

Planning Board DECISION

OFFICE USE ONLY

Application No.: _____
Date Received by _____
Municipal Clerk: _____

At a meeting of the Planning Board on
October 3, 2017, the following
motion was made by Joe Marty:

(name of planning board member)

I move that the Planning Board deny
 approve
 approve with conditions (see below)

the application for Site Plan Review Approval
 Preliminary Subdivision Approval
 Final Subdivision Approval
 Special Use Permit Approval
 Other _____

made by Lincoln Pelham Partners, LLC
(applicant name)

for property located at 185 – 195 Lincoln Avenue, Pelham NY

(address / tax map number)

Approval of this application is subject to the following conditions:

Additional conditions are attached.

RECORD OF VOTE

	<u>MEMBER NAME</u>	AYE	NAY
Chair	<u>Joseph Marty</u>	_____	_____
Member	<u>Michael Carpenter</u>	_____	_____
Member	<u>Ciro Greco</u>	_____	_____
Member	<u>Jeffrey Lacilla</u>	_____	_____
Member	<u>Matthew Margulis</u>	_____	_____

(Recorded by Planning Board Secretary/Clerk)

(Date)

To: Mayor Volpe and the Board of Trustees

From: Joe Marty, Chairman, Pelham Village Planning Board

Date: October 20, 2017

RE: Development at 185-195 Lincoln Ave, Pelham NY

The Village Planning Board met July 17, 2017 August 8th 2017, September 19th 2017, and again on October 3rd 2017 with applicants for the proposed development at 185-195 Lincoln Avenue. The Planning Board conveyed several requests for additional information to the applicant. Counsel Cooper relayed a large amount of information to the Planning Board on August 10, and we have reviewed these documents. After our assessment and in consultation with Ms. Bourne and Mr. Spolzino, the Planning Board is in unanimous agreement that the additional information meets the Planning Board's needs for a complete application. For the Board of Trustees's background, there were 4 issues most discussed.

First, was the Phase 2 Environmental Assessment for the site, which had had a petroleum spill and had undergone cleanup. There was some concern that the applicants did not have the definitive case closure documentation to conclude that the soil in the private spaces was cleaned to a certain depth to ensure the health and safety of future residents. They provided sufficient documentation to make it appear that there are no environmental concerns within the footprint of the proposed building. The Board of Trustees may wish to consider use restrictions regarding earth disturbance for the surrounding areas that will be the common area.

Next was the logic for the applicants' use of the new subdivision code 98-106.4 to support building five attached townhouses. The logic of 98-106.4 suggests the landowner needs to show that five separate parcels under the original zoning could support development before being able to build the same number of units in a cluster fashion. The Planning Board questioned whether there were fully five buildable lots on the property using existing zoning, given rock outcroppings. After consultation with Counsel Spolzino, the Planning Board was satisfied that the standard was only whether development was possible under the existing zoning, and not whether it would be financially or aesthetically desirable. So we accepted the rationale for allowing five attached townhouses.

The Board also was concerned that the original plan had aesthetics that did not fit into the surrounding community. The applicant and ARB have told us that the project now reflects improvement on that matter after work with the Architectural Review Board. We defer to the ARB's opinion.

Finally, there were many articulate and impassioned residents at the July 17 meeting who pressed for alternatives to this development. The majority were nearby New Rochelle residents from the Glen Lake area, with a handful of Pelham residents. Their main arguments were:

- this new development would increase traffic on an already busy thoroughfare that is already backed up at rush hour, with resulting slower traffic and safety concerns for cars exiting the property
- the five townhouse form is unlike surrounding residences, which are largely 1 and 2 story homes with yards
- construction noise, construction traffic, and any rock removal would be very disruptive to the close-by neighbors

I attach a recent letter from the Chairs of the Glen Lake Association Public Safety Committee making clear their intention to address these issues when the Board of Trustees considers this development.

We would expect the BoT to initiate a full SEQR review of this proposal upon its review of this.

CC: Nanette Bourne, AKRF
Robert Spolzino, Counsel
Planning Board members
Ron Czajka, ARB