

**WESTCHESTER
COUNTY
PLANNING
BOARD**

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County Planning Board Referrals:

Letters dated July 16, 2009 through August 15, 2009

Meeting Date:
September 1, 2009

Croton-on-Hudson

LWC

CRO 09-001 Harmon Gateway Overlay District

Action:
Zoning Text and Map Amendments
Letter Date:
28-Jul-09

Description:
Proposed zoning map amendment to enlarge the boundary of the Harmon/South Riverside Gateway Overlay District to comprise the parcels located along both sides of South Riverside Avenue, between Croton Point Avenue to a point approximately 200 feet north of Oneida Avenue. The proposed text amendment would revise use regulations as well as special area, bulk and parking regulations for the Harmon/South Riverside Gateway Overlay District to regulate mixed-use development as a permitted use.

South Riverside Avenue

Comments:
The response letter recognizes the Village's effort to be consistent with Westchester 2025 particularly with respect to channeling development to centers. In addition, the letter recognizes the consistency between the effort by the Village to permit mixed-use development and its Bicycle/Pedestrian Master Plan.

Harrison

LWC

HAR 09-003B Saxon Woods Corporate Center Parking Lot Improvements

Action:
03) Site Plan
Letter Date:
31-Jul-09

Description:
Proposed reconfiguration of the Saxon Woods Corporate Center parking area. Additionally, the project includes the resurfacing of the entire parking area and the installation of new curbs and landscaped islands. The site is located at the southeast corner of the intersection of two County roads, Mamaroneck Avenue (CR 8B) and Union Avenue (CR 94). The revised plans indicate that the applicant has decided to pursue the inclusion of a new driveway access from Union Avenue. The applicant has also dropped plans for the construction of a drive-thru for a potential bank tenant on the first floor of the 550 Mamaroneck Avenue building.

550-600 Mamaroneck Avenue

Comments:
The response letter encourages the applicant to provide on-site stormwater retention and reduce impervious coverage on the property given its proximity to the Mamaroneck River, which has had recent flooding issues. The letter also encourages the applicant to discuss potential impacts to Bee-Line Bus service and opportunities for improving stops along Mamaroneck Avenue. The Town/Village is encouraged to require the applicant to provide sidewalks along the frontage(s) of the property and pedestrian access into the site, as well as to provide bike parking. Finally, the letter notes that the plans show a new curb cut on Union Avenue and the closure of a curb cut on Mamaroneck Avenue and points out that the County will not consider approval of access revisions unless such revisions are first approved by the Town/Village Planning Board. If approved by the Town/Village, approval would then be required from County DPW.

HAR 09-006B Harrison Hamlet

Action:
05) Subdivision Plat

Letter Date:
27-Jul-09

Description:
Proposed subdivision of one parcel into seven lots ranging from 1.00 to 1.18 acres, to be developed with single-family residences. A cul-de-sac street 640 feet in length is shown to be constructed to provide access from Mamaroneck Avenue. An existing residence with associated outbuildings would also have access from the new street. The slopes map identifies 37% of the site as having slopes over 15%. A sanitary sewer easement crosses the southern portion of the site. The subject property is an 8.36-acre site with 380 feet of frontage on the east side of Mamaroneck Avenue (County Road 8C) north of the ramp connection to Interstate 95. The site is bounded on the north by an office park and on the south by the Mamaroneck River. It is classified R-1 one-family residential by the Town/Village zoning ordinance.

350 Mamaroneck Avenue

Comments:
This project was previously reviewed in a letter dated June 19, 2009. The Town/Village is encouraged to give further consideration to previous comments, including comments related to proposed construction adjacent to a County-owned trunk sewer.

HAR 09-009B PepsiCo, Inc.

Action:
03) Site Plan

Letter Date:
31-Jul-09

Description:
Amended site plan application for the implementation of a long-term campus Master Plan for the 152-acre PepsiCo, Inc. world headquarters, located south of Anderson Hill Road and east of Lincoln Avenue. The site is located in the Town/Village's SB-100 Special Business Zoning District, and R-1 and R-2 Residential Zoning Districts. The property is presently developed with seven three-story office buildings, 1,278 surface parking spaces, associated maintenance buildings, and Sculpture Gardens open to the public. The three phase master plan would include a new central atrium, a new Welcome Center and a new 158-space public parking area as part of Phase 1. Phase 2 will include the expansion of two existing office buildings. Phase 3 consists of a conceptual plan for future development that could include additional office and support buildings with possible uses including cafeteria, physical fitness facilities, and other staff support services. Phase 3 is not the subject of the present site plan application, but will be addressed in the EIS.

In addition, the applicant is also seeking a rezoning of three residentially-zoned tax parcels that lay within the subject site from the R-1 and R-2 Residential Zoning Districts to the SB-100 Special Business Zoning District that encompasses most of the balance of the property.

700 Anderson Hill Road

Comments:
This project was previously reviewed in a letter dated June 24, 2009. The Town/Village is encouraged to give further consideration to the previous comments.

HAR 09-012 Harrison Executive Park

Action:
03) Site Plan

Letter Date:
31-Jul-09

Description:
The project as described would involve the addition of a 84,879 square-foot, four-story office building to an existing three-building corporate office park. The new building will include parking underneath the first floor as well as renovations to the surrounding parking area for a net increase of 61 new parking spaces. The site is a 13.36-acre property located at 3030 Westchester Avenue (NYS Route 120A) near the intersection with Webb Avenue. The rear of the site also abuts Blind Brook, which is a County drainage channel.

3030 Westchester Avenue

Comments:
This project was previously reviewed in 2002, 2003, 2007 and most recently, in letters dated September 15, 2008 and October 28, 2008. The Town/Village is encouraged to give further consideration to the previous comments.

HAR 09-013 249 Halstead Avenue Properties

Action:
03) Site Plan

Letter Date:
30-Jul-09

Description:
The proposed project involves the construction of a three-story commercial/residential building, consisting of retail space on the ground floor and a total of ten residential units on the second and third floors. Included in the plan is a parking garage to be located within the cellar of the building, consisting of 15 parking spaces which will satisfy the residential parking requirements; the retail portion of the building has received a parking waiver and is not accounted for in the planned parking area.

249 Halstead Avenue

Comments:
The response letter states that the site is located along Halstead Avenue, a County Road (CR 80A) and will require approval from the County Department of Public Works. The letter also recommends that the Town require a percentage of the dwelling units to be set aside for affordable housing in order to advance the County's affordable housing goals. In addition, the letter recognizes the project's consistency with Westchester 2025, particularly with regard to the policy of channeling development to centers.

LDT

HAR 09-014 PepsiCo Deer Fence

Action:
08) Zoning Area Variance

Letter Date:
14-Aug-09

Description:
Proposed extension of a variance approval for a deer fence located on the PepsiCo, Inc. World Headquarters, a 152-acre property located at 700 Anderson Hill Road in the Town's SB-100 Special Business Zoning District and R-1 and R-2 Residential Zoning Districts. Variances regarding this matter were previously approved by the Zoning Board of Appeals on April 6, 2006, subject to a two-year time limitation. In light of the present Master Plan process and SEQR review, during which the deer fence will be evaluated, the applicant is requesting the removal of the time limitation as part of the extension.

700 Anderson Hill Road

Comments:
Local determination.

Lewisboro

LWC

LEW 09-006 Estate Motors Mercedes-Benz

Action:
03) Site Plan

Letter Date:
28-Jul-09

Description:
Proposed construction of a 32,027 square-foot addition and a 1,260 square-foot mezzanine addition to an existing automobile sales dealership structure, which is proposed to be completely renovated. In addition, the applicant plans to add a 1,823 square-foot covered display area at the north side of the showroom building, remove an existing 13,500 square-foot service building and construct a fenced vehicle storage area that will contain lifts to stack new cars. Finally, the applicant also plans to add a vehicle storage area to be utilized for parking vehicles to be serviced as well as install a new stormwater management system on the property. An existing two-story frame structure and a small commercial building will be demolished as part of the improvements. The subject site is a 3.3-acre property located at 321 Main Street (NYS Route 22) in the hamlet of Goldens Bridge, in the Town's GB General Business zoning district.

321 Main Street

Comments:
The response letter notes that impervious coverage will increase dramatically under the proposed plan, and encourages the Town to require the applicant to reduce impervious coverage and employ stormwater management techniques such as permeable paving and vegetative rain gardens. The Town is also reminded that surface stormwater detention ponds are preferable to subsurface stormwater management infrastructure as proposed by the applicant. Reducing stormwater runoff from the site is especially important given the site's location in the Croton Watershed. The letter goes on to encourage the Town to ensure that an appropriate landscaping buffer is provided between the proposed vehicle storage area and adjacent residential areas, and that proposed fencing is not aesthetically intrusive. The Town is encouraged to require the applicant to provide pedestrian infrastructure along the site's frontage and into the site, which is especially important given the property's location near the Goldens Bridge train station. Finally, the Town is encouraged to require the applicant to employ green building technologies, and to forward the plan to NYS DOT for review since Route 22 is a State highway.

North Castle

LWC

NOC 09-009 A&P Supermarket

Action: Various
Letter Date: 27-Jul-09
Description: Lead Agency notification for the proposed demolition of an exiting 25,107 square foot supermarket and the construction of a new 36,000 square foot supermarket in its place. The proposed building would also have three additional smaller retail spaces for other tenants sized at 2,000, 2,501 and 9,610 square feet. The subject site is a 4.23-acre site located at 450 Main Street (NYS Route 128) in the Armonk hamlet.

In addition to site plan, special permit and area variance reviews, the applicant is requesting a zoning text amendment which would incorporate special regulations of the SC – Shopping Center District into the CB – Central Business District regarding parking requirements for shopping centers above 50,000 square feet of gross floor area. While the CB District requires one parking space for every 150 square feet of gross floor area for supermarkets, the special SC District regulations require one space for every 200 square feet of gross floor area, with lower requirements applied to portions of the building used for office, recycling and food storage areas.

450 Main Street

Comments: The response letter notes that no site plans have yet been received and requests that they be forwarded as they become available. The letter expresses support for the proposed zoning text amendment as it appears to alleviate a parking requirement that may be excessive for this type of use in hamlet areas. Since the applicant is also seeking to share off-street parking with the adjacent Hergenhan Recreation Center, the letter additionally supports shared parking amongst uses with different peak activity times.

LDT

NOC 09-012 Cody and C.S. Hadley, LLC

Action: 04) Special Use Permit
Letter Date: 13-Aug-09
Description: Proposed demolition of an existing home and swimming pool and the construction of a new 10,058 foot home, swimming pool, pool house and terrace. The gross area of all planned construction is 14,287 square feet. Special use permits will be required for this project since the basic permitted Gross Land Coverage and basic permitted Gross Floor Area will both be exceeded.

7 Hadley Road

Comments: Local Determination

NOC 09-013 Luciano Residence

10 Morningside Place

Action:
04) Special Use Permit

Description:
Proposed demolition of an existing residence and the construction of a new 5,551 square foot residence, a patio, retaining walls, and the relocation of an existing driveway; the gross area of all planned construction is 6,100 square feet. Special use permits will be required for this project, as the basic permitted Gross Land Coverage and basic permitted Gross Floor Area are both exceeded.

Comments:
Local Determination

Letter Date:
14-Aug-09

Peekskill

LWC

PKS 09-005 R-6 District Zoning Text Amendment

Action:
06) Zoning Text Amendment

Description:
Four zoning text amendments are required for the R-6 Central Multiple Residence Zoning District to complete a proposed redevelopment of the "Gateway" site, located on Main Street between Hadden and Spring Streets. The amendments to the text relating to the R-6 Central Multiple Residence Zoning District include the following changes:

Letter Date:
06-Aug-09

- Under present language, affordable townhouse units with approved density bonuses must be located within 250 feet of the City's Central Commercial Business District. The proposed amendment would increase the maximum distance to 500 feet. A requirement that these units be located within 250 feet of existing public housing units is unchanged.
- Under present language, the maximum number of townhouses per acre subject to density bonus provisions is 16. That number would be increased to 18 under the proposed amendment.
- Under present language, 200 square feet of recreation space is required per townhouse unit subject to density bonus provisions. The City is proposing to add language allowing this requirement to be waived upon a finding by the Common Council that the dwelling unit is within 300 feet of a public park.
- Under present language, the Common Council is authorized to permit residential density of up to eight units per acre upon a finding that the project will offer at least half of the proposed additional units as affordable housing units as determined by the U.S. Department of Housing and Urban Development (HUD) standards for Westchester County. The proposed amendment authorizes increased residential density upon a finding that the project will offer at least half of the proposed additional units as "market-rate affordable housing."

Comments:

The response letter encourages the City to reconsider the sequencing of the project review, since no development plans were provided with the proposed text amendment, as would be recommended under SEQR. The concurrent review of the proposed zoning amendments and detailed site plans is especially important given the site's location at a prominent entrance to the City's downtown. The letter also notes that the provisions of the City's zoning ordinance requiring affordable townhouses subject to density bonuses to be located adjacent to public housing and the central business district result in a clustering of subsidized housing, thus leading to housing segregation. The City is encouraged to reconsider the appropriateness of these requirements in light of the County's commitment to fair and affordable housing in mixed-income neighborhoods. The letter goes on to encourage the City to reconsider changing its zoning language to allow density bonuses to be awarded for "market-rate affordable units," which confuses the meaning of fair and affordable housing. The City is also reminded of its commitment to develop at least 51% of the units on the Gateway site as affordable units, given that the site was acquired with CDBG funds. Finally, the letter notes that many elements of the proposed project are consistent with Westchester 2025, yet this fact does not override concerns related to procedure and the language of the current and proposed zoning text.

LDT

PKS 09-006 Zoning Text Amendment: Outdoor Dining in WF-2 Zoning District

<p>Action: 06) Zoning Text Amendment</p> <p>Letter Date: 07-Aug-09</p>	<p>Description: The proposed amendment would permit outdoor dining within the WF-2, Inland Waterfront Development District. Specifically, the amendment would permit dining arrangements on sidewalks in front of dining establishments which have a designed seating capacity of over 200 persons or have outdoor facilities or service, regardless of size.</p>	<p>Comments: Local Determination</p>
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Pound Ridge

LWC

PDR 09-001 Town Park Community Center

<p>Action: 03) Site Plan</p> <p>Letter Date: 23-Jul-09</p>	<p>Description: The first of three phases which would place a new community center in Pound Ridge's existing Town Park. "Phase 1" of the project involves construction of 35,890 square feet of driveway configured as a 30-foot wide roadway leading up to 34 parking spaces and three off-street loading spaces. "Phase 2" will include construction of the 10,000 square foot community center building and additional walkways. "Phase 3," which will be constructed under separate Town funding from Phases 1 and 2 and will incorporate a separate Stormwater Pollution Prevention Plan, will reconstruct the existing lower parking area adjacent to the Town Park's entrance.</p>
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199 Westchester Ave

Comments:
The letter recommends that the proposed community center's location in the Town Park be rethought, given that the long driveway required by the proposed site plan requires the destruction of a number of large trees and excessive land disturbance. A different arrangement could potentially centralize the parking so that it can be shared amongst the park amenities in a more efficient arrangement.

The letter goes on to point out that the increase in paved surfaces in the park could also negatively affect a pond adjacent to the proposed driveway which was the focus of a pond restoration project through the County Soil and Water Conservation District. Because of this County investment, the Town should set a goal of zero net increase in stormwater runoff for this project. The proposed subsurface infiltration chambers located below the parking areas is not an optimal solution to achieve this goal. The letter also encourages the Town to incorporate as much green building technology as possible into the proposed project.

Rye

LWC

RYC 09-001 30 Elm Place Mixed Use Building

Action:
03) Site Plan

Letter Date:
07-Aug-09

Description:
Proposed construction of a four-story mixed-use building consisting of ground-floor retail and six apartments on the upper three floors. A variance will be required for parking, as none is provided on-site; however, a municipal parking lot exists behind the proposed development, and the applicant will provide seven additional parking spaces in this lot to satisfy the parking variance. The site is zoned B-2, Central Business District, and lies partially within the 100-foot buffer of Blind Brook, requiring a Wetland and Watercourse Permit; a copy of a Wetland and Watercourse Application has been provided to the Westchester County Planning Board.

30 Elm Place

Comments:
The response letter notes that the submitted materials do not include any mention of provision of affordable housing within this development, and recommends that the City establish means to require that a percentage of the apartments be set aside for affordable housing. The letter also commends the proposed development for being consistent with the Westchester 2025 policy of directing growth to centers, thereby promoting the practice of smart growth.

Somers

LWC

SOM 09-005 Sussman Mobil Station

Action:
03) Site Plan

Letter Date:
28-Jul-09

Description:
The proposed project involves expansion of an 880 square foot convenience store located at an existing Mobil gasoline station and a reconfiguration of the existing parking lot with the potential for the addition of parking spaces. The plans include three possible site development schemes, each consisting of a different amount of square footage for the expanded convenience store, and various configurations and numbers of parking spaces to be provided.

291 Route 100

Comments:
The response letter discusses the three site plan schemes put forth by the applicant, specifically with respect to Scheme B conforming with the Town's parking requirements and Schemes A and C representing lesser amounts of parking, if a variance is granted by the Zoning Board of Appeals. The letter recommends the Town to work with the applicant to reduce parking to a quantity below that which is put forth by both Schemes A and C since a significant portion of the site is located within a 100-foot wetland buffer which includes a waterway that drains into the nearby Muscoot Reservoir. Although a stormwater remediation system will exist on site, the potential exists for the diversion of untreated stormwater to this waterway, if the system becomes overwhelmed during heavy rains. The letter also recommends that the applicant also provide bicycle parking, as the site is located along a popular bicycle route.

White Plains

LWC

WHP 09-001B 55 Bank Street

Action: 03) Site Plan	Description: Revised site plan for a mixed use project, modified to include the following changes: (1) modification of the parking garage to eliminate mechanized parking, (2) addition of 624 square feet of open space, for a total square footage of 26,279, (3) the addition of a central landscaped plaza, and (4) the selection of architectural finishes for the exterior.
Letter Date: 22-Jul-09	

55 Bank St

Comments:
The letter notes that this project was previously reviewed in letters on January 30, 2008 and January 20, 2009. While the letter encourages the City to continue considering the previous comments, the letter also commended the applicant for exploring the use of exterior architectural details to reduce the sight of "plain rectangular boxes."

WHP 09-008 Shinnyo-En Temple

Action: 03) Site Plan	Description: The proposed project involves the expansion of an existing Buddhist Temple in order to provide additional space for the assemblage of congregants following religious services. The addition to the existing Temple will consist of two stories, total approximately 9,800 square feet, and consist of a gathering hall, circulation space, counseling rooms, children's rooms, restrooms, and storage and mechanical areas.
Letter Date: 07-Aug-09	

370 North Street

Comments:
The response letter commends the City for its efforts to promote green building and energy efficiency through its initiative, Greening White Plains, a website designed to promote awareness among the City, its residents and businesses, with regard to policies and steps that can be adopted to minimize climate change. The letter notes that while the City's Green Technology Committee is currently in the process of establishing guidelines and/or policies to be incorporated into the City's building code that will promote more environmentally-friendly building components, the City should recommend that the applicant take steps to implement green elements within this project to reduce energy consumption and ultimately, carbon footprint.