



More than a Legend

Village of Sleepy Hollow

Department of Architecture, Land Use Development,
Buildings & Building Compliance
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MEMORANDUM

Date: March 27, 2013

To: Chairman Koffler and members of the Zoning Board of Appeals

From: Sean E. McCarthy, Building Inspector

Cc: Janet Gandolfo, Village Attorney

Re: **Open Door Family Medical Center**

The purpose of this memorandum is to provide the Zoning Board of Appeals with additional requested information; review materials presented, and respond to statements entered during the public hearings for the proposed Open Door Family Medical Facility at One New Broadway.

1. Meeting with Building Department. In response to the statements that the Open Door representatives met with Village Officials *and* the Building Department prior to the property purchase, except for confirmation of the permitted office use in the C-1 Highway Commercial District, no employee of the Village of Sleepy Hollow Building Department met with or discussed the purchase of the property at 1 New Broadway with any representatives of the Open Door prior to December 9, 2010. Confirmation of the use of the property was presented in the form of a report, dated December 3, 2010, of all the permits and approvals for the property including the Grotto Site Plan resolution, and all Zoning Board of Appeals, Planning Board, Waterfront Advisory Committee, and Architectural Review Board meeting minutes applicable to the property land use approvals.

2. No indication was given that the applications would be controversial or meet with resistance. The statement that the Village didn't indicate to Ms. Farrell that the application to move the Open Door facility to 1 New Broadway would be controversial is not accurate. At the request of Ms. Farrell, I personally met with Ms. Farrell, Gary Gianfrancesco, RA, and Anita Wilenkin on March 3, 2011 to discuss the proposal. At that time, I advised them of the extensive review and approval process that the former property owner incurred based on his application to renovate and occupy the second floor of the building. During the meeting we discussed the unique site location, lack of on-site parking, conditions imposed on the property, and previous concerns from residents of the adjacent residential neighborhood district. After the meeting, Ms. Farrell requested and was provided contact information for the Webber Park Association so an outreach program could begin.

A subsequent meeting was held on September 9, 2011 with Mr. Gianfrancesco, to review the Site Plan application received on September 6, 2011. Although advised earlier of the potential impediments to the approvals, concerns were heightened when we discussed that the proposal at 1 New Broadway included the removal of the interior parking, previously required by the Grotto approval, and conversion of the lower level to office space. The proposal doubled the existing office area, triggering more on-site parking, and at the same time eliminated (12) of the existing required on-site parking spaces. These same concerns were expressed at the preliminary presentation before the Planning Board on September 22, 2011.

3. Parking at Phelps Memorial Hospital Center. Upon review of the parking information provided by the applicant, please note the following:

a. Phelps uses.

- i. Main Hospital 701 building: (476) parking spaces are indicated based on (238) beds. However no parking provisions have been included for the accessory clinical, and outpatient programs and uses located in the main building, which require parking based on square footage and not "bed" requirements. Furthermore, the calculations do not include parking for the various building expansions, alterations, and additions that have been completed since 1954.
- ii. 755 Medical Office Building: No parking spaces have been allocated for the first and second floors, or approximately 40,000 sf of space.
- iii. Building #9: No parking spaces are indicated for the two-story office space used for the engineering and facilities offices.
- iv. MRI Building: No parking spaces are indicated for the one-story detached building.
- v. Hospice: No parking spaces are indicated for the hospice care located at the James House.
- vi. Office trailers: No parking spaces are indicated for the (2) one story office trailers located in the rear parking lot.

b. Existing conditions. Observations and photo documentation were conducted on March 20, 2013 from approximately 9:00-10:00 AM. See attached photographs (Exhibit 1). Parking lot designations are keyed to Figure NO.1 prepared by Divney Tung Schwalbe dated 2-12-13.

- i. (A1) Main lot-south: All (40) parking spaces were occupied.
- ii. (A2) Main lot-north: No parking spaces were available; (2) spaces were not accessible due to snow banks; (1) car was taking two spaces; (1) car was parked illegally.
- iii. (A3) Building #9: No parking spaces were available and the layout is not defined.
- iv. (B1) Garage: The top floor of the garage was empty but closed to parking. No spaces have been allocated for users of the Rockwood Hall State Park, as required by the 2004 Master Plan Resolution.
- v. (B2) Building 755: (2) accessible parking spaces were available.
- vi. (C1) Hospital entry: No parking spaces were available and (2) cars were parked illegally.
- vii. (C2) Building 755 entry: No parking spaces were available and (1) car was parked illegally.
- viii. (D) Emergency room lot: (12) patient dedicated parking spaces were available; (1) car was parked illegally.

- ix. (E) Building 777 lot: (2) parking spaces were available; (3) cars were parked illegally.
- x. (F) Parking deck: (13) parking spaces were available on the parking deck.
- xi. (G) James House lot: (10) parking spaces were available.
- xii. (H) Service area lot: (7) parking spaces were available; (5) cars were parked illegally.
- xiii. (I) Northwest lot: (1) parking space was available; (1) space was not accessible due to snow.
- xiv. (J) Robins Nest: (7) parking spaces were available and (3) cars were parked illegally.
- xv. (K) Robins Nest: The existing unimproved parking area is fenced off and not accessible for public parking.

4. 80 Beekman Avenue expansion. In response to the statements regarding the inability to expand the second floor of the existing facility at 80 Beekman Avenue, attached please find building plans planned by the Open Door and prepared by Arconics Architecture, P.C. dated 9-15-08 (Exhibit 2) showing a proposed second floor plan including an elevator. Also, attached is a copy of the rider to the lease agreement between the property owner and the Open Door Family Medical Center, Inc. (Exhibit 3) permitting the tenant to renew the lease period to the year 2025 (item 41) and permitting the tenant the use of the entire building, including the second floor (item 60). In fact, the expansion of the facility to the second floor of the building would have increased the building area from 4,880 sf to approximately 9,760 sf.

5. Number of ambulance calls. In response to the claim that the Village of Sleepy Hollow ambulance responds to the Open Door at 80 Beekman Avenue an average of (5) times per year, please review the Village of Sleepy Hollow Police blotter report (Exhibit 4) outlining the number of emergency calls to the address for the last three years. Based on the report, in 2010 the police department responded (19) times, Fire Department (2) times, and the ambulance responded (13) times; in 2011 the police responded (15) times, and the ambulance (10) times; and in 2012 the police responded (17) times, Fire Department (1) time, and the ambulance (12) times.

6. Ambulance maneuvering. In response to the question about the size of the existing ambulance, the overall length is 22'-4", width is 8'-3" and the wheelbase is 13'-6". Attached (Exhibit 5) is a memorandum from Ambulance Captain Edgar Brennen, indicating that the ambulance rig cannot turn around in the lot as proposed.

7. Grotto resolution. As requested, attached please see the Site Plan Resolution dated November 20, 2008 for the application by Peter Grotto (Exhibit 6).

8. Mount Kisco Open Door Facility: In accordance with your request, based on the information provided by the Village/Town of Mount Kisco, on March 30, 2004 the Zoning Board of Appeals approved, with conditions, the request for a parking variance for (12) on-site spaces for the facility located at 30 West Main Street. The zoning requirements required (28) spaces based on (1) space per (150) sf, and the existing property contained (16) spaces. The variance required that all employees had to park in municipal lots and obtain (12) parking permits annually. A copy of the 3-30-04 Zoning Board of Appeals meeting minutes are attached (Exhibit 7).

9. Port Chester Open Door Facility: In accordance with your request, based on the information provided by the Village of Port Chester, on February 22, 2010 the Village of Port Chester Planning Commission granted final site plan approval for the use of the property at 5 Grace Church Street. The minutes indicate that (18) parking spaces are used in the lot located directly across the street from the property. A copy of the Site Plan resolution is attached (Exhibit 8).

10. Ossining Open Door Facility: In accordance with your request, based on the information provided by the Village of Ossining, the Open Door facility located at 165 Main Street does not contain on-site parking. However, there exists (7) municipal lots in the immediate vicinity of the building, which parking tags may be obtained and approved by the Village Manager. See (Exhibit 9) for maps and parking lot data.

11. Related uses and approvals in the C-1 District: In comparison to other office buildings in the immediate area, please see the following list of approved sites.

- a. **239 North Broadway:** On June 5, 1984 the Village of Sleepy Hollow Planning Board approved the conversions of a former gasoline service station to a professional office building. The building was approved with (27) on-site parking spaces and a loading zone. *No parking variance was required.*
- b. **245 North Broadway:** On October 18, 1989 the Village of Sleepy Hollow Zoning Board approved the application to construct a two-story professional office building with (39) parking spaces where (40) spaces were required. *A variance for (1) space was granted.*
- c. **358 North Broadway:** On June 18, 1998 the Village of Sleepy Hollow Planning Board approved the application to construct a two-story retail and office building with (58) parking spaces and a loading area. *No parking variance was required.*
- d. **362 North Broadway:** On April 24, 2003 the Village of Sleepy Hollow Planning Board approved the application to construct a two-story building with retail on the first floor and professional offices on the second floor. The approval was granted with (37) parking spaces and a loading area. *No parking variance was required.*
- e. **16 New Broadway:** On March 17, 2005 the Village of Sleepy Hollow Planning Board approved the conversion of a single-family residence to a professional office building. The approval required the construction of a (12) space parking lot with a loading area. *No parking variance was required.*

Please review the information and contact me with your questions or further requests. I hope this information provides you with the factual documentation to clarify the record and enable the Board to render a decision.

END OF MEMORANDUM