

Minutes of Regular Meeting
Bronxville Planning Board
Wednesday, December 14, 2005

Present: Donald Henderson, Chairman
Anna Longobardo, Member
Adrienne Smith, Member
Eric Blessing, Member
Richard Carey, Alternate Member
Maryann Palermo, Counsel

Absent: John Westerfield, Member

Also Present: Vincent Pici, Superintendent of Buildings
Jeffrey Faville, Design Review Committee Member
Renee Byers, Design Review Committee Member
Leah Murphy, Outside Counsel of the firm of Silverberg,
Zalantis

1. Call to Order

Chairman Henderson called a joint meeting of the Planning Board and Design Review Committee (the "DRC") to order at 7:35 P.M. in the Bronxville Library. He indicated that in the absence of Mr. Westerfield, Mr. Carey would act as a voting member of the Board for the purposes of this meeting.

2. Minutes

Upon motion duly made by Ms. Smith, seconded by Mr. Blessing, and unanimously carried, the Board approved the minutes of November 15, 2005 as presented.

3. Site Development Application - 100 Pondfield Road

Chairman Henderson stated that tonight's meeting is a continuation of the Board's review and public hearing on the application by Green Realty Development Co. LLC/100 Pondfield Realty Corp. to convert the subject

property from a storage warehouse into an office and residential property. Mr. Henderson noted that the Planning Board had received revised plans from the applicant and asked Mr. John Fry of Sullivan Architecture, P.C., the applicant's architect, to provide a review of the plans and point out the differences between the new plan and the previous plans.

Chairman Henderson informed the audience of the evening's schedule, as follows: following Mr. Fry's presentation, there will be a review of what the applicant presented to the Design Review Committee ("DRC"). Following that, questions and comments were to be heard from Planning Board members and representatives of Frederick Clarke Associates, the Board's planning consultant. After a report from the DRC, Chairman Henderson would reconvene the public hearing.

Mr. Fry began with a brief overview contrasting the existing building with its storage units, attendant truck traffic and large freight elevator with the proposed development, which would include 15 or 16 parking spaces, residential apartments, and office space. Mr. Fry also noted that the property would include a pool and atrium, proposed for the roof area, an updated mechanical room, and several circulation spaces. Mr. Chris Pelella assisted Mr. Fry by pointing to the areas on the plans to which Mr. Fry was referring. Mr. Fry described the proposal floor by floor, and in response to Ms. Smith's inquiry, explained that the proposed circulation spaces were required by law to provide an exit from the premises. In response to Chairman Henderson's question regarding what specific changes had been made to the plan, Mr. Fry pointed out the removal of one parking space from the plan. He stated that this was done in order to improve circulation in the parking garage, thus providing a total of 15 parking spaces for the proposed office/residential development. Mr. Fry pointed out that the design elements to be approved by the DRC included the color and patterns of the windows and façade of the building, the pool terrace and the sound barriers proposed by the applicant.

Chairman Henderson asked if there would be two different colors of brick – like masonry material used on the façade of the building. Mr. Fry responded that a lighter color brick-like masonry material would be used on the existing stair tower and that the darker color material would be used over approximately 80% of the building. Chairman Henderson asked what materials would be used on the roof. Mr. Fry reported that the original clay

tile parapet wall would remain and that portions of it would be repaired or replaced, as necessary.

Chairman Henderson then asked for a report from the DRC. Mrs. Longobardo reported that two of the three members of the DRC approved of the architect's specifications for the façade brick-like masonry material.

Ms. Smith noted that the drawings show a greater contrast between the roof and façade materials than the actual samples presented to the Board evidenced. Mr. Fry responded that the samples presented are a more accurate reflection of the colors than that presented on the drawings. Ms. Smith stated that perhaps the dark parapet material should not be juxtaposed with a dark brick-like masonry material on the façade.

Mr. Fry responded that the blondish color of the present brick façade stands out next to the red parapet material, but that the building is not a true Mission building and it therefore does not violate of any architectural or design principal to use the darker brick next to the parapet.

Ms. Smith stated that the effect was awkward when the light and dark materials were placed side by side. Mr. Fry noted that the choice of façade materials was part of the global plan for the building, chosen to complement the windows.

With respect to the windows, Mr. Fry displayed pictures of the proposed window materials stating that the proposed windows were metal casement windows in a dark color. He pointed out that the only window of monumental size was at the entry the style of which would reinforce the industrial look of the building. He stated that the window over the entry has no divided lights but three vertical panels at three levels. He stated that the façade materials and window materials were chosen for their harmony.

Mrs. Longobardo stated that the DRC had discussed the width of the window bands over the entrance and stated that two of the three DRC members agreed with Mr. Fry that the window width was appropriate.

Jeff Faville of the DRC stated that the clay tile of the parapet wall evokes a Mission style and that therefore a lighter façade material would, in his view, be more appropriate than the materials specified by the applicant. He further stated his view that the windows over the garage entrance to the building

were too large and out of proportion and that therefore the design did not appear harmonious.

Chairman Henderson, while specifically stating that the Board was not voting on the specified façade materials and windows, stated that the informal consensus of the Board was that the materials presented by the architect for the façade of the building and the windows was acceptable.

Chairman Henderson asked Mr. Fry if Residential Stair 2 shown on the plans was accessible by the apartments in the building. Mr. Fry responded that the office space and the residential spaces were served by separate lobbies and separate entrances. Mr. Fry then stated that the doorway in Stair 2 that appeared to connect the residential and office spaces would be addressed.

With respect to questions from the Board regarding the size and material of the skylight shown on drawing SK.2, Mr. Fry stated that the skylight was so placed because the unit would not receive much natural light given its location. He explained that the glass would be tempered and that therefore the view into the apartment through the skylight would be slightly distorted. Chairman Henderson asked for the height of the skylight from the roof surface. Mr. Pelella responded that the height of the skylight from the surface of the roof was 3'6".

Mr. Faville then inquired about the large freight elevator shown on the plans. Mr. Fry responded that the freight elevator may be sealed and abandoned. If it was made operable, Mr. Fry was not sure how it would be used.

Mr. Faville then asked who would pay the taxes on the property. Mr. Davis responded that the applicant, as owner and landlord, would pay all the real property taxes due and owing on the property.

With respect to the proposed improvements to the driveway, over which the applicant has a right-of-way in common with others, Mr. Davis explained that he had been in contact with Jonathan Gordon, the managing agent for the owner of the driveway and adjacent properties. Mr. Davis reported that Mr. Gordon has responded favorably to the applicant's request to remove the asphalt driveway and install new paving and graphics, and that he believed a formal approval would be forthcoming.

Renee Byers of the DRC asked what arrangements had been made regarding refuse pickup from the building. Mr. Fry responded that the refuse containers would not go beyond the front door of the building or beyond the footprint of the lower level. He stated that the applicant was considering installing a refrigerated room for the purpose of garbage collection.

Ms. Byers then stated that the ramping and curb cuts to the driveway as shown on the plan appear dangerous given the angle at which they would be cut. She expressed her view that the continuity of the sidewalk should be maintained.

Mr. Pici confirmed this point stating that the sidewalk should be maintained at a consistent plane. While a pattern change would be acceptable on the surface of the driveway material, the grade change, in his view, was not acceptable.

Mr. Donald Tone of Frederick P. Clark stated that he had suggested the curb cuts because he wanted to make a statement to the pedestrian that the sidewalk had become part of a driveway, and that caution should be exercised. He stated that he would reconsider that design.

Dr. Philip Grealey, the applicant's traffic consultant, commented on the removal of the parking space from the plans and stated that he believed there was sufficient parking available in the proposal allowing for 15 spaces.

Ms. Byers asked if only right turns would be permitted into and out of the driveway, which was confirmed as correct by Dr. Grealey.

Ms. Byers asked about the lighting to be used in the driveway. Mr. Fry responded that two pools of light would be created by the fixtures proposed for the driveway space. She also asked if there would be lighting in the 22' recessed area at the entrance to the garage, to which Mr. Fry responded there would be. Mr. Davis added that he had received oral approval for mounting lighting fixtures on the adjacent property.

Mr. Fry then reviewed the rooftop plan for the building, including the pool, atrium and rooftop mechanical systems. He stated that the area of the roof outside of the roof terrace would be covered with gravel.

Chairman Henderson asked Mr. Fry to state the height of the atrium. Mr. Fry responded that the atrium as shown on SK3 was 11' ½".

Chairman Henderson asked if the glass atrium structure was visible from other points in the Village. He also asked from what other points in town the pool was visible.

Mr. Fry stated that he believed the pool was only visible to the co-operative apartment building located across the street from the building. He also stated that the planned landscaping for the rooftop may obstruct some of that view.

Chairman Henderson then reconvened the Public Hearing on this matter.

Dorothy Brennan stated her concern regarding the number of vehicles accessing the property and the attendant turns into and out of the driveway which feeds directly into Pondfield Road. She commended the decision that vehicles may only make right hand turns into and out of the driveway. She also stated her concerns regarding the façade of the building and asked if the roof should be done in slate and whether the choice of colors for the façade was appropriate.

Mrs. Longobardo responded that the DRC had reviewed the specifications for these items as identified by the architect and had concluded that the architect's choices would be acceptable.

William Murphy, the Village Parking Commissioner, concurred with the turning restrictions into and out of the driveway. However, his concern is about accidents occurring at the point where pedestrians cross the driveway. Additionally, Mr. Murphy stated that his belief that the exit pattern would cause the loss of one parking space as well as the stopping space presently available adjacent to the driveway exit.

Chairman Henderson asked where the parking space would be lost.

Mr. Murphy responded that the first parking space on the southerly side of the driveway would be lost because of the need for additional space for cars making a right turn out of the driveway.

Mr. Davis responded that the parking space would not be lost, and that cars at present are making right hand turns out of the driveway without the elimination of that space.

Renee Atayan, a resident of the Village, appeared before the Board and read a prepared statement. She stated that the project is out of scale and questioned the true purpose of the proposed development. She further stated that the project leaves her scratching her head due to the fact that the average size of an apartment in Bronxville is approximately 1,300 square feet and yet the apartments planned for this site are approximately 3,200 square feet. She questions the placement of a two-burner stove in an apartment of this size, as depicted on the architect's plans. She asked why the common areas and the circulation areas were so large. She stated that she was concerned about the connections between the residential spaces and the commercial spaces. She questioned the size of the proposed skylight. She further stated that the proposed atrium exacerbated the height issues presented by the design of the building and that the proposed pool was problematic and the expanse of it too vast. She further stated that the plan for the building is such that the space could accommodate a large crowd, particularly in the roof pool and atrium area and that such large pool parties or rooftop gatherings would not be tolerated by the residents of the Village. She also raised concerns about the use of the driveway, stating that the area is heavily trafficked by unsupervised children, especially those who are permitted to leave the school building to eat lunch in the Village each weekday. In addition to questioning the purpose of the building, Ms. Atayan also raised her concerns regarding the ability to resell the building with the proposed modifications in place. Ms. Atayan concluded her remarks by stating her belief that the applicant has demonstrated less than sincere intentions with respect to the development of the building and that in light of what she believes is an overt deception on the part of the applicant, the Planning Board should disqualify the applicant.

Chairman Henderson adjourned the public hearing at 9:30 to be reconvened at the January 2006 Planning Board meeting.

Chairman Henderson then asked Mr. Davis how large a group was contemplated on the rooftop in the study done by the applicant's noise consultant. Bonnie Schnitta, Ph.D., President of SoundSense, LLC, the applicant's noise consultant, stated that she could not recall the number upon which she based her measurements, stating that it might have been thirty.

Chairman Henderson stated that further study would need to be done in order to provide the Planning Board with noise levels for groups in excess of thirty people gathered on the rooftop.

Mrs. Longobardo stated that the DRC did not meet separately to discuss the proposed design elements of the rooftop. She stated that this proposed project is not compatible with the Central Business District (the "CBD"). She further stated that there are no comparable structures in the CBD and the proposed plan is completely out of character with its surroundings. Mrs. Longobardo also stated her concerns that the building may be difficult to sell in the future due to the nature of the unusual layout and modifications proposed by the applicant. Of particular concern, stated Mrs. Longobardo, were the rooftop pool and the glass enclosed structure, which Mr. Fry had been referring to as an atrium. Mrs. Longobardo pointed out that the structure was in fact a pavilion, not an atrium, and that the floors below it were, therefore, lobbies and not continuations of the atrium. Mr. Fry had stated that there was no floor in the glass enclosed structure, only a stair landing. Members of the Board pointed out that on the submitted drawings and schematics, the glass enclosed structure did have a floor. Mrs. Longobardo stated that such a space could accommodate a large number of people. Mrs. Longobardo stated that the noise and light emanating from such a rooftop use would be unacceptable. As a result, Mrs. Longobardo stated, she would not vote in favor of a special permit for the subject application because of her concerns with respect to the rooftop configuration as well as the design and proposed layout of the interior of the structure.

Ms. Smith stated that she concurred with Mrs. Longobardo's assessment of the rooftop configuration. She further stated her concern that the proposal was completely inconsistent with the character of Bronxville Village.

Mr. Faville stated that the height of the pavilion ceiling as previously stated by the applicant's architect was incorrect. In fact, he stated, the height of the ceiling is actually in excess of 13 ½ feet. The previous measurement given by the architect for the height of the glass structure was actually the distance from the top of the roof's highest point to the top of the glass structure. Mr. Faville further stated his concerns that the possibility of many youngsters on the rooftop of the building, screaming and splashing in a pool, would have a detrimental effect on the character of the CBD.

Ms. Byers noted that while the views of the glass enclosed structure from the street, as rendered on the drawings submitted by the applicant, appeared minimal that in actuality the structure would have a large visual impact on Park Place. She stated that at night the glass enclosed pavilion would appear to be a “glowing orb” atop the building and that we do not look to our residential buildings to be beacons of light at night. Ms. Byers also questioned the impact of the proposed roof plantings, noting that plantings do not insulate sound. Ms. Byers also stated that she would like to see the height and design of the proposed sound barrier.

Ms. Schnitta responded that it was true that plantings do not block sound. She stated that as aesthetician she agreed that rooftops were unattractive. She acknowledged that every pool may have screaming children in or near it, and that her proposed absorbers and barriers would lessen their impact. She stated that once she knew the rest of the plan for the rooftop, she could design the sound barriers for submission to the DRC.

Chairman Henderson concluded the meeting by giving a general overview of the proceedings, stating that it appeared that, while not taking a formal vote on the matter before it, the general consensus of the Board was that the window and façade materials recommended by the architect were acceptable to the Board, that fifteen parking spaces would be acceptable, and that the curb cuts at the entrance to the driveway on Pondfield Road should be eliminated. Chairman Henderson further stated that the applicant should rethink the proposed roof plan in light of the comments of the members of the Board and the DRC.

4. New Business
None.

5. Next Meeting

The next meeting of the Planning Board is scheduled for Wednesday, January 11, 2006 at 7:30 p.m. at the Bronxville Public Library.

6. Adjournment

There being no further business before the Planning Board, upon motion duly made by Mrs. Longobardo, seconded by Mr. Carey, and unanimously carried, the meeting was adjourned at 9:55 p.m.

Respectfully Submitted

Lydia Byrne, Recording Secretary
12/14/05 Planning Board Minutes