

**MINUTES OF REGULAR MEETING OF THE PLANNING BOARD OF THE VILLAGE OF
BRONXVILLE HELD ON JUNE 8, 2011 AT THE VILLAGE HALL, 200 PONDFIELD
ROAD, BRONXVILLE, N.Y.**

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PRESENT:	Donald Henderson	Chairman
	Anna Longobardo	Vice Chair
	Eric Blessing	Member
	James Murray	Member
	Adrienne Smith	Member
	Gary Reetz	Alternate
	Randolph Mayer	Alternate
ALSO PRESENT:	Vincent Pici	Superintendent of Buildings

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Chairman Henderson called to order the regular meeting at 7:32PM.

APPROVAL OF MINUTES

Chairman Henderson asked the Planning Board if they were satisfied with the minutes. Ms. Smith made three corrections.

On motion of Mr. Blessing, second by Mr. Murray, the Board approved the minutes of the Regular Meeting on May 11, 2011.

Chairman Henderson welcomed Randy Mayer as a new member of the Planning Board.

PRE-APPLICATION – New Cingular Wireless PCS, LLC (AT&T) – Concordia College, Feth Hall

Mr. Tony Joffrey, attorney for AT&T Wireless, said that the Planning Board approved the installation of a facility on the campus about a year ago. There were six antennas and other equipment that are all hidden to passersby. They are proposing to upgrade this facility and to add three more antennas. They will use materials that comply with all Federal requirements. He asked for the Board to schedule a public hearing so that they can proceed with this project.

Chairman Henderson asked if there would be anything visible.

Mr. Joffrey confirmed that it would not be at all.

Chairman Henderson was not sure if a consultant needed to be hired to review this application but commented that there would be a public hearing on this next month.

Mr. Blessing inquired if this was a replacement or an expansion for the quality of the reception and coverage.

Mr. Joffrey responded that it was upgrading in order to deploy services.

Mr. Murray asked if this would be true for all carriers.

Mr. Joffrey said they would like to be placed on the agenda for the Design Review Committee for next month as well.

Village Engineer Pici commented that there has been no determination made on the application but that they would schedule the applicant as quickly as they could.

PRE- APPLICATION – New York SMSA Limited Partnership –d/b/a Verizon (Lawrence Hospital)

Mr. Mike Sheridan, of Snyder & Snyder on behalf of Verizon, said his client would like to install two new antennas at the hospital. This is an upgrade to current equipment. He asked for a public hearing.

Chairman Henderson asked if this was a replacement or an addition.

Mr. Sheridan responded that it was both a replacement and an addition.

Chairman Henderson was not sure if a consultant needed to be hired to review this application but commented that there would be a public hearing on this next month.

Mr. Sheridan said that because this is an existing site, he asked for swift processing of this application.

Chairman Henderson said that there needs to be resolution for hiring HDR consultants for both pre-applications.

Chairman Henderson asked for a motion to pass this resolution. It was unanimously passed on motion of Ms. Smith, second by Mr. Blessing.

SITE DEVELOPMENT APPLICATION – Lawrence Hospital Center – Cancer Center – 55 Palmer Avenue

Chairman Henderson commented that he would like to hear about construction plans, the footprint of the building and the entranceway.

Mr. Ed Dinan, President of Lawrence Hospital, said that he appreciates the thoughtful deliberation of the Planning Board. He feels it is unfortunate that this has gotten labeled as a cancer center because it is much more than that. The expansion of the hospital offers them the ability to provide services to radiation patients but also will allow for the construction of new operating rooms. For this hospital to thrive, they need to invest and update the hospital and its facilities. Any good hospital makes an investment like this. He does not want to become a statistic like St. Vincent's in New York City. This investment has been well thought out over the years. This project combines three different projects because it is much more efficient and cost effective. It has been approved by the State over the last 10 years. Although the foundation is for six stories, there are no plans in the foreseeable future for six stories. There will be, of course, some disruptions but they will keep it to a minimum. There will be 18 months of

construction and then 10 – 11 months once the structure is done on the outside. Parking has been addressed on the site. The hospital has leased the former Smith Cairns lot and leased other off-site parking. Additional parking is minimal for this project. The new services offered in this facility will be radiation therapy. Patients who get treatments in the city chose to have their therapy closer to home. On June 27th, there will be a meeting at 5:30PM to discuss issues with the public and they will coordinate trips of the operating rooms so people can see what they are like. The project is about the future of the hospital and the ability to attract quality physicians and treat patients.

Ms. Smith asked if radiation patients treated elsewhere would be included in the patient cadre.

Mr. Dinan responded that there would be no prohibition against patients who have diagnoses or some treatments in the city. He wishes it could be closer to home and that he cannot predict what the numbers will be.

Ms. Smith asked if the study is based on this.

Mr. Dinan responded that it is not.

Ms. Kathy Zalantis, attorney for Lawrence Hospital, reported that there is no final determination of the variances made. She discussed the Certificate of Need that is before the State and that the hospital has received three separate approvals. She explained that what is before the State is an amendment. There have been conditions imposed by the State, for example, that they must obtain financing. The hospital has a letter of intent already. Also, she mentioned that the hospital will have to pay a considerable fee but that it is not payable at this time until the approval is given by the Village. These conditions are typical conditions for any Certificate of Need.

Tim Becker, architect, spoke about the second entranceway. He said that the plans have squeezed the footprint to a minimum. The design is not a box but has been squeezed as tight as possible. He reviewed the primary egress path and the two exit stairwells. Currently the structure there is a planter with an airway vent for the equipment in the basement. The two egress points exit at a more desirable point which is the valet parking plaza. The importance of this lobby is a programmatic function. It is important for cancer patients to have a private entrance/exit so they have privacy and for the improvement of the experience of the patients. This exit way is not extending the structure but will be built over thus not reducing the green space. It currently is a concrete covered path. The goal was to enclose it and beautify it. They have proposed very extensive landscaping and there will be a screened view from the walkway. There will be no lit signage. There were changes made from the original model on display. Originally, there was a sloped roof with skylights but it was felt this was a negative because of glare at night. So, it was changed to a flat roof with plantings and a green roof so residents will see plantings. Another change was that the generator has been moved to the back side of the parking deck. The goal here is to have no disturbance to the neighbors.

Chairman Henderson asked if they were building over the existing structure.

Mr. Becker responded that this is considered to be the front yard of this structure.

Village Engineer Pici said that all front yards are based on the street and that the hospital has three streets. The vent area way does not define the structure. It is an accessory.

Chairman Henderson inquired about the property line and its proximity to the street.

Mr. Becker referenced the rendering that measured the distances to the proposed sidewalk. The closest point is 11.5 feet to sidewalk and 17 feet to the road. The deepest section is 45 feet.

Chairman Henderson said that currently there is an open space so a wall closer to the sidewalk leaves how much space to plant trees.

Mr. Becker showed that there is plenty of room for dense landscaping and trees that will be 15 feet in height. He also said that the street trees will offer another layer of green.

Chairman Henderson asked if the discussion with Westbourne management about the hospital doing some landscaping on the Westbourne property was still continuing.

Mr. Becker answered that they were still in discussions.

Ms. Longobardo said that the existing structure from Alger Court is a walkway not a building.

Mr. Becker commented that the residents will still see a wall but a masonry wall and that the residents will be looking down now at a green space rather than a gray concrete slab. It is almost like looking at a lawn.

Ms. Longobardo said that a resident might feel as though the building has gotten closer. She asked if there were any ways to update the hospital without building this center.

Mr. Becker responded that this may be a possibility but all corridors going west towards the valet parking lot wrap around an office area that is all public space. So there is no privacy.

Mr. Longobardo felt it would be interesting to see an alternate way.

Chairman Henderson asked if the new center in Harrison has a separate entrance.

Mr. Jim Hughes, representative of Lawrence Hospital, responded that Sloan Kettering has only filed a Certificate of Need and no determination has been made.

Mr. Murray asked if Sloan Kettering operated out of Phelps Memorial Hospital in Tarrytown.

Mr. Hughes said that that have proposed to move but the State has not given any approval.

Ms. Smith commented that it would be interesting to see what has been considered in the past.

Mr. Hughes reported that the centers in White Plains and Mount Kisco both have separate entrances.

Mr. Jeffrey Faville of the Design Review Committee said that he was confused with the distances shown on the rendering of distances to sidewalk and street. Also, the plans call for the foundation to support six stories but if the foundation is scaled back he would like to know how it would impact the community and construction.

Mr. Becker responded that the excavation would not change in either case. There would be more concrete trucks with the six stories but the actual foundation would be the same in either scenario.

Ms. Smith inquired about the radiation equipment and if the hospital had a particular name since they would be leasing the equipment. She also asked if the equipment would be state-of-the-art and if the hospital would want to modernize it down the road.

Mr. Hughes said that the lease would allow for upgrades and that the hospital has not settled on a vendor.

Dr. Provenzano commented that this center would allow the hospital to do what is being done in the city and at academic facilities.

Mr. Dinan said leasing is better and would allow replacement of more state-of-the-art equipment.

Ms. Smith inquired about the installation of a second linear accelerator and its effects on how many people seen per day and parking.

Mr. Dinan responded that they have one chance at building the vaults and that if the demand increases it will require the addition of the second accelerator.

Village Engineer Pici said that if the hospital is presenting a single accelerator there would be the need for a review for any additional ones to be used.

Chairman Henderson asked if this accelerator use would be based on the number of patients using the facility or on the number of patients using radiation.

Mr. Dinan said it was based on the number of patients using the radiation.

Dr. Provenzano commented that the typical patient will receive a round of treatments that lasts for 2 – 5 weeks and then they are done.

Mr. Dinan said that patients will be able to receive both chemo and radiation.

Dr. Provenzano said that patients with chemo receive that for a longer period of time – once every week or three weeks. Twenty patients for radiation is nothing compared to a practice of doctors who see at least 20 patients each day.

Chairman Henderson commented that radiation can accommodate 4 patients per hour so 22 over an 8 hour period with a maximum of 32 per day.

Chairman Henderson opened the public hearing at 8:28PM.

Mr. Jim Vessel, of Stoneleigh, asked the Planning Board to consider the residual long term noise effects of this building. Below the roof top garden there are several HVAC units and air units which are noisy. There are two large wells on the roof for chillers/condensation units which are treated for germicides for maintenance. These create a fog. There is a discharge louver on Pondfield Road West which is noisy. He said it is like living Manhattan.

Chairman Henderson said the noise is something that the Village is very concerned about and they have hired a consultant to look at this.

Mr. Leonard Leboff of Riverhouse, a cancer survivor, said that having a separate entrance is ridiculous. It is hiding the fact that there are sick people walking out of there. He does not feel a separate entrance is necessary.

Ms. Judy Mergowski, a lung cancer patient, spoke about the hospital not trying to hide the cancer center patients. She said traveling to New York City is too much and that we need this cancer in this area. It would help all sick people. She begged the Planning Board to think hard about this project.

Ms. Marjory Davis, a cancer patient, would like nearby treatment for cancer patients. She received her treatment at Lawrence and feels it is needed for the community.

Ms. Lee Kosher, has a husband sick with cancer and highly recommends this center. She said it is difficult to get into New York City. She is fortunate and happy with their doctors at Lawrence Hospital.

Ms. Suzanne Williams, Rector of St. John's Episcopal Church, was a breast cancer survivor but now has stage 4 cancer, said that cancer is becoming a chronic disease and that research, treatment, drive and professional staff help the patients. Appointments take over one's life. To have care centralized is a great improvement for cancer patients and their families. This center can have a great impact for patients. The value is enduring and construction is temporary.

Ms. Ann Carrol, an Eastchester resident with ovarian cancer, commented that 97 individuals are diagnosed with cancer every week. All are affected by this disease. It would be much easier to have everything centralized and it would be an asset to the community.

Mr. Noel Fortune, a resident of Bronxville for most of his life with lung cancer, said he was grateful to the hospital. It is convenient and has been good to him and his family. He feels the cancer center would be a great plus, a major convenience and a necessary addition.

Ms. Helen Levitz spoke and wanted all cancer patients to know that Alger Court residents are not against them at all. This is about a major make over with much more than a cancer center. This is a shoe horn to get other stuff for the hospital.

Dr. Gerry Ridge said he has been in practice for 25 years and has enjoyed being employed by the hospital for the last 2 years. He is a member of the faculty at Columbia. He is concerned about the future of the hospital and its ability to serve patients. It is about operating properly. The operating rooms are antiquated and it is impossible to recruit surgeons to work in this situation. It is critical for Lawrence Hospital to develop

this program to ensure that it will survive. He is optimistic about the future of Lawrence and that this building is critical.

Dr. Peter Rizzo said he has been on staff at Lawrence for 20 years. This project is imperative for the hospital and the community. The operating rooms are antiquated. The proposed operating rooms are impeccable state-of-the-art. Unfortunately, patients are currently being shuffled back and forth between doctors and facilities. This is an effort to protect the patient with the disease and keeping them from being exposed to others because of suppressed immune system. He offered to give the Planning Board a tour of the existing operating rooms.

Marilyn Timpone Mohamed of F.P. Clarke & Associates addressed the noise issue. The noise study was done at night and during the day at the closest receptor. It looked at the specification of machines going on the roof, louvers and discharge areas. The applicant's noise consultant recommended certain additions to the plan. There are mitigation measures being looked at by the hospital. The noise report suggests that the noise levels would be a minimal noise to background noise that already exists. There is no additional noise in the neighborhood from visits during the day or night.

Ms. Charlene Burck of Westbourne said that she is hearing noise from generators at this point and something needs to be done. It is very loud at night. She is not sure what has changed in the last year.

Ms. Mohamed was surprised to hear this. There is HVAC on the existing room. She can go back to the consultant and have them look at this. However, this is an existing condition. She wondered if this was audible on the street and suggested that the hospital could tone it down.

Mr. Vessel asked if the noise report was available to the public and questioned how the results could be possible.

Chairman Henderson invited him to read the report.

Chairman Henderson inquired about the trucks blocking the traffic circle.

Mr. Michael Galanti, traffic engineer consultant, spoke about the location of the staging area at the traffic circle. The entrance will be controlled by a flagman and will have a maximum truck activity of 5 trucks per day. There will be five in and five out. The site for exiting this area was originally back into traffic circle but it has been changed to Pondfield Road West going towards the traffic circle. The route to the construction will be predominantly from Yonkers – Palmer Road or Kimball Avenue. Entrance for construction workers will be on Pondfield Road West.

He said that the access to the staging area is important because it impacts the entire traffic circle. The current plan is much better than what was originally planned.

The truck routes to the building site offer a variety of choices. This will mitigate the impact. There will certainly be an impact but it will be short term.

The construction workers will work from 8AM – 5PM and will have off-site parking. Where this parking will be has not been determined as well as how they will get to site.

Chairman Henderson asked if Mr. Galanti was satisfied with the current plan and if the traffic circle would be blocked for a few minutes.

Mr. Galanti responded that there will be an impact.

Mr. Vessel inquired about the placement of the crane and boom.

Mr. Becker said that the crane location is between the parkway and the new construction. It will be in the staging area and will not block any streets.

Mr. Larry Levitz, a resident of Westbourne, said he was skeptical about the consultant reports. They feed you whatever it is you want to hear. The hospital has a viable opportunity on Palmer Avenue. He feels it is the town's responsibility to protect its citizens.

Ms. Jane Strachan, resident of Stoneleigh, submitted a petition signed by 200 people to the Planning Board. She feels not enough consideration is being given to the finances of this project. She would like to know how the hospital will recoup the money from this project. She feels it is counterintuitive. She would like to see the hospital submit a ten year projection that includes incremental expenses, revenues, interest expenses, depreciation of equipment and building. The Village needs to be reminded of past history and the financing of major projects does matter. She stated that no public documents are available for residents to review and residents are left in the dark.

Chairman Henderson said he will work on document availability.

Mr. John Stevens, resident of Riverhouse and cancer patient, said that most residents refused to sign the petition in Riverhouse. He wants Lawrence Hospital to be the best it can be. He thinks the Village would not be better off without the hospital. He would prefer to have his treatment across the street.

Jay Applebaum, resident of Westbourne, asked the Village to disapprove the center as currently proposed and consider an alternative location. He said no one is against the hospital or cancer patients. He looked at the renderings and thinks the hospital is not represented the way it actually appears. He is upset about the consultant reports. Noise is a problem. He is concerned that residents are not getting a fair chance to comment or review documentation. He said that the residents will do an Article 278 suing the Mayor, the Trustees and the Planning Board. He asked where the world of hospitals is going? The real question is can they do what they want on a 3.5 acre campus. Residents will lose value on their property so they will go for tax certs.

Ms. Helen Levitz said she read the Chassen Company report and feels the hospital is putting an enormous burden on the Village. The footprint would be a modest addition on a 69 acre campus like Phelps but for our village it represents a disturbance. It is substantial. As far as the lobby is concerned, this is not a big issue. The louvers will be on the third level and will provide a tremendous amount of noise. The Sloan Kettering building will be a large facility but it will not be in a residential area. She questioned the need for this center and how the hospital will be able to compete with medical advances.

Dr. Provenzano responded that the Chassen Company report looks at how the patients get treated.

Ms. Ellen Corcoran, resident of Westbourne, is opposed to the location of this center. She said that people are not being realistic and that the traffic is nuts now and will be even worse.

Ms. Jill Potter, the daughter of a resident in Alger Court with Alzheimer's, commented that this center will have an impact on the area where her mom can walk. There will be possible danger and great noise. It would be nice to have something close by and asked to have other alternatives looked at.

Mr. Richard Magat, resident of Westbourne, said he has become more and more angry. He sympathizes with the cancer patients here tonight. He questioned if this was a done deal, what the role of the planning commission is and what the image of high rises is in Bronxville. He said he has great respect for the hospital and Mr. Dinan. He asked the Planning Board to consider the community and that this project is a scar.

Mr. Jim Fay, resident of Alger Court, inquired about the start of construction because for the last three months he has heard jackhammering early in the morning (6:30AM).

Chairman Henderson closed the public hearing at 9:55PM.

OTHER BUSINESS

Chairman Henderson said that he received a report on the re-zoning of 117 Pondfield Road and transmitted comments to the Board of Trustees. He received a letter from the applicant complaining that they were not on the agenda for July and asked for a Planning Board meeting prior to that – assuming that this re-zoning is approved.

Chairman Henderson received correspondence about a wireless tower in Mount Vernon but said that is only amounts to a historical issue.

Ms. Smith wants to make sure that materials are available to residents.

Village Engineer Pici said that the normal FOIL procedure is followed and if we have the material anyone can view it. Anything in the file is available. His office tries to accommodate people as best as they can.

Mr. Blessing asked if we can procedurally ask for one more copy of information to be made and keep a public file.

Mr. Pici responded that his files are the public files and they are available to the public per State law procedure. Correspondence may not be releasable.

Chairman Henderson asked if the noise study was available for review.

Mr. Pici answered that he does not have a copy.

Ms. Mohamed said that Mr. Pici should have a copy and that she will get him one.

NEXT MEETING

The next regularly scheduled meeting of the Planning Board will be held on Wednesday, July 13, 2011 at 7:30PM.

ADJOURNMENT

There being no further business before the Planning Board, the meeting was adjourned at 10:08PM on motion of Mr. Blessing, second by Mr. Reetz.

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Respectfully submitted,

Karen A. Bучheri
Secretary to the Mayor & Village
Administrator