident of Parkway Road, asked if the Avalon actually has four spaces available to rent.

There being no further comments, Ms. Longobardo closed the Public Hearing at 7:55 p.m.

Ms. Longobardo stated her concerns about the location, traffic and the marketing plan. She stated that the applicant had performed a good study. She also stated that the Planning Board was disappointed by the closings of several retail businesses on Park Place.

Mr. Pici noted that the plans submitted by the applicant show three teller positions. With three teller positions and an ATM, the parking requirement would be 16 spaces and thus the waiver request is for 12 spaces to be waived, not 8.

Mr. Staudt suggested that the certificate of occupancy for the space would not be issued if the four parking spaces were not proven to be available, and that the certificate could be made renewable annually.

Ms. Smith pointed out that there are three banks in close proximity to the applicant's proposed location.

Ms. Longobardo then heard a motion by Mr. Westerfield, and seconded by Ms. Smith, that the Board approve the site plan and special permit for Trustco Bank subject to: (1) proof of the contract with the Avalon for four parking spaces, with subsequent annual proof of renewal; and (2) review of the special permit and its conditions every three years.

Said motion was unanimously carried.

5. Site Development Application – Kensington Road

Ms. Longobardo stated that the Findings Statement has been finalized and would be available very shortly on the Internet.

Mr. Paley of WCI, the applicant, noted that the environmental review for the development of the Kensington Road project (the "Project") has been completed. He gave a brief presentation of the revised site plan and stated that the applicant would return before the Board in October for special permit and site application hearings.

Mr. Sullivan, architect, said the site plan has been submitted to the Village. Dan Hawk, a landscape architect, prepared the drawings shown to the Board at this meeting. Mr. Sullivan stated that the proposed project is one building with 300 parking spaces, 200 spaces to the Village and the remainder for the residents. He further stated that there will be 54 units in the 4-story building with a one-story link which goes over the circular entrance area. The fourth story, which is the penthouse level, will be set back giving a tiered appearance. Mr. Sullivan showed several sketches from different angles.

Mr. John Kellard, a civil engineer, spoke about the storm water retention plans for the project which conform to NYS requirements. He spoke of the water quality and the requirement for the water to be clean as it leaves the project site. He stated that the project would receive water through United Water Co. for its domestic and fire service. The current United Water line on the property will be eliminated and the applicant will install a new line on Parkway Road.

Mr. Hawk, a landscape architect from Boston, spoke about the streetscape and displayed drawings, stating that there will be soft landscape along the stone wall. Additionally, there will a canopy of trees and shrubs (i.e. evergreens) which will be staggered. He stated that there is a need for height and foliage at the end of the building to soften the architectural components. He suggested pavers be placed in the arrival court. He stated that there would be order in an informal way in the design of the landscaping.

Ms. Smith asked what the dimensions of the courtyard outside the Common Room of the North building, stating that it may be possible to hold outdoor events there. In response, Mr. Sullivan stated that there would be seating in the terrace area canopy.

Ms. Smith then asked if a car would be able to turn in the arrival area. It is important that the cars can turn as opposed to backing out. Mr. Sullivan stated that he would provide alternates to accommodate this need.

Mr. Westerfield asked to have a model for next meeting. Ms. Smith also requested a model for review by the Board. Mr. Paley responded that the applicant would be creating a model for marketing purposes and that the Board could use that model for review. Ms. Smith pointed out that the the Board would require a model to review in advance of any approvals and marketing of the project. Mr. Sullivan stated, and Mr. Paley concurred, that the architect's firm would create a model for the Board's review; he stated, however, that the model would not be ready for the next meeting.

Ms. Longobardo continued the public hearing at 8:30 p.m.

Dorothy Brennan was in Christ Church yesterday and feels that when this building is built the sun setting will not be able to be seen from the Church. She stated that this is a six-story building since it sits above a two-story garage and suggested moving the buildings further down on Kensington Road.

Cindy Callahan looked at how this project will impact the area and feels this is a good design. She stated that backing out of the arrival area is not a good design and should be circular to provide easy in and out access. She hopes that WCI can accommodate this issue.

Bill Grealy of 95 Kensington Road is concerned about the fiscal impact of this project. The FEIS states that the Village will receive one million for the property. Mr. Grealy wanted to know what the actual revenue to the Village would be from this Project.

Mr. Staudt said that the Planning Board had accepted the Findings Statement ("FS") for the Project. With respect to the real estate taxes, the Planning Board had received an estimate from the Village assessor. The Planning Board is not permitted to stop the clock on the acceptance of the FS and wait until the exact tax is established. This matter should go to the Village Board of Trustees. Mr. Grealy asked if it would be possible for information to arise that would require the Trustees to re-evaluate the adoption. Mr. Staudt stated that if it was determined that the information was flawed, there would be a process for review. Mr. Carey asked if the FS could be rescinded. Mr. Staudt stated that if there was a serious flaw in tax analysis it could be brought back before the Planning Board for revision.

Ms. Longobardo continued the public hearing to the next meeting.

6. New Business

None.

7. Next Meeting

The next regularly scheduled meeting of the Planning Board is Wednesday, October 11, 2006 at 7:30 p.m.

8. Adjournment

There being no further business before the Planning Board, upon motion duly made by Mr. Blessing, seconded by Ms. Smith, and unanimously carried, the meeting was adjourned at 9:40 P.M.

Respectfully Submitted,

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Lydia Byrne, Secretary
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