

**WHITE PLAINS PLANNING BOARD
MINUTES FOR THE MEETING OF AUGUST 16, 2022**

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

MEMBERS ABSENT: None

CB REPRESENTATIVE: None

COMMON COUNCIL: None

STAFF MEMBERS: Eileen McClain, Planning Board Secretary
Leslie Maron, Assistant Corporation Counsel
Luis Saiz, Building Department

NEXT MEETING OF THE BOARD

The Planning Board's September 20, 2022 meeting was announced.

ADOPTION OF JUNE 21 2022 MEETING MINUTES

The minutes of the July 19, 2022 meeting were adopted as revised.

OTHER

(102-22) **33 Sunset**; R1-5 Zoning District – **Two Lot Subdivision.**

Danielle Constantino, applicant, appeared before the Board. Ms. McClain described the proposed subdivision and the need for an area variance for a rear yard encroachment, noting that removal of the deck reduces the variance, but would not eliminate the need. She described the process of referral to the ZBA and how, if approved the applicant will return to the Planning Board for a public hearing and formal review.

The Board referred the application to the ZBA.

SCHEDULE PUBLIC HEARINGS

(103-22) **73 Sterling Avenue**; R2-4 Zoning District – **Two Lot Subdivision.**

Michael Chiappino and Tom DiNota described the proposed subdivision.

Mr. Gruenfeld made a motion to schedule a public hearing on the subdivision for September 20, 2022; Ms. Cabrera seconded the motion, and it carried unanimously.

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

Michael Mastrogiacomo, P.E., represented the applicant and noted that it has been

some time since they last presented, and the plans have been revised to address DPW comments from DPW.

Ms. McClain noted that since the public hearing has been adjourned for more than a year, it is recommended that notice of the hearing be repeated so that neighbors can be made aware that it is active again.

PUBLIC HEARINGS

(218-22) **126 Woodcrest Avenue**; R1-5 Zoning District – **Site Plan Application for a Single Family House**. Environmentally Sensitive Site.

Ms. Oliva made a motion to reopen the public hearing, Mr. Gruenfeld seconded the motion and it carried unanimously.

Cal Petrescu, Architect, appeared before the Board to re-present the site plan for the single family home to be constructed at 126 Woodcrest Avenue. The site is considered environmentally sensitive due to the presence of steep slopes like many others in the project vicinity. The property is located in the R1-5 zoning district and is zoning compliant. The home will be accessible from a driveway off Woodcrest Avenue and is set into the slope of the property. He said that he has reviewed the conditions recommended by staff can be met.

Mr. Ioris read the Conservation Board comments aloud, and he asked for Board comments:

Mr. Kirkpatrick: The City Code gives the Board certain standards that it must apply, and the applicant has met them.

Ms. Russell: Reiterated Mr. Kirkpatrick's comments and added that the time to prevent development of the site was before the City sold it as a buildable lot.

Mr. Gruenfeld: Asked whether a no vote opens the denial to an Article 78 filing. Mr. Maron said that the Board has a sound legal basis for approval. Mr. Gruenfeld said that it is the most difficult site he has seen in his time on the Board.

Ms. Oliva: The City's environmental regulations provide a loophole of protection "to the maximum extent practicable," which the proposed plan seems to have done.

Ms. Cabrera: The site will be very difficult to develop and it will be impossible to preserve steep slopes. She requested that blasting be prohibited. Mr. Saiz said that blasting is not permitted in residential districts. Mr. Petrescu said that his soil testing to 12 feet showed no rock, and excavation won't be as drastic as feared.

Mr. Ioris said that the Board should consider whether a house could be built with less disturbance than the proposed house. He believes that the proposed house has been designed to minimize impacts to the steep slopes.

Public Comment:

Diane, McGovern, 15 Highview Place, said that there *is* a lot of rock on the site, and she is concerned about impacts to her retaining walls and fieldstone foundation of her house. How will her property be protected from damage related to construction? She asked for

a description of the retaining walls.

Mr. Saiz, said that prior to construction, an inventory of the surrounding houses will be conducted by an engineer to document existing conditions to see if any damage results from construction.

Scott Steffan, 15 Highview Place, asked about a conflict of interest for an inspecting engineer. Mr. Saiz said that is unlikely.

Rob Fisher, 131 Woodcrest Avenue, requested an environmental analysis to determine impacts of tree removal. No one wants the site developed, and a previous proposal was rejected. He expressed concerns about post-approval changes to the plan.

Who is responsible if there is property damage? Mr. Ioris said that the contractors are required to have insurance.

Ms. McClain explained that the record of projects goes back to 1989, and that the previous application must have been before then.

Laura Harrison, 116 Woodcrest Avenue, the site should not be developed. She has safety concerns, threats to neighborhood houses and utilities. The City should purchase the property for preservation.

Maria Martelli Rosenberg, 6 Hilldale Avenue, blasting concerns, there is rock, her house is settled and needed to be jacked up, walls will ruin the site, erosion is a concern.

Jason Martinez, 10 Highview Place, has concern about safety during construction.

Alison Soliz, Sunset Drive: What is the point of the public input if the Board has no authority to prevent approval.

Mr. Ioris said that the neighbors are asking for a remedy that is not within the purview of the Planning Board.

Mack Gilbert, Woodcrest Avenue, asked about duration of construction, jack hammering, use of the road as a staging area where there is a curve in the road, school bus conflict, and vehicles parking in the street.

James Harrison, 116 Woodcrest Avenue: How many trucks will be on site at one time? It's a small road that cannot support many trucks.

Mr. Saiz said that residents should call the Building Department if there are construction trucks parked in front of their houses all day long.

Ms. Oliva made a motion to close the public hearing, declare the Planning Board to be the Lead Agency for this Type I Action. Ms. Russell seconded the motion, and it carried unanimously.

Ms. Cabrera made a motion to adopt the environmental findings resolution with the conditions recommended by the Conservation Board included. Ms. Russell seconded the motion and it carried unanimously.

Mr. Ioris polled the Planning Board members, and the following members voted in favor of approving the project: Kirkpatrick, Russell, Oliva, Cabrera, and Ioris. Mr. Gruenfeld voted against approval.

(100-22) **2 Hunting Ridge Road; R1-7.5 Zoning District – Two-Lot Subdivision.**

Daniel Collins, Engineer, appeared before the Board to present the two-lot subdivision at 2 Hunting Ridge Road with two driveways and an alternate with a common driveway, as requested by the Board. The site is located at the corner of Hunting Ridge Road and Mamaroneck Avenue. The property is considered environmentally sensitive due to the presence of steep slopes.

Westchester County preferred the shared driveway alternative because it would be one curb cut. DPW noted that the shared driveway would need to be widened and a snow storage area is needed. The applicant will do whichever option the Board prefers. The Board determined that the original proposal is preferred.

No public comments were received.

Mr. Gruenfeld made a motion to: close the public hearing; declare the Planning Board the Lead Agency for this Type I Action; adopt the environmental findings resolution for the two driveway alternative; and approve the proposed subdivision subject to the conditions recommended in the environmental findings resolution. Ms. Russell seconded the motion, and it carried unanimously.

(225-22) **9 Lakeview Drive; R1-5 Zoning District – Site Plan Amendment for a 2nd Story House addition.** Environmentally Sensitive Site.

Lee Brady, Owner, appeared before the Board to present the site plan amendment for a second story home addition at 9 Lakeview Drive. The property is considered environmentally sensitive due to the presence of steep slopes near the property's lot line. The proposed amendments will not encroach on the slopes.

Ms. Oliva made a motion to reopen the public hearing, Mr. Gruenfeld seconded the motion and it carried unanimously.

There were no public comments on this matter.

Mr. Gruenfeld made a motion to: close the public hearing; declare the Planning Board the Lead Agency for this Type I Action; adopt the environmental findings resolution for the two driveway alternative; and approve the proposed site plan amendment. Ms. Russell seconded the motion, and it carried unanimously.

(233-22) **15 Gilbert Place; R1-5 Zoning District – Site Plan Amendment for Deck Replacement and Expansion.** Environmentally Sensitive Site.

Adam Goosen, appeared before the Board to present the site plan amendment for a deck replacement and expansion at 15 Gilbert Place. The property is considered environmentally sensitive due to the presence of steep slopes at the back of the property. The proposed amendments will not encroach on the slopes.

Ms. Oliva made a motion to reopen the public hearing, Mr. Gruenfeld seconded the motion and it carried unanimously.

The Board had no further comments.

There were no public comments on this matter.

Ms. Cabrera made a motion to adjourn the hearing until the August meeting of the Board, Ms. Oliva seconded, and the motion carried unanimously.

OTHER

- (241-22) **20 Haarlem Avenue**, 27 Holland Avenue and 7-11 Holland Avenue; LIM-2 - **Site Plan Approval Extension**. Common Council referral.

Annie Klein, attorney, represented the applicant, stating that the 296 unit, 381 parking space, 14,800 square foot park, project is not proposed to be changed. Drawings have been submitted to the Building Department, 95% of asbestos abatement has been completed and demolition is imminent.

Ms. Russell noted that she has a business relationship with the applicant, but that she can vote impartially on this application.

Ms. Oliva made a motion to draft a letter to the Common Council stating no objection to the one-year extension; Mr. Gruenfeld seconded the motion and it carried unanimously.

The Planning Board letter to the Common Council is attached.

- (242-22) **37 DeKalb - Site Plan Approval Extension**. Common Council referral.

No changes are proposed to the plan.

Ms. Cabrera made a motion to draft a letter to the Common Council stating no objection to the one-year extension; Mr. Gruenfeld seconded the motion and it carried unanimously.

ADJOURNED TO SEPTEMBER 20, 2022

- (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.
- (203-22) **145 Saxon Woods Road**; R-12.5 Zoning District – **Site Plan Amendment for reconstruction of retaining walls and construction of a new footbridge over the Mamaroneck River**. Environmentally Sensitive Site.
- (226-22) **138 Rosedale Avenue**; R1-7.5 Zoning District – **Site Plan Amendment for a Patio**. Environmentally Sensitive Site.



PLANNING BOARD

MUNICIPAL BUILDING · 70 CHURCH STREET · WHITE PLAINS, NEW YORK 10601
(914) 422-1300 · FAX: (914) 422-1301

THOMAS M. ROACH
MAYOR

JOHN IORIS
CHAIRMAN

CHRISTOPHER N. GOMEZ, AICP
COMMISSIONER OF PLANNING

JUDITH MEZEY
DEPUTY COMMISSIONER

EILEEN J. McCLAIN, AICP
SECRETARY

August 17, 2022

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

SUBJECT: NW PLAINS VENTURE LLC - 20 HAARLEM AVENUE, 27 HOLLAND AVENUE, AND 7-11 HOLLAND AVENUE - SITE PLAN APPLICATION FOR A MIXED-USE DEVELOPMENT

At its August 16, 2022 meeting, the Planning Board considered the request for a one year extension of the site plan approval granted by the Common Council on August 2, 2021 for a multi-family development consisting of two buildings with a total of 296 apartments, 381 parking spaces, 1,000 square feet of neighborhood retail space, and a 14,800 square foot park.

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

Planning Board members voting in favor of sending a letter to the Common Council stating no objection to approval of the site plan extension: J. Ioris, A. Cabrera, J. Kirkpatrick, L. Gruenfeld, and L. Oliva (5); Opposed: None (0); Absent: None (0); Abstain: S. Russell (1). There is one vacancy on the Board.

Respectfully submitted,

JOHN IORIS

John Ioris, Chairman
White Plains Planning Board



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MAYOR

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JUDITH MEZEY
DEPUTY COMMISSIONER

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SECRETARY

August 17, 2022

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

SUBJECT: 37 DEKALB AVENUE – ONE YEAR EXTENSION OF THE SPECIAL PERMIT AND SITE PLAN APPROVAL FOR RE-USE AND EXPANSION OF THE FORMER NURSING HOME BUILDING FOR 21 APARTMENTS AND 21 PARKING SPACES

At its August 16, 2022 meeting, the Planning Board considered the application made by 37 Dekalb Owner, LLC, for a one year extension of the special permit and site plan approval granted by the Common Council on August 5, 2019, and extended on November 2, 2020 and December 6, 2021. The project involves adaptive re-use and modification of an existing two-story building for multi-family housing with 21 apartments and 21 parking spaces. No changes are proposed to the approved plan and no changes have occurred in the surrounding area since the approval.

The Planning Board has no objection to a one year extension of the Special Permit and Site Plan Approval.

Planning Board members voting in favor of sending a letter to the Common Council stating no objection to a one year extension of the Special Permit and Site Plan Approval: J. Ioris, A. Cabrera, L. Gruenfeld, J. Kirkpatrick, L. Oliva, and S. Russell (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