

**WHITE PLAINS PLANNING BOARD
MINUTES OF THE MEETING ON
OCTOBER 17, 2023**

MEMBERS PRESENT: John Ioris, Anna Cabrera, Lauren Morris, Lynn Oliva, and Sarina Russell

MEMBERS ABSENT: John Kirkpatrick and Vennela Yadhati

CB REPRESENTATIVE: None

COMMON COUNCIL: None

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

NEXT MEETING OF THE BOARD – November 21, 2023 – Announced

ADOPTION OF SEPTEMBER 19, 2023 MEETING MINUTES - Adopted

SCHEDULE PUBLIC HEARINGS - None

PUBLIC HEARINGS

(229-23) **1148 Mamaroneck Avenue – Site Plan Amendment for Installation of an In-ground Swimming Pool.** Environmentally Sensitive Site.

The public hearing was re-opened.

Omar Shakir, the applicant, described the changes made to the plan to address staff comments.

There were no public or Board member comments.

Ms. Oliva made a motion to: close the public hearing; declare the Planning Board to be the Lead Agency for this Type One Action; adopt the environmental findings resolution; and approve the proposed site plan amendment for a swimming pool. Ms. Cabrera seconded the motion, and it carried unanimously.

(232-23) **1024 Hall Avenue; R1-5 Zoning District – Site Plan Application for a Single Family House.** Environmentally Sensitive Site.

Ms. Russell was recused from discussion and voting on this matter.

The public hearing was reopened. Chairman Ioris noted that there was an insufficient number of voting members in attendance to achieve a super majority vote of 5, and that a vote would not be taken at the meeting.

Ms. Oliva said that she visited the site and noted that in 2018 there was concern about the difficulty of developing the site, and she asked about the possible benefit of having a shared driveway.

Ernest Tartaglione, Jr. said that a shared driveway is not preferred, and that the house will be modular construction, following all Building Department requirements.

Paul Beeken, 1204 Hall Avenue, asked whether the application is a site plan or a site plan amendment. Ms. McClain said that the application is for a new site plan, but that the site and house are the same as the one approved by the Planning Board in 2018. Mr. Beeken said he thought that the house was previously proposed to move toward the front of the site to avoid steep slopes. It was explained that the rock uncovered during construction in 2019, and the desire to reduce excavation is the reason the house is proposed with a 40-foot front yard setback in this site plan. He said that the letter from the seismologist in 2019 was given to residents two days after vibration damage was done. He said that site monitoring is critical to this project, and enforcement of approval conditions.

Commissioner Amadio said that rock was uncovered during construction in 2019, and that work was stopped when the Department of Building received a call from the adjacent property owner. He said that the Supplemental Code describes the process for notification of neighbors and documentation. He noted that there are industry standards for an acceptable range of vibrations.

Dias George, 1028 Hall Avenue, asked where the Building Department was when the damage to his property occurred. He said that “monitoring” does not *prevent* damage. He said that relying on the developer only to monitor construction will not afford sufficient protection of his property. He urged the Building Department to require a different method of excavation than the chipping that was previously done.

Commissioner Amadio responded that the Building Department went to the project site and issued a “Stop Work Order” to the developer within 30 minutes of receiving a call from Mr. George. He said that the applicant was required to provide an engineer’s report on the rock removal in order to continue construction.

Mr. George said that protocols for property survey were not followed, and that the developer cannot be relied upon to self-monitor and report. Commissioner Amadio said that the City does not hire outside consultants to be on site to monitor construction activities.

Mr. Beekan said that other methods of excavation should be considered, noting that changing the frequency and intensity of the hammering may reduce the vibrations. He asked what happens if damage occurs to nearby properties. He suggested that the applicant post a bond naming potentially affected neighbors as beneficiaries.

Ms. Oliva said that the Board does not want the neighboring properties to be damaged by construction, and that the applicant will be required to attend a pre-construction conference with City staff to review procedures, methods of construction, etc.

This matter was adjourned.

(239-23) **101 Hillair Circle; R1-30 Zoning District – Site Plan Amendment for an In-ground Swimming Pool, Patio, and Driveway.** Environmentally Sensitive Site.

Mr. Russell made a motion to open the public hearing, Ms. Cabrera seconded the motion, and it carried unanimously.

Kevin Munene, EIT, described the application: realigned driveway, in-ground swimming pool with patio surround. He said that the pool is proposed in a flat area, but that rock removal is needed at the driveway entrance. He did not know how much rock will be removed, but will report back to the Board.

Eileen Brown, 106 Hillair Circle said that construction began during the summer and that the site is a mess.

Barbara Wexler, 110 Hillair Circle – The proposed driveway is directly across from her driveway, and hers has been blocked by construction workers so that she cannot get out of her driveway. She prefers the existing driveway. She is concerned that the pool might cause runoff and clog storm drains. She has heard rock breaking on the site. The pool will be visible, trees will be removed, has a landscape architect been consulted, notice should be provided to neighbors.

Manoa Vargas, property owner, said that 12'-15' evergreens will be planted. He said that there are a lot of building permits open on the interior of the house.

This matter was adjourned, awaiting staff comments.

OTHER

(248-23) **126 Woodcrest Avenue – One-Year Extension of the Site Plan Approval for a Single Family House.** Environmentally Sensitive Site.

Hamed Akber, applicant, said that site difficulties have delayed the start of construction, but the plan and the site are not proposed to be changed at this time.

Ms. Oliva made a motion to approve a one-year extension of the site plan approval. Ms. Russell seconded the motion and it carried unanimously.

(249-23) **Petition for a Zoning Map Amendment to Change the Zoning Classification of 290 Ferris Avenue from R2-4 Residential One and Two Family District to LI Light Industrial District.** Common Council referral.

Anthony Gioffre, attorney representing the applicant, described the petition: a vacant lot adjacent to 280 Ferris Avenue, which is owned by the petitioner, proposed to be improved with a parking lot.

Commissioner Gomez said that the petition is appropriate as to form.

Ms. Cabrera made a motion to send a letter to the Common Council stating that the petition appropriate as to form, the Planning Board has no objection to the scheduling of a public hearing on the requested rezoning of 290 Ferris Avenue, and no objection to approval of the request. Ms. Russell seconded the motion, and it carried unanimously.

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

(250-23) **Saber-North White Plains, LLC - 70 Westchester Avenue – One-Year Extension of the Site Plan Approval and Special Permit Associated with a 175-Unit Mixed-Use Development.** Common Council referral.

Annie Kline, attorney representing the applicant, said that the plan is not proposed to be changed from the approved plan, and that no changes have occurred to the surrounding area. She said that the Jeep Chrysler dealership is expected to move to Elmsford in May 2024, and that her client can get on that site to clean it after that relocation.

Ms. Russell made a motion to send a letter to the Common Council stating no objection to approval of the one-year extension; Ms. Oliva seconded the motion, and it carried unanimously.

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

- (251-23) **1 Water Street – One-Year Extension of the Site Plan Approval for a New 301-Unit Residential Development.** Common Council referral.

Annie Kline, attorney representing the applicant, said that the plan is not proposed to be changed from the approved plan, and that no changes have occurred to the surrounding area. She said that the delay is due to an Article 78 case against approval, which has been dismissed, but the decision has been appealed.

Ms. Russell made a motion to send a letter to the Common Council stating no objection to approval of the one-year extension; Ms. Cabrera seconded the motion, and it carried unanimously.

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

- (252-23) **Elizabeth Seton Young Adult Center – 315-317 North Street; PHCDD (Planned Healthcare Campus Development District) – Site Plan Amendment for a 96-bed specialized care facility for medically fragile people aged 18-35.** Common Council referral.

Mark Weingarten, attorney representing the applicant, described the proposed project as a healthcare residential facility for medically frail young adults age 18 to 35 who "age out" of the existing facilities.

Chuck Utschig, P.E., described the traffic and drainage.

Jennifer Arbuchle, R.A., explained the design decisions.

Ms. Russell made a motion to send a letter to the Common Council recommending approval of the site plan amendment; Ms. Cabrera seconded motion, and it carried unanimously.

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

ADJOURNED

- (223-23) **56 Primrose Street – Site Plan Application for a New Driveway.** Environmentally Sensitive Site.

- (104-22) **Farrell Estates at Ridgeway Subdivision – 336-400 Ridgeway, _ Gedney Esplanade, 213-223 Bryant Avenue; R1-30 Residential Single-Family Zoning District – 106 Lot Subdivision.** Environmentally Sensitive Site.

- (234-23) **154 Purdy Avenue**; R1-12.5 Zoning District – **Site Plan Amendment for a house Addition**. Environmentally Sensitive Site.
- (242-23) **T-Mobile Northeast LLC** – 3 Barker Avenue; CB-4 (Core Business-4) – **Special Permit for a Public Utility Antenna Facility**.
- (247-23) **Azul Bar & Grill** – 6-10 South Kensico Avenue; B-3 Zoning District – **Special Use Permit for a Restaurant**.

The meeting adjourned at 8:50 p.m.



PLANNING BOARD

MUNICIPAL BUILDING · 70 CHURCH STREET · WHITE PLAINS, NEW YORK 10601

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DEPUTY COMMISSIONER

EILEEN J. McCLAIN, AICP
SECRETARY

October 18, 2023

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

SUBJECT: PETITION MADE BY T/I/C 280 FERRIS AVENUE, LLC AND MIB 1031 LLC FOR A ZONING MAP AMENDMENT TO RECLASSIFY 290 FERRIS AVENUE (SECTION 125.34, BLOCK 1, LOT 2) FROM THE R2-4 TO LI ZONING DISTRICT

At its meeting of October 17, 2023, the Planning Board reviewed the petition of T/I/C 280 Ferris Avenue, LLC and MIB 1031 LLC for a zoning map amendment to reclassify 290 Ferris Avenue (Section 125.34, Block 1, Lot 2) from the R2-4 to LI zoning district for the purpose of constructing a 24-space parking lot.

The Planning Board determined that the proposed amendment is in appropriate form and recommends that the Common Council schedule a public hearing on the petition. The Board further has no objection to the proposed amendment to the Zoning Map.

Planning Board members voting in favor of the motion to find the proposed amendment appropriate as to form and to recommend scheduling a public hearing on the proposed amendment to the Zoning Map, and to further find no objection to that amendment: J. Ioris, A. Cabrera, L. Morris, L. Oliva, S. Russell, (5); Opposed: None (0); Absent: J. Kirkpatrick and V. Yedhati (2).

Respectfully submitted,

JOHN IORIS

John Ioris, Chairman

White Plains Planning Board



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October 18, 2023

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

**SUBJECT: 70 WESTCHESTER AVENUE – APPLICATION FOR A ONE YEAR
EXTENSION OF THE SITE PLAN APPROVAL AND SPECIAL PERMITS**

At its October 17, 2023 meeting, the Planning Board considered the application made by Saber-North White Plains, LLC, for a one-year extension of the site plan approval granted by the Common Council on November 1, 2021 and extended on December 5, 2022. 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 site plan approval and special permits as requested.

Planning Board members voting in favor of sending a letter to the Common Council stating no objection to a one-year extension of the site plan approval: J. Ioris, A. Cabrera, L. Morris, L. Oliva, S. Russell, (5); Opposed: None (0); Absent: J. Kirkpatrick and V. Yedhati (2).

Respectfully submitted,

JOHN IORIS

John Ioris, Chairman

White Plains Planning Board



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October 18, 2023

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

SUBJECT: 1 WATER STREET - ONE-YEAR EXTENSION OF THE SITE PLAN APPROVAL

At its October 17, 2023 meeting, the Planning Board considered the application made by 1 Water Street, LLC, for a one-year extension of the site plan approval granted by the Common Council on October 5, 2020, and granted one-year extensions on December 6, 2021 and November 7, 2022. The office building has been demolished. No changes are proposed to the approved 22-story mixed-use building consisting of 301 dwelling units, 1,212 square feet of retail/commercial space, and 307 parking spaces. No changes have occurred in the surrounding area since the approval.

The Planning Board has no objection to a one-year extension of the 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 site plan approval: J. Ioris, A. Cabrera, L. Morris, L. Oliva, and S. Russell (5); Opposed: None (0); Absent: V. Yadhati and J. Kirkpatrick (2).

Respectfully submitted,

JOHN IORIS

John Ioris, Chairman

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October 18, 2023

TO THE HONORABLE MAYOR AND MEMBERS OF THE COMMON COUNCIL

SUBJECT: ELIZABETH SETON YOUNG ADULT CENTER – 315-317 NORTH STREET –
SITE PLAN AMENDMENT FOR A 96-BED SPECIALIZED CARE FACILITY
FOR MEDICALLY FRAGILE PEOPLE AGED 18-35

At its October 17, 2023 meeting, the Planning Board reviewed the application by Elizabeth Seton Pediatric Center for a new building in the Planned Healthcare Campus Development District. The structure would be a five-story, 110,930 square foot, residential healthcare facility for medically fragile people aged 18 to 35.

The Planning Board fully supports this project and recommends approval.

Planning Board members voting in favor of the motion to send a letter to the Common Council recommending approval of the site plan: J. Ioris, A. Cabrera, L. Morris, L. Oliva, and S. Russell (5); Opposed: None (0); Absent: J. Kirkpatrick and V. Yadhati (2).

Respectfully submitted,

JOHN IORIS

John Ioris, Chairman

White Plains Planning Board