

**WHITE PLAINS PLANNING BOARD
MINUTES FOR THE MEETING OF SEPTEMBER 20, 2016**

MEMBERS PRESENT: Michael Quinn, John Durante, John Ioris, Lynn Oliva, Robert Stackpole, and Jon Westlund

MEMBERS ABSENT: Anna Cabrera

CB REPRESENTATIVE: Fran Jones

COMMON COUNCIL: None

STAFF MEMBERS: Christopher Gomez, AICP, Commissioner of Planning
Damon Amadio, Commissioner of Building
Arthur Gutekunst, Senior Assistant Corporation Counsel
Eileen McClain, Secretary

The next meeting of the Planning Board was scheduled for October 18, 2016.

ADOPTION OF MINUTES

Minutes of the July 19, 2016 meeting were adopted as amended to eliminate reference to a fence surrounding the cemetery at 1150 Mamaroneck Avenue. Motion made by Mr. Stackpole, seconded by Mr. Ioris, and carried unanimously.

Minutes of the August 16, 2016 meeting were adopted unanimously. Motion made by Mr. Ioris, seconded by Mr. Stackpole, and carried unanimously.

SCHEDULE PUBLIC HEARINGS

(216-16) **74 Coralyn Avenue**; R1-5 District – **Site Plan Application for a Single-Family House**. Environmentally Sensitive Site.

Emilio Escaladas, R.A., P.E., presented the revised plan, describing how the house was moved further back onto the lot at the recommendation of the Planning Board. He noted that the new house position results in a rear yard encroachment by the deck and significantly decreases the amount of rock removal. He said that trees can be planted on the rear property line to reduce the visual impact.

Some Board members expressed concern about siting the house too close to the Greenway as proposed in the revised plan. Those concerns also were expressed by the Environmental Officer and Conservation Board.

Mr. Gutekunst confirmed that the Board has the authority to waive setback requirements if it will result in less environmental impact.

Mr. Stackpole made a motion to schedule the public hearing on both project alternatives on October 18, 2016; Mr. Westlund seconded the motion, and it carried unanimously.

(233-16) **9-11 Edna Street**; R1-5 Zoning District – **Site Plan Application**. Environmentally Sensitive Site.

Emilio Escaladas, P.E., R.A., presented the site plan: 2,500sf modular house on steep slope site. The roof pitch has been lowered to comply with zoning. Very little excavation will be required.

Ms. Oliva made a motion to schedule the public hearing on October 18, 2016; Mr. Durante seconded the motion, and it carried unanimously

- (234-16) **138 Rosedale Avenue**; R1-7.5 Zoning District – **Site Plan Application**.
Environmentally Sensitive Site.

Ralph Forgione, applicant, stated that he is requesting site plan approval for a project that was approved by the Board in 2007, but was not built, and the approval lapsed.

Mr. Quinn asked what has been done to meet the 2007 approval conditions, which he reviewed. Mr. Forgione noted that a building permit was issued, so the conditions were met. Mr. Quinn said that if the comments were addressed, then the Board needs new plans that incorporate the changes that address those conditions.

Mr. Stackpole made a motion to schedule the public hearing for October 18, 2016; Ms. Oliva seconded the motion, and it carried unanimously.

- (232-16) **28 Colonial Road**; R1-30 Zoning District – **Request for a determination of Minor Site Plan Amendment to extend a retaining wall**. Environmentally Sensitive Site.

The applicant stated that he bought the house last year, and re-oriented the garage, which necessitates the proposed wall extension.

Mr. Quinn noted that the wall will have a minor encroachment into the steep slopes.

Ms. Oliva made a motion to determine that the proposed site plan amendment is a minor amendment, and to transfer approval authority to the Commissioner of Building. Mr. Westlund seconded the motion, and it carried unanimously.

PUBLIC HEARINGS

- (252-15) **17 Fifth Street**- R2-4 District - **Site Plan Amendment Application to re-grade rear yard** - Environmentally Sensitive Site.

Andrea Hamilton, applicant, said that conditions have been addressed.

Mr. Quinn read the DPW comments on the project.

Ms. Oliva made a motion to re-open the public hearing; Mr. Westlund seconded the motion, and it carried unanimously. No public comments were made.

Mr. Westlund asked if the legalization fee can be waived. Mr. Gutekunst responded that it is set by code.

Mr. Stackpole made a motion to: close the public hearing; declare the Planning Board to be the Lead Agency for this Type I Action; adopt the Environmental Findings Resolution; and approve the site plan amendment. Mr. Durante seconded the motion, and it carried unanimously.

- (223-16) **48 Hall Avenue**; R2-4 District – **Site Plan Application for a two-family house.**
Environmentally Sensitive Site.

Mr. Stackpole made a motion to re-open the public hearing; Ms. Oliva seconded the motion, and it carried unanimously.

Michael Mastrogiacomo, P.E., presented the plan. He said that he will address DPW comments.

The project will require a pre-construction meeting with City staff.

Mr. Durante made a motion to: close the public hearing; declare the Planning Board to be the Lead Agency for this Type I Action; adopt the Environmental Findings Resolution; and approve the site plan application. Mr. Ioris seconded the motion, and it carried unanimously.

OTHER

- (235-16) **1311 Mamaroneck Avenue**; CO zoning district – **One Year Extension of Approval for Site Plan Amendment for Additional Parking Spaces, Signage, Lighting, and Landscaping.** Common Council referral.

Steven Raymour, attorney, noted that work has started at the site, but it is not substantially completed; therefore, an extension is required.

Ms. Oliva made a motion to find no objection to extension; Mr. Ioris seconded the motion, and it carried unanimously.

The Planning Board's letter to the Common Council is attached hereto.

- (236-16) **The Westchester Bank** – 12 Water Street; CB-4 Zoning District – **Application to locate a sign 60 feet above grade in order to clear the tree canopy.** Common Council referral.

Mr. Stackpole made a motion to find no objection to the application; Mr. Westlund seconded the motion, and it carried unanimously.

The Planning Board's letter to the Common Council is attached hereto.

- (237-16) **43 Holland Avenue / 467-477 Holland Avenue**; RM-2.5 Zoning District – **Request for a One Year Extension of the Site Plan Approval, Request for Minor Amendment Determination for Changes to the Building Façades and Retaining Walls.**

Max Parangi, R. A., and Michael Stein, P.E., presented the plan. Mr. Parangi said that minor building design changes were made to make more usable floor area, and the façade changes were proposed to make the buildings more attractive. The building footprints are the same.

Ms. Oliva asked that the landscaping in the driveway be restored to how it was originally approved.

Mr. Durante made a motion to find the proposed site plan amendment to be a minor amendment, and to grant a one year extension of the approval, with the condition

that the driveway landscaping be restored to how it was previously approved; Mr. Westlund seconded the motion, and it carried unanimously.

- (231-16) **Petition to: a) Amend the Zoning Ordinance to establish a new zoning district called “Planned Residential Development,”** a mixed residential district, including multi-family housing, graduate or professional school housing, and an assisted living/memory care facility; and **b) Amend the Zoning Map to change the zoning classification of the 16.04-acre parcel at 52 North Broadway from RM-1.5 to “Planned Residential Development” district.** Applicant: WP Development NB, LLC. Common Council referral.

Commissioner Gomez, described the Core/Close-In/Outer Area map from the Comprehensive Plan.

William Null, attorney, and Peter Furrow, AKRF, presented the petition, noting its consistency with the Comprehensive Plan, and explaining why it is preferable to if the site were developed as of right under the existing RM-1.5 zoning. He noted that the residential density that would be permitted is the same as current zoning, but that taller buildings allow for preservation of more open space.

Ms. Oliva asked what other properties could rezone to the proposed district. Mr. Null said that it would be addressed in the GEIS for the petition. Ms. Oliva noted that consistency with the Comprehensive Plan depends on where the district could be applied.

Ms. Stackpole noted that the Comprehensive Plan has not kept pace with the development of the City, and that there is no cohesive plan for development, and spot zoning is the result.

Mr. Null said that the zoning petition and proposed project will be a simultaneous review process.

The 200' open space setback will be publicly accessible.

Mr. Westlund said that the Comprehensive Plan calls for low-rise development; therefore, high-rise is not consistent with the Plan.

Mr. Ioris noted that there are 10+ story buildings on Stewart Place, adjacent to the property; therefore the project would not be inconsistent. He said that the Comprehensive Plan may be outdated, but development cannot be held at a standstill until it is updated.

Ms. Oliva said that the proposed zone provides flexibility, but that the standards seem too loose. She said that the medical office use needs to be limited.

Mr. Stackpole said that the Good Counsel campus is a buffer between the high-rise downtown and the one and two family neighborhood to the north.

Ms. Oliva asked that open space be defined the new district, noting that this would not set a precedent or change the definition of open space as it now exists in the zone in general but would apply to this new zone only. She said that historic structures are relevant to the decisions about use of the land. Mr. Stackpole said that relocating the Mapleton House will reduce its historic value by 80%. He recommended that the Council obtain an outside historic consultant.

Mr. Null said that all proposed principal uses would be residential, and that the high-rise housing allows for preservation of open space.

Clifford Davis, attorney representing 15 Stewart Place, did an analysis of the consistency with the Comprehensive Plan.

Mr. Durante disclosed that he owns an apartment at 15 Stewart Place. There was discussion about the impact on the houses and low rise buildings on Ross and Warren Streets.

Commissioner Gomez suggested that linking the permitted unit count to lot area instead of Floor Area Ratio, would ensure that the unit count does not exceed the amount permitted under existing zoning.

The Board finds that petition to be appropriate as to form, and generally consistent with the Comprehensive Plan Regarding consistency with the Comprehensive Plan, but that there are certain aspects of the petition that require clarification and refinement to ensure consistency with the Plan, and other aspects that may be inconsistent with the Plan.

The following Board comments were made:

The district is not consistent with the Comprehensive Plan with respect the building height.

The context of the area must be considered in evaluating the consistency of the potential development with the Comprehensive Plan.

The petition does not recognize the historic significance of the buildings and site, and therefore is not consistent with the Comprehensive Plan.

Members of the public stated:

Green space seems to be a reward for allowing big development in a low density district and neighborhood.

The Comprehensive Plan recommends think tanks, research, training center uses for site. The applicant should have to explain why those uses cannot be developed on the site.

The site is contaminated. Drilling on the site was stopped. AKRF said that the owner is doing geotechnical investigations of the site. The DEC must approval site disturbance.

Show how the petition impacts the neighborhood.

Mr. Null said that the applicant has been in contact with the State Historic Preservation Office, and that the field is not designated as historic.

Nat Parrish, attorney, said that the City should GEIS and alternatives need to be analyzed before presenting a petition. Mr. Gutekunst said that there must be a proposed action upon which to base a GEIS.

Mr. Stackpole made a motion to send a letter to the Common Council finding the proposed amendment appropriate as to form, and finding the proposed amendment generally consistent with the Comprehensive Plan, but needing more clarity and analysis. Mr. Westlund seconded the motion, and it carried unanimously.

The Planning Board letter to the Common Council is attached hereto.

ADJOURNED - NO DISCUSSION AT MEETING

- (257-15) **275-293 Central Avenue**; B-3 Zoning District – **Site Plan Amendment to Construct Retaining Walls in the Rear Yard.** (Legalization) Environmentally Sensitive Site. Applicant: Gisondi Family
- (100-16) **60 South Broadway** – CB-3 Zoning District – **Application for a 3 Lot Subdivision** to separate the development site into one lot for each residential tower and one lot for the retail/restaurant component of the project.
- (222-16) **1150 Mamaroneck Avenue**; R1-12.5 District – **Site Plan Application for a single-family house.** Environmentally Sensitive Site.



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SECRETARY

September 21, 2016

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

SUBJECT: 1311 MAMARONECK AVENUE – ONE YEAR EXTENSION OF APPROVAL
FOR SITE PLAN AMENDMENT FOR ADDITIONAL PARKING SPACES,
SIGNAGE, LIGHTING, AND LANDSCAPING

At its September 20, 2016 meeting, the Planning Board reviewed the application for a one year extension of the approval for a site plan amendment, which was granted by the Common Council on September 8, 2015.

The Planning Board has no objection to approval of the extension.

Planning Board members voting in favor of the motion to find no objection to the one year extension were: M. Quinn, J. Durante, J. Ioris, L. Oliva, R. Stackpole, and J. Westlund (6); Opposed: None (0); Absent: A. Cabrera (1).

Respectfully submitted,

MICHAEL QUINN
Michael Quinn, Chairman
White Plains Planning Board



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September 21, 2016

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

SUBJECT: THE WESTCHESTER BANK – 12 WATER STREET – APPLICATION TO
LOCATE A SIGN 60 FEET ABOVE GRADE IN ORDER TO CLEAR THE
TREE CANOPY

At its September 20, 2016 meeting, the Planning Board considered the application by Westchester Bank to locate a sign higher than the allowed 50 feet above grade, in order to clear the tree canopy. Although the trees on the site do not obstruct the sign, the trees in the right-of-way on Water Street do obstruct the sign. The plans show that the base of the sign will be 60 feet above grade.

The Planning Board has no objection to allowing the sign to be located higher on the building.

Planning Board members voting in favor of the motion to find no objection to the application to relocate the Westchester Bank sign so that the base is at 60 feet above grade were: M. Quinn, J. Durante, J. Ioris, L. Oliva, R. Stackpole, and J. Westlund (6); Opposed: None (0); Absent: A. Cabrera (1).

Respectfully submitted,

MICHAEL QUINN
Michael Quinn, Chairman
White Plains Planning Board



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September 21, 2016

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

SUBJECT: PETITION TO: A) AMEND THE ZONING ORDINANCE TO ESTABLISH A NEW ZONING DISTRICT CALLED “PLANNED RESIDENTIAL DEVELOPMENT,” WHICH IS A MIXED RESIDENTIAL DISTRICT THAT INCLUDES MULTI-FAMILY HOUSING, GRADUATE OR PROFESSIONAL SCHOOL HOUSING, AND AN ASSISTED LIVING/MEMORY CARE FACILITY; AND B) AMEND THE ZONING MAP TO CHANGE THE ZONING CLASSIFICATION OF THE 16.04-ACRE PARCEL AT 52 NORTH BROADWAY FROM RM-1.5 TO “PLANNED RESIDENTIAL DEVELOPMENT” DISTRICT

At its August 16, 2016 and September 20, 2016 meetings, the Planning Board considered the petition by WP Development NB, LLC to establish a new zoning district called “Planned Residential Development” (“PRD”) district, and to amend the Zoning Map to re-zone the 16.04-acre former Good Counsel property at 52 North Broadway from RM-1.5 to the proposed Planned Residential Development district.

The Planning Board’s purview at this stage is to determine whether the submitted petition is appropriate as to form, and whether it is consistent with the Comprehensive Plan (“the Plan”). The Board will further consider the technical issues and the general advisability of the proposed Zoning Ordinance and Zoning Map amendments when the petition is referred during the environmental review process.

With regard to the petition to amend the Zoning Ordinance and Zoning Map, the Planning Board finds that it is appropriate as to form.

Regarding consistency with the Comprehensive Plan, the Board finds that the proposed PRD district is generally consistent with the Plan, but that there are certain aspects of the petition that require clarification and refinement to ensure consistency with the Plan, and other aspects that may be inconsistent with the Plan.

The Board believes that it is important to identify which properties may be eligible for consideration for rezoning to the PRD district. Without that information, the Board focused on the property at 52 North Broadway for its analysis of consistency of the PRD district with the Comprehensive Plan.

The Comprehensive Plan sections on Close-In Neighborhoods and North Broadway Corridor involve the former Good Counsel property. Each of these sections was analyzed by the Board.

Close-In Neighborhoods

The Plan describes the Close-In neighborhoods as low-rise, medium density areas. Some Board members feel that the proposed PRD district would allow for housing that is neither low-rise, nor medium density. Other members feel that the proposed density is the same as is permitted under the current zoning and that the proposed height is *not* inconsistent with the Plan because it should be considered in the context of the area, and that, with sufficient setbacks, the proposed height may not be an issue.

The Vision Statement and Strategies for the Close-In Neighborhoods stress: a) preservation of the residential integrity of these areas; b) compatibility of new development with the character of the surrounding housing; c) limiting housing to existing densities; and d) protection from intrusion of non-residential uses and their impacts. Below are the Board's comments on each of these statements.

a) *Preservation of the residential integrity of the [Close-In Neighborhoods]* - The Board finds that the PRD district is consistent with this vision statement from the Plan in that it is proposed as a predominantly residential district.

b) *Compatibility of new development with the character of the surrounding housing* – The Board has mixed opinions on the consistency of the PRD district with this statement from the Plan. Some Board members feel that the proposed 140-foot height of the PRD district *would be* compatible character of the surrounding housing because there are 12-story multi-family buildings to the south on Stewart Place. Other members feel that it *would not be* compatible with the surrounding housing, citing the one-, two-, and three-family houses on Ross Street, Warren Street, and South Kensico Avenue.

c) *Limiting housing to existing densities* – The Board believes that a minor refinement to the text of the petition would make it consistent with this statement from the Plan. The PRD district proposes to use floor area ratio to determine the number of units that could be built in the district. Applying a ratio of 0.75 to the lot area, as proposed, would allow 525,660sf of multi-family floor area. The number of units would be determined by the size of the units, i.e., smaller units would allow a greater number of units. The Planning Board believes that the current the method of calculating housing density based on lot area (instead of floor area ratio), would ensure that the existing residential density is maintained, and, therefore, be consistent with the Comprehensive Plan.

d) *Protection from intrusion of non-residential uses and their impacts* – The Board believes that a minor refinement to the text of the petition would make it consistent with this statement from the Plan. The PRD district proposes ancillary non-residential uses that serve residents of the

development community. The Board feels that non-residential uses should be more clearly defined and limited to ensure that they will be subordinate to the residential uses, and will not adversely impact the surrounding neighborhood. The Board is particularly concerned about traffic and other impacts to Ross Street.

North Broadway Corridor

The Vision Statement for the North Broadway Corridor focuses on: a) preservation and enhancement of the Corridor's distinctive features with respect to historical sites that relate to the City's early history, including its critical role in the Revolutionary War; and b) deep open space setbacks and low-rise medium density residential and institutional uses, which contribute to the expansive boulevard appearance of the street from the northern end of Tibbits Park to I-287.

Preservation and enhancement of the Corridor's distinctive features with respect to historical sites – The proposed PRD district does not address historic features. Some Board members believe that recognition of the historic aspects of a site should be included in the petition in order to be consistent with the Plan. Other members note that historic features may not be present on other sites that may be considered for PRD district re-zoning, and the issue should be addressed during site plan review.

Preservation and enhancement of the deep open space setbacks and low-rise medium density residential and institutional uses that contribute to the expansive boulevard appearance of the Corridor – The Board finds the proposed PRD district to be consistent with this vision statement.

The Strategies for the North Broadway Corridor

- *Maintain the new zoning which conforms to existing residential densities in the North End and Church Street/Park Avenue neighborhoods and the distinct medium density context of the abutting North Broadway apartment district, while maintaining a clear line between the two densities.*

If the petition is amended to tie density to lot area instead of floor area ratio, then the residential density will be maintained and the petition will be consistent with the Plan.

- *Preserve the role of North Broadway as a linear open space by preserving deep setbacks along North Broadway from I-287 to Tibbits Park.*

The Board finds the proposed PRD district to be consistent with this vision statement because it provides a 200 foot front yard setback. The Board would like more clarity on the open space functions of the front yard setback.

- *Continue to take steps to lessen the impacts of commercial and highway traffic on residential areas adjacent to North Broadway; ...*

Although the petition states that primary vehicular access will be provided along a State or County road, the Board remains concerned about increased traffic on Ross Street.

The Planning Board has many additional comments regarding the content of the petition, and

looks forward to reviewing and the Environmental Impact Statement that will be prepared in support of the petition.

Planning Board members voting in favor of the motion to send the above comments to the Common Council: M. Quinn, J. Durante, J. Ioris, L. Oliva, R. Stackpole, and J. Westlund (6); Opposed: None (0); Absent: A. Cabrera (1).

Respectfully submitted,

MICHAEL QUINN

Michael Quinn, Chairman
White Plains Planning Board