

**WHITE PLAINS PLANNING BOARD  
MINUTES FOR THE MEETING OF May 18, 2021**

MEMBERS PRESENT: John Ioris, Leonard Gruenfeld, Richard Payne, Sarina Russell, Anna Cabrera and Lynn Oliva

MEMBERS ABSENT: None

CB REPRESENTATIVE: None

COMMON COUNCIL: None

STAFF MEMBERS: Christopher Gomez, Planning Commissioner  
Arthur Gutekunst, Senior Assistant Corporation Counsel  
Judith Mezey, Deputy Planning Commissioner  
Eileen McClain, Secretary  
Luis Saiz, Building Department

**NEXT MEETING OF THE BOARD**

The Planning Board's June 15, 2021 meeting was announced.

**ADOPTION OF APRIL 20, 2020 MEETING MINUTES**

The meeting minutes were adopted with amendments stated by Ms. Oliva and Mr. Gruenfeld.

**SCHEDULE PUBLIC HEARINGS**

(222-21) **135 Saxon Woods Road; R-12.5 Zoning District – Site Plan Amendment to legalize walls, driveway alterations, patio, and for a new bridge and deck expansion, and stormwater control features.** Environmentally Sensitive Site.

Chris Broda, project architect, appeared before the Board to present the Site Plan Amendment at 135 Saxon Woods Road. The amendment will legalize walls, driveway alterations, and patio and allow for a new bridge, deck expansion, and stormwater control features. The property is considered environmentally sensitive due to the presence of steep slopes and the Mamaroneck River on the property. The river serves as the boundary between the City of White Plains and the Village of Scarsdale. The home is located on the White Plains side while "back yard area" sits on the Scarsdale side, abutting Saxon Woods Park. An existing bridge connects the two sides of the property.

Walls had been constructed to prevent reduce erosion and protect the house from the river. Overtime the walls had collapsed following several storm events. The walls were rebuilt without the proper permits and were partially destroyed again. The existing walls are not structurally sound and are proposed to be removed and replaced.

Alterations to the driveway were also made without proper permitting. The applicant is seeking legalization for these features.

Following a major storm event a tree fell and damaged the northeast corner of the deck and stairs, the applicant proposes a deck expansion and new set of stairs on the deck to meet the base of the proposed bridge.

The project will be referred to the Conservation Board and Department of Public Works, for their input.

Ms. Cabrera recommended a site visit; Board members were interested in visiting the property.

Mr. Gruenfeld asked why the walls should be rebuilt as they are creating the problem. The project's hydraulic consultant stated that at this point the walls cannot be removed since they are the only thing protecting the house from the river and that the walls do not have an impact on the river's alignment.

Mr. Payne asked that the photos be sent to the Board digitally.

Ms. Oliva made a motion to schedule a Public Hearing for the June meeting of the Board, Mr. Payne seconded, the motion carried unanimously.

## **PUBLIC HEARINGS**

### **(100-21) 124 Old Mamaroneck Road; R2-4 (Residential, One- and Two-Family Zoning District) – Two Lot Subdivision Application.**

Steve Dimovski, project architect, appeared before the Board to present the two-lot subdivision at 124 Old Mamaroneck Road. The subdivided lots are fully zoning compliant.

The applicant received comments from DPW and all have been resolved.

The Board made no further comments.

**Marion D'Aloise**, 130 Old Mamaroneck Road, does not oppose the subdivision but would like to require screening along the shared property line to reduce light pollution on her property. Ms. D'Aloise was also concerned about the presence of mice at the garage structure proposed to be removed.

The Building Department will require extermination as part of the demolition permit.

The owner stated that the driveways should not affect Ms. D'Aloise's property and that screening might be a part of the tree preservation plan.

Ms. Oliva made a motion to close the public hearing, Ms. Cabrera seconded; Ms. Oliva made a motion to declare the Planning Board as Lead Agency for this Unlisted Action, Mr. Payne seconded; Ms. Oliva made a motion to accept the Environmental Finding Resolution as presented, Mr. Payne seconded; Mr. Gruenfeld made a motion to approve the subdivision, Ms. Cabrera seconded; the motions carried unanimously.

### **(208-21) 170 North Kensico Avenue – Site Plan Application for a Single Family House. Environmentally Sensitive Site.**

John Scavelli, project Engineer, appeared before the Board to present the Site Plan application for a single family home on an environmentally sensitive site at 170 North Kensico Avenue. The two-story home is fully zoning compliant. The home was designed to fit with the slope of the property.

Ms. Oliva asked if the applicant was concerned over the comments made by the Departments of Building and Public Works. The applicant had no major concerns.

Ms. Cabrera asked if the applicant was okay with the comments regarding plantings. The applicant was not concerned.

No members of the public wished to comment.

Ms. Oliva made a motion to close the public hearing, Mr. Gruenfeld seconded; Ms. Oliva made a motion to declare the Planning Board as Lead Agency for this Type I Action, Mr. Gruenfeld seconded; Ms. Oliva made a motion to accept the Environmental Finding Resolution as presented, Mr. Payne seconded; Ms. Oliva made a motion to approve the subdivision, Mr. Gruenfeld seconded; the motions carried unanimously.

(213-21) **66 Liberty Place; R2-4 Zoning District – Site Plan Application for a Single Family House - Environmentally Sensitive Site.**

Michael Mastrogiacomo, the project's designer appeared before the Board to present the site plan application for the single-family home at 66 Liberty Place. The site is considered environmentally sensitive due to the presence of steep slopes on the lot that is currently vacant. The home has been designed and situated in a way that reduces disruption to the slopes.

**Alan Arouhl**, 98 Trenton Street, and member of Battle Hill HOA, had no opposition to project but is concerned erosion control and additional runoff coming from the field above the property.

**Amy McCambles**, 61 Primrose Street, member of the Battle Hill HOA, was also concerned about run-off, as there is only one storm drain on Liberty Street. Ms. McCambles was also concerned about parking, and presented the Board with photos of how the area is currently parked. She also asked if trees were proposed to be removed, if the project is consistent with the Comprehensive Plan (which encouraged decreasing density in the neighborhood), how the project would affect her property's value, if hydrology and soil testing would be required, how the development would affect water pressure, how snow would be removed from the property and if the paper street behind the property would remain.

**Mark**, 125 Waldo Avenue, Vice President of the Battle Hill HOA, expressed concern over excavation required for the challenging site, and the impact the development will have on the neighborhood.

Ms. Cabrera and Mr. Payne would like to do a more in depth site visit and is concerned about parking and getting delivery vehicles to and from the property.

Ms. Oliva asked if DPW had provided their comments. Not yet but they are reviewing the project.

Mr. Payne made a motion to adjourn the public hearing, Ms. Cabrera seconded, the motion carried unanimously.

## OTHER

- (219-21) **Esplanade** - 95 South Broadway and 4 Lyon Place - **Site Plan Extension for proposed multifamily building**. Common Council referral.

Neil Alexander, Attorney, appeared before the Board to request a Site Plan Extension for a proposed multifamily building at 95 South Broadway, known as the Esplanade. A new owner took control of the property in January. They are currently removing material containing asbestos from the structure and have applied for building permits.

No changes have been made to the plans.

Mr. Payne made a motion to write a letter to the Common Council stating no objection to the extension, Ms. Russell seconded, the motion carried unanimously.

- (220-21) **The Collection** - 80-106 Westchester Avenue and 50-62 Franklin Avenue - **Site Plan Extension and Special Permit Approval for a proposed mixed-use development project**. Common Council referral.

David Steinmetz, Attorney, appeared before the Board to request a Site Plan and Special Permit Extension for a proposed mixed-use development at 80-106 Westchester Avenue and 50-62 Franklin Avenue, known as The Collection.

New owners have taken control of the property since the project was last before the Board. Existing structures have been demolished and building permits have been filed - but the extension will lapse before substantial construction activities can be completed.

No changes have been made to the project.

Mr. Gruenfeld is concerned that this project will become another "hole in the ground". The new owner is ready to build and has been working with the IDA to move the project forward.

Mr. Gruenfeld made a motion to write a letter to the Common Council stating no objection to the extension, Ms. Cabrera seconded, the motion carried unanimously.

- (221-21) **Proposed amendment to the Zoning Ordinance with respect to** (A) certain revisions to dimensional standards of the **CB-2 District** and (B) certain revisions to the Zoning Ordinance Table Section 5-3 Schedule of Dimensional Regulations – Non Residential. Common Council referral.

Planning Commissioner Gomez presented the proposed amendment to the Zoning Ordinance regarding the Core Business - 2 (CB-2) District. Located in the heart of the central business district, it includes portions of Mamaroneck Avenue, Court Street, and is bound by East Post Road to the south. There are 50 properties in the district, no changes are proposed to the district boundary.

Current regulations allow for a maximum FAR of 2.0 and maximum height of 30 feet (45 feet if the ground floor is a commercial use). A footnote in the Zoning Ordinance allows for an increase in height and FAR if certain lot conditions are met. For "lots" greater than 50,000 s/f, "height" can be increased up to 230 feet and FAR can be increased up

to 5.5 if the property fronts on two streets. The proposed text amendment would allow for "lots" greater than 35,000 s/f to increase "height" to a maximum of 85 feet and a FAR can be increased up to 3.0.

Commissioner Gomez stated that the proposed amendment is consistent with the Comprehensive Plan by supporting mixed-use development and a walkable downtown. The CB-2 District is a medium to high density residential, retail, personal services, office and government "use" section of the CBD and encourages high-density high-rise housing on large sites.

Ms. Oliva understands that the change is necessary; 30-foot buildings in the downtown would not be feasible for development. Ms. Oliva would like to require applicants using the additional density to include solar or other sustainable features. Commissioner Gomez stated that additional density is not enough of an incentive to require environmentally friendly components.

Ms. Cabrera asked how many properties the amendment would affect. Four properties, but it could affect more properties are assembled to meet the square footage requirements. Ms. Cabrera encourages anything that would revitalize the former Frozen Ropes site.

Mr. Payne cited concern over spot zoning, asking if amendments would be avoidable if there were a more recent Comprehensive Plan. Commissioner Gomez stated that spot zoning does not occur when one or two specific properties are rezoned, there could be a rational basis for doing so, i.e. TD-1 District. As for the proposed amendment, it is consistent with the intent of the existing plan.

Ms. Russell asked how this would increase affordable housing in the downtown, are there projects waiting for this change before proposing their projects? An affordable component is required in all new rental developments, allowing increased density will contribute more units to our program. Ms. Russell is concerned that too many developers are "buying out" of their affordable contribution.

Mr. Gruenfeld asked if there was any way to remove the payment in-lieu of providing affordable units for properties able to utilize the proposed increase in density. The program was designed to not allow full buy-outs for the larger projects, providing the City with a mix of units and funds available to further affordability in other ways.

Mr. Gruenfeld also asked if open space could be mandated on these properties. The useable open space requirement still exists, the Council has adopted a fee in-lieu of providing open space which has been successful in providing both park area and collecting fees.

Mr. Gruenfeld asked if the County's Board of Elections site would be affected by the amendment. Yes, that property is included, but it is already in common ownership and meets the existing requirements for permitting additional density.

Mr. Ioris asked if there was a truly a shortage of affordable units in the City, is there a waitlist for the units we currently have? Yes, there are waitlists for our units, which varies depending on income level. The higher income units are more challenging to fill while the lower income units go quickly.

Mr. Payne made a motion stating no objection to the scheduling of a Public Hearing and that the amendment is appropriate as to form and consistent with the Comprehensive Plan, Ms. Russell seconded, the motion carried unanimously.

Ms. Russell made a motion to close the meeting; Ms. Cabrera seconded, the motion carried unanimously. The meeting adjourned just after 8:30 pm.



## PLANNING BOARD

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DEPUTY COMMISSIONER

EILEEN J. McCLAIN, AICP  
SECRETARY

May 19, 2021

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

SUBJECT: ESPLANADE OF WHITE PLAINS – 1 LYON PLACE AND 10 LYON PLACE  
(F.K.A. 95 SOUTH BROADWAY AND 4 LYON PLACE) - ONE YEAR  
EXTENSION OF SITE PLAN APPROVAL

At its May 18, 2021 meeting, the Planning Board reviewed the application for a one year extension of the site plan approval that was granted by the Common Council on April 4, 2016 and extended in 2017, 2018, 2019, and 2020.

No changes are proposed to the approved plan and no zoning changes have been made to the surrounding area. Therefore, the Planning Board has no objection to the one year extension, as requested.

Planning Board members voting in favor of the motion to find no objection to the one year extension were: J. Ioris, A. Cabrera, L. Gruenfeld, L. Oliva, S. Russell, and R. Payne (6); Opposed: None (0); Absent: None (0). There is one vacancy on the Board.

Respectfully submitted,

**JOHN IORIS**

John Ioris, Chairman

White Plains Planning Board



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May 19, 2021

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

SUBJECT: THE COLLECTION - 80-106 WESTCHESTER AVENUE AND 50-62  
FRANKLIN AVENUE - SITE PLAN EXTENSION AND SPECIAL PERMIT  
APPROVAL FOR A PROPOSED MIXED USE DEVELOPMENT PROJECT

At its May 18, 2021 meeting, the Planning Board reviewed the application for a one year extension of the Site Plan and Special Permit Approval, which was granted by the Common Council on April 2, 2018 and extended in 2019 and 2020.

No changes are proposed to the approved plan and no zoning changes have been made to the surrounding area. Therefore, the Planning Board has no objection to the one year extension, as requested.

Planning Board members voting in favor of the motion to find no objection to the one year extension were: J. Ioris, A. Cabrera, L. Gruenfeld, L. Oliva, S. Russell, and R. Payne (6); Opposed: None (0); Absent: None (0). There is one vacancy on the Board.

Respectfully submitted,

**JOHN IORIS**

John Ioris, Chairman

White Plains Planning Board





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May 19, 2021

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

SUBJECT: PROPOSED AMENDMENT TO THE ZONING ORDINANCE WITH RESPECT TO (A) CERTAIN REVISIONS TO DIMENSIONAL STANDARDS OF THE CB-2 DISTRICT AND (B) CERTAIN REVISIONS TO THE ZONING ORDINANCE TABLE SECTION 5.3 SCHEDULE OF DIMENSIONAL REGULATIONS – NON RESIDENTIAL

At its May 18, 2021 meeting, the Planning Board considered the proposed amendment to the Zoning Ordinance to change certain dimensional standards of the CB-2 District, and certain revisions to the Schedule of Dimensional Regulations – Non-Residential.

The Planning Board finds that the petition is appropriate as to form and consistent with the Comprehensive Plan. The Board recommends that the Common Council schedule a public hearing on the proposed amendment. Further, the Planning Board has no objection to the proposed amendment.

Planning Board members voting in favor of the motion to send a letter to the Common Council stating that the petition is appropriate as to form and consistent with the Comprehensive Plan, and recommending that the public hearing be scheduled on the proposed text amendment, as well as stating no objection to the proposed amendment: J. Ioris, A. Cabrera, L. Gruenfeld, L. Oliva, S. Russell, and R. Payne (6); Opposed: None (0); Absent: None (0). There is one vacancy on the Board.

Respectfully submitted,

**JOHN IORIS**

John Ioris, Chairman

White Plains Planning Board