

A regular meeting of the City Planning Board was held on **Wednesday, January 5, 2011** in the City Council Chambers, Second Floor, City Hall, Mount Vernon, New York. The following persons were present:

MEMBERS

William Holmes, Chair
Elvira Castillo
Marcus A. Griffith
Michael Justino
Janet W. Snyder

STAFF

Jeffrey Williams, Commissioner
William Long, Planning Administrator
Brian Johnson, Asst. Corp. Counsel
Lauren S. Carter, Secretary

ABSENT/EXCUSED

ALSO PRESENT

Richard Kotz
Peter Marchetti
John Boykin
Everton Lewis
Michelle Latte
Jorge Barraque
Sam Wight
James Finch
Steven E. Snyder
Robert Stanziale
UJ Barlats
Lucia Chiocchio
Marco Neves
Shannon Rutherford
Jack Addresso
Tom Abillama

APPLICATION

505 Gramatan Ave.
505 Gramatan Ave.
505 Gramatan Ave.

Veronica Realty

CVS
CVS
CVS
224 W. Lincoln/Veronica Realty
224 W. Lincoln Ave.

The Chairman called the meeting to order at 6:37 p.m.

ITEM # 1 APPROVAL OF MINUTES

1.1 Approval of the minutes of the regular meeting held on Wednesday, November 3, 2010.

Mr. Justino made a motion to approve the minutes. The motion was properly seconded the motion. The motion passed unanimously.

1.2 Approval of minutes of the regular meeting held on Wednesday, December 1, 2010.

Ms. Castillo made a motion to approve the minutes. Mr. Griffith seconded the motion. The motion passed unanimously.

ITEM # 2 CORRESPONDENCE FROM CITY AGENCIES AND BOARDS

Ms. Carter indicated there was no correspondence.

ITEM # 3 PUBLIC HEARING

3.1 Site Plan No. 16-10: 16 East Broad Street Map Page 165.30, Block 1018, Lot 3 in the R1-4.5 Zoning District.

Application of Rocco Solano by his architect Tom Abillama is requesting site plan review to erect three attached dwelling units.

Tom Abillama, architect was present for the application. He stated the applicant is proposing to construct three attached dwelling units.

Board members discussed the covenant for the condominium and removal of the rear door. It was stated that a condition of approval would be for the applicant to provide a copy of the covenant for Board review before issuance of the Certificate of Occupancy. They also suggested tabling the application until a recommendation was received from the Architectural Review Board, the Fire Department and other agencies.

Mr. Griffith made a motion to adjourn the public hearing to obtain a recommendation from the ARB. Mrs. Snyder seconded the motion. The motion passed unanimously.

ITEM # 4 CONTINUED PUBLIC HEARING

4.1 Special Permit No. 01-10: 224 West Lincoln Avenue Map Page 165.61, Block 3158, Lot 10 in the NB (Neighborhood Business) and RMF-10 Zoning Districts.

Application of Sadiq Ali Chandrani by his architect Tom Abillama is requesting an amended special use permit to increase the number of pump islands.

4.2 Site Plan No. 14-10: 224 West Lincoln Avenue Map Page 165.61, Block 3158, Lot 10 in the NB (Neighborhood Business) and RMF-10 Zoning Districts.

Application of Sadiq Ali Chandrani by his architect Tom Abillama is requesting site plan review to convert the two -bay repair shop to a business enterprise for sale of gas, ready-to-consume food products and sale of other products, create a drive-up window for sale of ready to consume food, construct a one-story addition on the northern side of the building, remove the existing 2 pump islands and provide 3 new ones in a different location, construct a new canopy over the new pump islands and replace the underground gas tanks.

The two applications-special permit and site plan-were heard simultaneously.

Jack Adesso, attorney and Tom Abillama, architect were present for the application. Board members stated there were questions at the last meeting. Those are: the delivery time for food and the delivery time for gas. Mr. Abillama confirmed the food would be delivered between 6:30 a.m. and 7:00 p.m. There were also discussions about the traffic and signal recommendations made by the traffic consultant.

After further discussions,

Mrs. Snyder made a motion to re-open the public hearing. Ms. Castillo seconded the motion. The motion passed unanimously.

The Chairman asked if there was anyone present who wished to be heard in support or opposition to the application. No one wished to be heard.

Ms. Castillo made a motion to close the public hearing. Mr. Griffith seconded the motion. The motion passed unanimously.

Ms. Castillo made a motion to approve the special permit. Mr. Justino seconded the motion. The motion passed unanimously.

Ms. Castillo made a motion to approve the site plan with the condition that food delivery is in the early morning; that the applicant works in conjunction with the Department of Public Works to change the signal timing, if possible; that the applicant provides security cameras on the site; that the trench drain is at the drive-thru exit; and, that a 2 feet high retaining wall is at the planter and along Oak Street. Mrs. Snyder seconded the motion. The motion passed unanimously.

The Board skipped to the next item on the agenda.

ITEM # 5 CONCEPT PLAN PRESENTATION

5.1 Site Plan No. 15-10: 94 Gramatan Avenue Map Page 165.62, Block 1118, Lots 4 and 5 in the NB (Neighborhood Business) Zoning District.

Application of Veronica Realty Corp. by its attorney Jack Adesso is requesting site plan review to build a two-story addition to a building used as an adult live entertainment business and dwelling units.

William Long, Planning Administrator made the concept plan presentation.

4.3 Site Plan No. 7-10: 211 East Sandford Boulevard Map Page 169.32, Block 4062, Lot 40 in the CB (Commercial Business) Zoning District.

Application of CVS/pharmacy by its attorney Lucia Chiocchio of Cuddy & Feder, LLP is requesting site plan review for 2 new buildings for use as a pharmacy building and a bank building.

SEQRA Determination: Unlisted Action

Lucia Chiocchio, attorney; Shannon Rutherford, engineer; and Marco Neves, architect were present for the application. Ms. Rutherford addressed the Board regarding outstanding issues the Board had from the last meeting. She stated the delivery would be restricted not to coincide with peak drive-through from 3 p.m. to 6 p.m. Further, the easement would be worked out with the Law Department. There would also be evergreen planting and an additional planting bed at the corner. Ms. Rutherford also indicated that after discussions with the State Building Official,

Erica Krieger, it was noted that the applicant had to comply with State Building Code regarding ADA access.

There were discussions about the Fire Department's comments regarding access. Mr. Griffith expressed concern that the Fire Department would need 20 feet of access on both sides of the entrance and the fact that the Fire Department has indicated that mountable curbs do not work. Commissioner Williams stated it was not clear why the Fire Department has made this request but he would meet with them to discuss and provide the Board with the justification. After further discussions, it was suggested that Staff meets with the Fire Department and for the Planning Board to hold a special meeting after obtaining comments in order to deliberate on the application. It was agreed that the special meeting would be held on January 12, 2011 at 6:30 p.m.

Ms. Castillo made a motion to re-open the public hearing. Mrs. Snyder seconded the motion. The motion passed unanimously.

The Chairman asked if there was anyone present who wished to be heard in support or opposition to the application. No one wished to be heard.

Mrs. Snyder made a motion to close the public hearing. Mr. Griffith seconded the motion. The motion passed unanimously.

4.4 Site Plan No. 12-10: 505 Gramatan Avenue Map Page 165.30, Block 1019, Lot 14 in the NB (Neighborhood Business) Zoning District.

Application of Cristian Realty, LLC by its architect Richard Kotz is requesting site plan review for the following:

- Site Plan review is required from the Planning Board as per Section 267-31.
- Off-street parking: Required-2/200 square feet retail X 7,521 square feet =38 spaces minimum; proposed-14 spaces on site, 24 spaces in the municipal parking lot. As per Section 267-36 E (e), the approving agency may allow a portion of the parking spaces required for the construction of a structure in excess of 4,000 square feet to be located within a municipal parking facility provided that the facility is within 500' walking distance and that the applicant demonstrates to the satisfaction of the Board that the facility can withstand the additional load.
- Off-street loading space: Required 1 for 5,000 to 15,000 square feet. The building is 7,521 square feet; 1 space is required; proposed-1 shared space with the parking facility. Planning Board approval is required to share the use of the parking facility for loading activities provided the applicant demonstrates to the satisfaction of the Board that the loading activities will not be happening at the time the retail activities are open to the public.
- Off-street parking and loading facility screening: As per Section 267-40 B, off-street parking facilities shall be screened where they abut street and residence districts. Such screening shall consist of evergreens. The Planning Board may, however, allow the construction of a wall or fence of such design that it will provide the same degree of screening.

Site plan review is requested to construct a new one-story building for retail use on a vacant lot where the existing building is proposed to be demolished.

SEQRA Determination: Unlisted Action

Richard Kotz, architect, Peter Marchetti, engineer, and John Boykin, owner representative were present for the application. Mr. Kotz explained the revisions made to the plan. Mr. Marchetti also addressed the Board. After further statements and questions,

Ms. Castillo made a motion to re-open the public hearing. Mrs. Snyder seconded the motion. The motion passed unanimously.

The Chairman asked if there was anyone present who wished to be heard in support or opposition to the application. No one wished to be heard.

The public hearing was properly closed.

Mr. Justino made a motion to deny the site plan application because of the lack of parking, the proposed space for delivery trucks, and for the size of the building in that it is too large since it abuts a residential zone. There was no second to the motion.

Discussions were made about the applicant revising the plans to address the concerns of the Board. The public hearing was re-opened.

The applicant was asked if they could make the changes requested by the Board such as the location of the retaining wall, garbage handling, delivery movement, parking, buffer zone elimination, and the easement.

Since there was no other business, the meeting adjourned at 10:20 p.m.

The next regular meeting of the City Planning Board is scheduled to be held on Wednesday, February 2, 2011.

Respectfully submitted,

Lauren S. Carter
Secretary

cc: Mayor Young
Yolanda Robinson, Chief of Staff
City Clerk
Building Department