



City Planning Board
Department of Planning & Community Development
City Hall - Roosevelt Square
Mount Vernon, New York 10550-2060
(914) 699-7230 • FAX (914) 699-1435

Richard Thomas
Mayor

William Holmes
Chair

MINUTES PLANNING BOARD PUBLIC HEARING

A regular meeting of the City Planning Board will be held on, **Wednesday, January 6, 2016 at 6:30 p.m.** in the City Council Chamber, Second Floor, City Hall, Mount Vernon, New York at which time and place the Board shall consider the following:

ITEM # 1 ROLLCALL

Present

Chairman Holmes
Board Member Gleason
Board Member Justino
Board Member Snyder
Board Member Selsey
Board Member Zamor

Absent

Sophia Trott

Chairman Holmes welcomes our Mayor Richard Thomas and invites him to speak on behalf of the City.

Mayor Thomas – It's really a great pleasure to be here with you tonight, my attendance is to simply send a signal to the Planning Board members, who are taking time away from your family's and doing other things to give your service to the City of Mount Vernon. I want to say thank you for that and the hard work you do for the City. I want to confirm to the developers and the residents of the City, that I'm committed to supporting the Planning Board and you as a community, because there's a lot of potential here, that we need to realize in the City and you, as the Planning Board play a huge roll in helping Mount Vernon realize that potential. With calibration and communication, we will do a great job for our residence.

ITEM # 2 APPROVAL OF MINUTES

- 2.1** Approval of the minutes of the regular meeting held on Wednesday May 6, 2015 **Approved by Board Member Snyder, second by Board Member Selsey. One abstention Board Member Justino. Motion carries.**
- 2.2** Approval of the minutes of the regular meeting held on Wednesday July 1, 2015 **Adjourned.**
- 2.3** Approval of the minutes of the regular meeting held on Wednesday November 4,

2015.

Adjourned.

2.4 Approval of the minutes of the regular meeting held on Wednesday December 2, 2015

**Approved by Board Member Gleason, second by Board Member Snyder.
One abstention Board Member Selsey. Motion carries**

ITEM #3 CONTIUNED PUBLIC HEARING

**3.1 Case No. 8-2015 1 Bradford Road (Section 165.66, Block 2204, Lot 1)
Located in the RMF-15 Zoning District**

The application WP East Acquisitions L.L.C represented by attorney Mark Weingarten of DelBello Donnellan Weingarten Wise and Wiederkehr LLP proposes to erect a 5-story multi family building with associated parking. The Planning Board is the governing agency for all work to be done on this site.

SEQRA Determination: This action is a coordinated review and classified as "Unlisted". The City Council as "Lead Agency" has declared a negative declaration on February 26, 2015 ending the SEQRA process.

The Chairman reads the item into record.

Mark Weingarten – The attorney for the applicant. He gives a summary of the proposed project. The project is a proposed to be a 120 luxury unit residential apartment complex. We've been here a number of times going through the particulars of the project and we are going to go through the issues from the last meeting. The City Council has re-zoned this project to RMF-15 in order for this project to proceed. If there are any questions, I will be happy to answer them.

John Canning- VHB, our traffic consultant. I did the parking study for the project for the Zoning Board of Appeals which evaluated the parking needs for the proposed development. We determined that the maximum parking demand was 127 vehicles for the proposed project. The total number of parking spaces will be 155 spaces, so we believe that we have enough to accommodate the demands. I don't believe we have an issue with parking for the development.

Mark Weingarten - We have a letter that was submitted and would like to go though each item one by one.

Stewart Lach - Makes his presentation in regards to the concerns from last months meeting. I would like to go through each item and if there are any questions, I will be happy to address them.

1) How will Wood maintain access to its property? Where will the new parking area be located in the park, and what will it look like?

Mark Weingarten: Wood Partners has negotiated the terms of the easement agreement with the County of Westchester over Wilson Woods Park Road for access to its property. Draft legislation for the grant of the easement has been prepared by the County which we anticipate will be introduced to the County Board of Legislators in January. Upon receipt of the legislation, we will forward it to the Planning Board. As part of the negotiation of the easement agreement, Wood Partners will pay a sum of money to the County which will be used to create additional parking spaces at Wilson Woods Park. We have requested a draft plan for the proposed parking from the County of Westchester and will provide it to the Planning Board upon receipt.

2) Please reiterate the information regarding fire protection.

Stewart Lach: As previously stated to the Board at its meetings on November 4, 2015 and December 2, 2015 and in our written response to the Board dated November 17, 2015, the proposed building at 1 Bradford Road differs in several ways from the building in Edgewater, NJ that burned last year.

The Edgewater building was only provided with NFPA 13R sprinkler system. This type of system is intended only to allow occupants to safely exit the building in case of fire. It is not designed to protect the building structure.

The project proposed by the Applicant has been designed with an NFPA 12 sprinkler system. The 12 system (vs the 13R system used in Edgewater) protects the building with a far greater number of sprinkler heads, including with spaced inside the floor/ceiling and roof/ceiling spaces. The more extensive coverage is intended to protect the building as well as the occupants by reducing the chance of the fire spreading within the walls, ceiling and attic. Initial reports are that the lack of this coverage contributed to the extent of damage in Edgewater.

The Edgewater building utilized Type 5A construction, which is simple wood frame construction with 1 hour rated exterior walls using standard lumber for the exterior walls. The exterior walls must also be of 2 hour rated construction. The additional time allows both for safe evacuation of occupants and the safety of the firefighters personnel.

Board Members make comments on the applicant's response in regards to the Edgewater fire and sprinkler system.

3) The Planning Board would like security cameras that face out, beyond the property, to combat crimes for the Police Department.

Mark Weingarten: The applicant will address this request at the appropriate time. As previously stated to the Board, the complete design of the security system has not yet been completed, but will be further developed once the approval process has been concluded.

Board Member makes comments on the purpose of their concern to having security cameras. It's for the safety of the neighborhood and to help access with crimes, if any, in that area.

4) The Planning Board requests a written response from the County that the County does not want Wood to make improvements to the Pelham Scenic Byway.

Mark Weingarten: Wood Partners has requested a written response from the County and will provide it to the Planning Board upon receipt. We are now submitting that letter dated December 7, 2015 describing what their plans are.

5) Please resolve the issue of parking, yards and setbacks with the Planning Commissioner and Building Commissioner.

Mark Weingarten: There was a new Plan Examiners report issued December 30, 2015, which expressed the concerns the two front yards and side yards.

6) What was the weather like when the traffic study was conducted in August?

John Canning: Please see attached letter from John Canning of VHB, dated December 18, 2015 (the "Canning Letter") which addresses the comment regarding the weather. Cannings' response from VHB was traffic counts for the traffic study of the project were conducted during the hours when traffic is greatest and the project is likely to have the greatest impact.

7) The Planning Board would like to know more about the NEPA noise standards for the train as it affects the project.

Mark Weingarten: As anticipated, these calculations indicated that the noise from the adjacent MetroNorth train lines will slightly exceed HUD's recommended 65dB limits and that some form of noise mitigation should be included in the building construction. As previously stated, the applicant considered the proximity of the property to the MetroNorth train lines as part of its due diligence and intends to retain an acoustical consultant to perform a detailed analysis of the environmental noise and develop recommendations to mitigate the noise to appropriate levels within the apartments.

8) The Planning Board questioned whether the marked visitor spaces are enough.

Mark Weingarten: Please see the Canning letter which addresses the comment regarding spaces. Visitors staying longer than a few minutes will check in at the front desk and will either leave their license plate information, or will receive a dated sticker that will be placed on the dashboard of the car; unauthorized vehicles will be towed from the site. Cannings letter response..it was originally intended to sign three of the parking spaces near the building entrance for short-term use during daytime hours. These spaces would be convenient for potential new tenants to visit a unit or for someone stopping in to drop something off or pick something up. To the extent that the Planning Board has a preference that

all parking spaces be available for use by residents or by visitors staying more than a few minutes, the applicant would be willing not to designate any short-term parking.

9) The Planning Board requested that the proposed bicycle rack be enlarged and be covered.

Mark Weingarten: Please see the attached Canning letter which addresses the comment regarding bicycle racks which are now proposed to be covered. Canning's letter..The bicycle rack has been expanded to accommodate 16 bicycles (up from 8) and a cover will be provided overhead to keep users dry while they access their bicycles. In addition, bicycles can also be accommodated in the garages. It is noted that the more residents use bicycles, the less they will need to drive. This will further reduce traffic and parking demand.

10) Consider fencing other than chain link.

Mark Weingarten: Please see attached details of a 4 foot high aluminum black 2-rail decorative fence which could be utilized by the applicant in lieu of the proposed chain link fence at the Board's direction.

11) The Planning Board requested that the applicant provide information from ConEd regarding the cost of relocating utility lines underground.

Amanda DeCesare: The applicant has had discussions with ConEd regarding the cost of relocating the utility wires underground. Initial discussions were that the cost is currently in the area of \$1,700 per linear foot, with substantial increase in that amount if significant rock is encountered. It is anticipated that approximately 750 linear feet would be relocated underground at a minimum cost of approximately \$1.25 million. The cost of this relocation would be entirely borne by the applicant as this would be considered an "accommodation project" by ConEd and not an "improvement project". We have requested that ConEd confirm this estimate and associated information in writing and we await a response which will be provided to the Planning Board upon receipt.

12) What is the science behind the Rutgers model for calculating the anticipated number of school children to be generated by the project?

Mark Weingarten: The Rutgers University Center for Urban Policy Research (CUPR) (June 2006) provides typical multipliers for New York State based on unit size (number of bedrooms), housing type (single-family, multi-family, townhouse etc.) and whether the units are rental or ownership. This is the most recent standard industry multiplier for determining the likely number of school age children for a proposed development. The Residential Demographic Multipliers for New York State are attached for your reference.

The Board continues the discussion on the number of children that will affect the school system.

13) How does the proposed PILOT compare to the real property taxes for the property?

Mark Weingarten: The proposed PILOT schedule is attached: current taxes (2015) on the property are \$170,867. If you want to know the taxes without the PILOT, you would have to get this information from the Assessor. The PILOT is for twenty years.

14) Please provide storm water reduction percentages for the project over existing conditions.

Amanda DeCesare: The applicant provided a table. The storm water pollution for one year, ten year and one hundred years we are reducing all the peak discharges, for one year it's between 7.7% and 38 ½ %, for ten years it's between 4.1% to 35%, and for one hundred 3.3% to 34% so each one of the three discharge locations will be reduced.

Board Member Justino – Reads comments from the County dated December 10, 2016 into the record in regards to the storm water concern.

15) Confirm that DPW would pick up garbage.

Mark Weingarten: As previously stated, to the Planning Board, the applicant has determined that it will utilize a private carter for the collection of refuse from the project, however, the City is obligated to pick up the garbage is necessary. We have chosen to opt out of the City service and will have a private carter. The applicant has stated that a condition of approval requiring that trash generated by the project be collected by a private carter is acceptable to the applicant.

16) The Planning Board thinks the snow storage area is too small.

Mark Weingarten: The applicant will develop a snow removal management plan for the project which will include that snow in excess of the amount able to be stored on site will be removed from the site. We will either melt it or carry it off the site.

17) Please address comments regarding architectural; Board would like the applicant to consider a design that better complements the buildings located within Wilson Woods Park.

Stewart Lach: The applicant has redesigned the building facade to address the Board's comments. Reference Drawing A-201 which depicts the revised building, as well as the enclosed renderings. We have developed the peek roof and give it a more tutor elements look. We are not intending to make the building a tutor style. We have incorporated some of the siding styles. There's a slight change in the setbacks. The building has been moved back slightly.

Board has discussion in regards to the tutor look and if the setbacks have changed.

18) What are the impacts of the project on wildlife (including migrating birds.

Mark Weingarten: The project will actually positively impact wildlife in the vicinity of the site. Currently the site is 100% impervious surface; the applicant intends to reduce impervious surface coverage, and to implement a substantial landscaping plan which will provide a more enhanced habitat over existing conditions.

Stewart Lach: Has provided slides showing the existing and proposed images. We believe that the landscaping will benefit the wildlife.

19) What is the impact of the project on the income Stream of Wilson Woods Park?

Mark Weingarten: The proposed project will be constructed on private property following the demolition of the existing industrial building on the property. There will be no measurable financial impact to Wilson Woods Park.

20) Please address traffic/safety on the proposed crosswalk.

John Canning: Please see the Canning letter which addresses this comment. We are in the process of obtaining a survey to determine the crosswalk. I looked at both driveways and believe we can obtain with the minimum site distance required. We are proposing rectangle bleeper's when pedestrians are crossing the street. We will have to work with the County.

Board discusses what type of traffic control, lighting, and sidewalk for public safety will be proposed.

21) Please show a safe pedestrian passage to Lincoln Avenue.

Mark Weingarten: Please see the Canning letter which addresses this comment. The applicant intends to provide an ADA compliant sidewalk from the property which will connect to the existing sidewalk along the west side Wilson Woods Park Road. The sidewalk extends from Beachwood Avenue to Lincoln Avenue.

22) What additions, if any, does the project offer to Wilson Woods Park and the community?

Mark Weingarten: The applicant is paying a substantial sum of money to the County which the County will use for the construction of additional parking at Wilson Woods Park. We have to wait for the County's plans.

23) Will the project have any impacts to parking on Beachwood?

Mark Weingarten: The project will not result in any impacts to parking on Beachwood; the applicant is providing 155 parking spaces on-site which, as demonstrated in the parking analysis previously submitted, will adequately serve the project. Please see the Canning letter for additional information regarding this comment.

24) Will the project result in increased traffic during the morning peak?

Mark Weingarten: No. As contained in the traffic impact analysis for the project which has been previously submitted, the project is anticipated to generate 49 fewer trips to the surrounding roadways during the AM peak hour and 29 fewer trips during the PM peak hour when compared to the previously existing commercial use on the site.

25) Has the applicant taken into consideration the noise from Wilson Woods Park and its impact on the proposed project?

Mark Weingarten: As part of its due diligence process, the applicant has taken into consideration the area surrounding property, including its proximity Wilson Woods Park and believes that the development of the project at site will be successful and acceptable to the projects residents.

26) Is the use of this property for a residential project spot zoning.

Mark Weingarten: The rezoning of this property for residential use does not constitute spot zoning. The New York Court of Appeals has defined spot zoning as "the process of singling out a small parcel of land for a use classification totally different from that of the surrounding area, for the benefit of the owner of such property and to the detriment of other owners..." Here, the re-designation of the zoning district from L1-7.5 to RMF15 actually resulted in greater consistency with the zoning districts in the surrounding area by eliminating the potential for industrial type uses and allowing residential use consistent with surrounding properties which are residentially zoned.

27) Are there County sidewalk standards? What standards will be utilized for the project sidewalks?

Mark Weingarten: The County defers to local municipal standards and the NYSDOT standard details. All sidewalks and crosswalks will comply with City of Mount Vernon or NYSDOT standards as applicable.

28) Please provide details for the walking path from the southern entrance to the property.

Mark Weingarten: Due to Federal Housing standards and NYS building code accessibility requirements, no formal sidewalk or pedestrian connection is proposed at the south driveway.

Board members have discussion in regards to the pedestrian path and having lights along the path for safety reasons.

29) Will the project be gated?

Mark Weingarten: As previously stated to the Board, no gates are currently proposed at the accesses to the property. Our properties proposed are not gated.

30) The Planning Board would prefer more evergreen planting is lieu of some of the deciduous trees shown on the landscaping plan.

Stewart Lach: We have provided Drawing No. C-24, entitled planting Plan and Notes has been revised to incorporate additional evergreen plantings in accordance with the Boards request.

Board Members have discussion in regards to the revised landscaping, asking the applicant to provide a layover landscaping to show the additions landscaping in front of the proposed project.

31) What kind of signage is proposed for the project? Will there be way finding signs?

Mark Weingarten: Please see Drawing No. C-20 which has been revised to include a precedent image of a sample monument signs for the project. The actual sign for the project is intended to be similar to that depicted on Drawing C-20.

32) Can the on-site cell tower be camouflaged?

Mark Weingarten: No. The applicant does not own the cell tower and does not have any rights to access or improve the tower. However, we note that the cell tower is hardly visible from the road. This concludes our presentation; we can answer any questions you may have.

Chairman Holmes – Are there any members of the public, who would like to speak in regards to this application, if so please come forward?

Members of the public spoke in objection and consent to the project.

Mark Weingarten: We will be brief, but in regards to the shuttle, we will be providing shuttle. With regards to parking, we have no additional information to add. There was a question in regards to the IDA. We don't have a PILOT

agreement; we have a schedule which we will be providing to the IDA. Once finalize, it will be shared with the City Council. There are a few facts. We are not removing any green space on the property that we are purchasing to build this project. We are not building on Wilson Wood Park, if the County desires to do this, to make extra parking, that's the County decision not ours. If by chance, this project does not go forward, the County has the right to buy it and put what they want on it. The tenants that come here are going to be Mount Vernon residents. They will shop Mount Vernon. We will respond to the remaining questions in next months meeting.

Chairman Holmes – I would like to capture what we're looking for:

- 1) Green space in lost by the County for extra parking?**
- 2) Phase two SEQRA**
- 3) Shadow impact**
- 4) Cross walk for pedestrians**
- 5) Improve Pedestrians path**
- 6) Corrected trees on renderings**
- 7) Buffer**
- 8) ADA Limitations**
- 9) Landscaping**

I would like to entertain a motion to adjourn public hearing.

Board Member Snyder – Makes a motion to adjourn public hearing. Board Member Justino seconds. All in favor.

ITEM #4 PUBLIC HEARING

4.1 Case No. 2-2010 30 Oakley Avenue (Section 165.54, Block 1135, Lot 10) Located in the RMF-15 Zoning District.

The applicant Hartley Park Towers represented by David Gross the architect proposes to erect a 10 story multifamily building. .

SEQRA Determination: This action is a coordinated review and classified as "Type I". The City Council as "Lead agency" is reviewing the SEQRA for environmental significant.

ITEM #5 ADMINISTRATIVE ACTIONS ITEM # (Administrative actions are Type II, therefore ending the SEQRA process.)

The Chairman reads the item into the record.

The applicant is not present.

Commissioner Martinez – The applicant wishes to adjourn their application until February.

Board Member Snyder makes motion to adjourn until the February Meeting.

Board Member Justino seconds the motion. All in favor.

ITEM #5 ADMINISTRATIVE ACTIONS ITEM # (Administrative actions are Type II, therefore ending the SEQRA process.)

5.1 Sale of City Owned Property – Real Estate Committee

**127 Dell Avenue Mount Vernon, New York
157 Ellwood Avenue, Mount Vernon, New York**

The Real Estate Committee according to Section 205-5 E, F & G of the City's Charter, requires that the Planning Board provides a recommendation regarding whether the subject property is or may be used for municipal purposes. As requested on the memo from the City Council dated December 17, 2015

The Chair reads the item into the record.

Commissioner Martinez – We are requesting that this action be tabled until further notice.

All in favor of motion.

Note: Work Sessions will be open to the public but closed to public participation subject to the Open Meetings Law, [Section 105 of the New York State Public Officers Law, Article 7].

Note: Items listed on the agenda are subject to change and amendments and/or additions may be placed on the agenda.

Note: The Planning Board will hold its work session on Monday January 4, 2016 at 6:30 pm in the Memorial Room, City Hall, 2nd Floor.

Note: The next regular meeting of the City Planning Board is scheduled to be held on Wednesday, February 3, 2016

Wendy Davis
Board Secretary

cc: Richard Thomas, Mayor
Jaime Martinez, Acting Planning Commissioner
Brian G. Johnson, Planning Deputy Commissioner
Mark Warren, Building Commissioner
William Long, Planning Administrator
Lauren Raysor, Corporation Council
Johan Powell, 1st Assistant Corporation Counsel
George Brown, City Clerk
Lobby
Press