

**WESTCHESTER  
COUNTY  
PLANNING  
BOARD**

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**County Planning Board Referrals:**

*Letters dated April 16, 2009 through May 15, 2009*

Meeting Date:  
**June 2, 2009**

**Elmsford**

LWC

**ELM 09-002 Burger King**

Action:  
03) Site Plan  
  
Letter Date:  
12-May-09

Description:  
Proposed replacement of an existing 1-story 3,290 square foot restaurant by a 1-story 4,065 square foot restaurant to be built on a 0.58-acre site located at 265 E Main Street/Tarrytown Road (NYS Route 119). The existing restaurant fronts the street with 45 surface parking spaces arranged around the building on all other sides. A small strip of landscaping separates the Burger King parking area from the parking area which serves the adjacent SYMS and Bed Bath & Beyond stores. Two single-directional drives provide vehicular access to the site, and pedestrians may enter the restaurant through the front door which faces the sidewalk. The proposed site plan shows the new restaurant set back from the street by 51 feet, with 29 parking spaces between the building and the street. Access to the Burger King will remain separated from surrounding sites and provided by two unidirectional drives. A separated drive-thru lane will now encircle the site on all sides.

**265 E Main St**

Comments:  
The Tappan Zee/I-287 study has mapped a possible station location in the vicinity of the site. Given the possibility that the site becomes the front door to a major transit hub, the Village should be proactive in planning for development that is pedestrian-friendly and transit-accessible. The letter urges the Village to require the applicant to revise the site plan to include continuous pedestrian facilities so that pedestrian access to all portions of the site can be accessed without entering traffic. Further, the applicant should be encouraged to prepare a site plan that maintains the location of the current Burger King, upgrading the restaurant to a modern facility while continuing to provide a more attractive street wall. Main Street/Tarrytown Road (Route 119) is a congested arterial, and the Village should implement best practices in access management to address traffic congestion in the vicinity of the Burger King site, including limiting curb cuts and sharing driveways and parking areas between uses wherever possible. In specific, the Village should work with the applicant to reduce the number of locations where motorists will access the site and to explore the creation of an easement and a common driveway that provides safe access to both sites and is of appropriate width and turning radius to serve customers and employees of all businesses. The Village should encourage the applicant to incorporate green building technology and bicycle parking in the project, and given that NYS Route 119 is a New York State road, should forward a copy of the application to the NYS Department of Transportation for review and comment.

**Greenburgh**

LWC

**GRB 09-008 Jack-Saw LLC**

Action:  
03) Site Plan

Letter Date:  
30-Apr-09

Description:  
The project involves the conversion of an existing vacant office building into a daycare center, which would be able to accommodate up to 135 children. The 1.82 acre site is located on the southeast corner of Saw Mill River Road (NYS Route 9A) and Jackson Avenue, with vehicular access from Jackson Avenue only. Improvements to the site include interior renovation of the building, the conversion of a section of the existing parking lot into a playground, sign replacement, and landscaping.

**1 Jackson Avenue**

Comments:  
The response letter notes that the plans do not show the location of a Bee-Line bus stop located in front of the site. The plans should be revised to show the bus stop location as well as how pedestrian activity will be accommodated on the site to allow access between the proposed child care center and the bus stop. The applicant should also contact WCDOT to discuss any impacts the proposed project will have on bus service and whether or not improvements to the bus stops serving the site are required or desired.

The letter also recommended the provision of complete sidewalks along all site frontages, particularly since Saw Mill River Road has been highlighted as an issue within the town. Bicycle parking should also be provided, particularly because the South County Trailway is nearby. While the project is primarily a building renovation project, the applicant should look for ways to "green" the building through adding green building technology, as well as improve stormwater treatment on the site.

**GRB 09-009 600 White Plains Road (White Hickory)**

Action:  
06) Zoning Text Amendment

Letter Date:  
01-May-09

Description:  
Petition for a zoning text amendment to make “fully enclosed stores for the retail sale of consumer merchandise, banks and fully enclosed restaurant use” a special permit use subject to the jurisdiction of the Town Board in the OB Office Building District. If adopted by the Town, the applicant will seek a special permit and site plan approval to construct a shopping center on a vacant portion of a 17.38-acre site located at 600 White Plains Road (NYS Route 119) which now contains a Sheraton Hotel and parking areas for adjacent office buildings. The shopping center would contain a 75,000 square foot supermarket, 50,000 square feet of office space, 15,000 square feet of general retail uses and two smaller freestanding buildings containing a bank and additional retail space. Under the proposed zoning text amendment, the construction of this shopping center would require special permit approval from the Town Board and site plan approval from the Town Planning Board.

**600 White Plains Road**

Comments:  
The response letter noted that this matter was preliminarily reviewed in 2008 when it was referred from the Greenburgh Planning Board. Since the proposed zoning text amendment has remained unchanged, and is now in front of the Town Board, the letter restates the original comments on this amendment.

Through the County Planning Board’s research and work in developing Westchester 2025, it has been found that “in some areas, existing strip development can be transformed over time into a more attractive center-like environment or commercial hub through strict commitment to such site design elements as placing buildings near the front property line and parking at the rear, providing pedestrian connections and applying area architectural guidelines.” Therefore, the Town should consider concepts for improving the quality and vitality of commercial corridors and to better utilize land within developed office parks as a part of this review. The Town should also consider the recommendations and suggestions of the “Office Park Housing” report in its review as well. The letter also calls attention to a number of site plan considerations which should be considered as the review progresses.

**Harrison**

LWC

**HAR 09-004C Manhattanville College**

Action:  
03) Site Plan

Letter Date:  
23-Apr-09

Description:  
Applicant is seeking Planning Board approval for improvements already completed or commenced, including temporary parking areas and associated stormwater control measures, a canopy over an existing pedestrian walkway, a greenhouse, storage structures, emergency call boxes and a single-family staff residence. The subject site is the campus of Manhattanville College, located on the southeast corner of the intersection of Purchase Street (NYS Route 120) and Anderson Hill Road, a County road (CR 18), in the Town/Village's R-2 Residential Zoning District.

The applicant has also submitted a "Future Vision Plan" that shows five potential buildable areas for possible future development of the campus. Such development could include new residence halls, expanded classroom and laboratory facilities, a new health and fitness facility, improvements to the existing athletic facilities, a new sports pavilion or arena and a building to house administrative and support functions as well as equipment storage. A site for a generator is also suggested. The purpose of this plan is described as providing a context for decision-making. The submission notes that the college must retain flexibility in planning for its future.

The applicant is seeking an amended site plan approval, special use permit, wetlands permit, and steep slopes permit approval.

**2900 Purchase Street**

Comments:  
The response letter states no objection to the Planning Board of the Town of Harrison assuming lead agency status, and encourages the Planning Board to consider previous comments in letters dated February 26 and March 18, 2009.

**Mount Vernon**

LWC

**MTV 09-002B International Commercial Realty**

Action:  
03) Site Plan  
  
Letter Date:  
04-May-09

Description:  
Proposed conversion of an abandoned gasoline service station into a motor vehicle repair shop with two repair bays and facilities for a towing business on a site located at 360 South 5th Avenue.

**360 S 5th Ave**

Comments:  
Since a bus stop is located in front of the site, the letter recommends the applicant contact WCDOT to discuss any impacts the proposed project will have on bus service and whether or not improvements to the bus stop on the site's frontage are required or desired. In addition, because South 5th Avenue is a County road (CR 91) an approval from WCDPW is required. The letter also encourages the City to work with the applicant to incorporate green building technologies and stormwater management infrastructure into the site.

**MTV 09-003B Nazarene Worship Center**

Action:  
03) Site Plan  
  
Letter Date:  
04-May-09

Description:  
Proposed conversion of a former commercial building into a church and day care center. The applicant proposes two handicapped-accessible parking spaces, and one van parking space, along with a drop-off area in the rear of the building. The subject site is a 0.14-acre property located at 159 West Sanford Boulevard, in the city's CB Commercial Business Zoning District.

**159 West Sanford Blvd.**

Comments:  
The response letter notes that the proposed project is located adjacent to Sandford Boulevard (CR 61) a permit is required from WCDPW.

**MTV 09-004 SBE Equities, LLC**

Action:  
03) Site Plan  
  
Letter Date:  
04-May-09

Description:  
Proposed demolition of an abandoned dwelling and accessory buildings on a 0.30-acre site for the purpose of subdividing the site into four lots for the construction of four two-family, semi-attached townhouses. Two lots would be 3,6225 square feet and two lots would be 2,940 square feet. All lots would have frontage on South Ninth Avenue on the block north of Sandford Boulevard.

**454-460 South 9th Avenue**

Comments:  
The response letter encourages the applicant to set aside a portion of the units as affordable as well as encourages the applicant to include as many green building elements as possible.

**New Castle**

LDT

**NWC 09-002 Zoning Text Amendment: Schedule of District Regulations**

<p>Action: 06) Zoning Text Amendment</p> <p>Letter Date: 24-Apr-09</p>	<p>Description: Zoning text amendment to alter the language of a section of the schedule of regulations with regard to business and industrial districts, specifically emphasizing that office and financial institution uses will be located above the street level floor within the B-RP Zoning District, unless a financial institution is engaged in mass market banking, in which case it may be located at street level.</p>	<p>Comments: Local determination</p>
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**New Rochelle**

LWC

**NRO 09-005 Salesian High School**

<p>Action: 03) Site Plan</p> <p>Letter Date: 27-Apr-09</p>	<p>Description: Proposed site plan for a 15,597 square foot gymnasium on the premises of Salesian High School to be utilized for high school gym and classroom activities.</p>
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**148 E. Main Street**

Comments:  
The letter requests that more information on this project be sent as it becomes available since the information received is insufficient to make any informed comments.

**NRO 09-005B Salesian High School**

<p>Action: 03) Site Plan</p> <p>Letter Date: 12-May-09</p>	<p>Description: Proposed site plan for a 15,597 square foot gymnasium on the premises of Salesian High School to be utilized for high school gym and classroom activities.</p>
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**148 E. Main Street**

Comments:  
The response letter notes that because Main Street is a County Road (CR 65) a permit is required from WCDPW. In addition, the site plan should be revised to include bike parking since Main Street is a City-designated bicycle route. The letter also encourages the City and the applicant to explore using as much green building technology for the proposed project as possible.

**Ossining (town)**

LDT

**OST 09-001 Zoning Map Amendment**

<b>Action:</b> 07) Zoning Map Amendment	<b>Description:</b> The amendment to the Town Zoning Map would change Lot 8, located within Section 90.19 and Block 2, from R-30, One-Family Residence District, to GB, General Business District, for the purpose of accommodating a proposed animal hospital.	<b>Comments:</b> Local Determination
<b>Letter Date:</b> 24-Apr-09		

**Port Chester**

LDT

**PCH 09-004 Zoning Text Amendments: Cabarets, Theaters, Catering Establishments**

<b>Action:</b> 06) Zoning Text Amendment	<b>Description:</b> The amendments would add a stated purpose for the regulation of cabarets and catering and events establishments; revise the definitions of theaters, cabarets and catering and events establishments to more effectively define uses and activities that take place within such establishments; add cabarets, theaters and catering and events establishments to the Village parking requirements; specify the distance that cabarets must be located from incompatible uses; restrict cabaret uses to the C2, Central Business District.	<b>Comments:</b> Local Determination
<b>Letter Date:</b> 30-Apr-09		

**Somers**

LWC

**SOM 09-003C Saint Joseph's Church/JFK High School**

Action:  
03) Site Plan

Letter Date:  
06-May-09

Description:  
Additional materials for the construction of a new Saint Joseph’s Church by the Roman Catholic Archdiocese of New York on a portion of the 58.3-acre JFK Catholic High School campus located on Goldens Bridge Road (NYS Route 138). The new church would be a relocation of church facilities from the current parish location on Croton Falls Road to a new 800-seat church building with 440 parking spaces on the southeast corner of the school campus site, where school athletic fields are currently located. Replacement athletic fields will be constructed elsewhere on the school campus. The revised plans no longer show a school building expansion which was previously proposed.

The JFK High School campus is surrounded on three sides by lands that border the Muscoot Reservoir, part of the Croton water supply, owned by the NYC Department of Environmental Protection (DEP). The fourth side of the site is mostly the frontage on Route 138. The Town-owned Plum Brook Road is located to the south of the site within the DEP-owned land. The site appears to have a 50-foot wide access easement across the DEP lands so as to permit access from Plum Brook Road. The proposed plans show the high school continuing to have vehicular access from a reconstructed driveway connecting to Route 138. The new church, however, would have vehicular access via the DEP easement to Plum Brook Road. The JFK High School campus also straddles a 1,000 foot long section of the former right-of-way of the Mahopac Branch railroad line. The County Planning Department and the Town of Somers have pursued the development of a trailway on this former right-of-way since the 1980’s. Funding for construction of this trailway is currently listed on the region’s Transportation Improvement Program (TIP).

**54 Goldens Bridge Road**

Comments:  
The letter expressed continued disappointment that the project has not taken most of the County Planning Board's previous recommendations into account - the proposed project remains inconsistent with Westchester 2025.

Because a statement by the applicant in the previous submission noted “alternatives by the applicant in the early stages of the project are available for review upon request of the Planning Board" the letter continued to call on the Town to require that these alternatives be formally submitted and reviewed as part of the site plan approval process. The letter reiterated specific concerns that site plan alternatives should address, such as the potential for shared parking, the potential for shared driveway access and the realization of the Mahopac Branch trailway.

**Yonkers**

LWC

**YON 09-005 Zoning Text Amendment: Streuver Fidelco Cappelli, LLC**

**Action:**  
06) Zoning Text Amendment

**Letter Date:**  
11-May-09

**Description:**  
Proposed revisions to previously proposed zoning text amendments to permit the River Park Center, Cacace Center and Palisades Point projects proposed by Streuver Fidelco Cappelli, LLC to be developed. According to the submitted materials, the revisions are proposed to respond to comments made during the SEQR review that concluded with the adoption of SEQR Findings by the City Council on November 5, 2008. The primary change is cited as a reduction in the maximum permitted height of the proposed towers of River Park Center from 500 feet to 400 feet. Another change is to define “designated development site” as a tract of no less than 10 acres as may be designated by the City Council. Additional modifications were also included such as the permitting of a broader range of uses within the CB Central Business District and addition flexibility in parking requirements for Palisades Point.

**Downtown Yonkers**

**Comments:**  
The response letter notes support for the City’s actions to create a favorable climate for redevelopment in downtown Yonkers by allowing for more diverse uses and higher density. In addition, the County Planning board has long advocated for some of the proposed provisions, such as the allowance for reduced parking requirements through shared parking schemes. However, the letter went on to note that it would have been preferable to have a final set of amendments expanded to incorporate design requirements and guidelines that could help shape and incorporate the potential larger structures into the city’s urban fabric.

**YON 09-005B Streuver Fidelco Cappelli, LLC: Various Amendments**

**Action:**  
Official Map and Comprehensive Plan

**Letter Date:**  
11-May-09

**Description:**  
Proposed Official Map amendments to discontinue certain streets and parks, proposed modifications to the Getty Square Urban Renewal Plan and proposed amendments to the Yonkers Waterfront Master Plan to enable the River Park Center, Cacace Center and Palisades Point projects proposed by Streuver Fidelco Cappelli, LLC to be developed

**Downtown Yonkers**

**Comments:**  
The response letter states that the proposed Official Map amendments are matters for local determination. However, while the letter acknowledges that the Urban Renewal Plan and Waterfront Master Plan amendments were previously analyzed under SEQR, the letter calls attention to previous County Planning Board comments on this matter which encouraged the City Council to be comprehensive in its consideration of amendments to the Downtown Waterfront Master Plan’s planning polices. The City should consider long-term and area-wide impacts, and then define a vision from the public’s perspective for the city and its various neighborhoods.

**YON 09-005C Streuver Fidelco Cappelli, LLC: Palisades Point PUR Special Permit**

Action:  
04) Special Use Permit

Letter Date:  
11-May-09

Description:  
Application for a special permit to establish a Planned Urban Redevelopment under the provisions of the Yonkers Zoning Ordinance for a 5.8-acre waterfront site to be developed with "Palisades Point: part of the Streuver Fidelco Cappelli project which also includes River Park Center and Cacace Center.

The Palisades Point concept proposes the construction of two 25-story residential buildings containing 436 dwelling units, 8,000 square feet of ground-floor retail and 726 parking spaces, with 184 garage spaces replacing the existing surface parking on part of the site that is used by residents of the existing adjacent Scrimshaw House. Each of the two towers would be adjacent to parking structures screened on the riverfront side by five-story "wing" buildings. The "wing" building next to the south tower will contain the retail space. The rooftop of each parking structure would be landscaped as walkways. Public access would be provided along the riverfront where a park is shown to be developed (1.77 acres). Another 0.65-acre would be dedicated to Yonkers as public right-of-way.

Access to the proposed buildings would be provided via an extension of Water Grant Way which connects to Main Street to the north, allowing access under the Metro-North Railroad viaduct along the waterfront. Water Grant Way would be located between the proposed buildings and the railroad tracks, providing access to each parking structure and a loop driveway/drop-off area between the two buildings where the pedestrian entrances would be positioned. Water Grant Way would terminate at the southern property line. A surface public parking lot with 41 spaces is shown to be developed parallel to the southern property line

**Water Grant Way**

Comments:  
The response letter finds the approval of the PUR special permit to be a necessary step to the further processing of the development application for Palisades Point and notes that the site plan for the Palisades Point project is currently under review by the County Planning Board, with comments to be provided shortly.

**YON 09-007 Tuckahoe Motor Inn**

Action:  
09) Zoning Use Variance

Letter Date:  
23-Apr-09

Description:  
Proposed excavation of an inground outdoor pool and replacement with a drywell and additional parking for the motel on the property, which is undergoing renovations to accommodate additional rooms. A use variance is required for this work, as the existing motel is a non-conforming use under current zoning. The site is located at 307 Tuckahoe Road in the City's BR Restricted Business Zoning District.

While the submitted materials note that area and parking variances are required, this action must also be referred to the Yonkers Planning Board and/or City Council for site plan approvals.

**307-323 Tuckahoe Road**

Comments:  
The response letter notes that the installation of a drywell on the site as part of the replacement of the outdoor pool is not a generally-accepted substitute for surface stormwater retention and treatment. The City is encouraged to require the applicant to consider replacing the existing pool with a vegetative stormwater retention and treatment system that would reduce stormwater runoff from the site.