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olson+partners

26 June 2018

Loretta Taylor, Chairperson
Town of Cortlandt Planning Board
1 Heady Street
Cortlandt Manor, NY 10567



Copies 1 .. Planning Board
..... Town Board
..... Zoning Board
..... Legal Dept.
..... DOTS Director
..... C.A.C.
..... A.P.C.
..... Applicant
.....
.....
Sent 6/27/18

RE: A Rising Star Childrens Center
52 Scenic Dr, Croton-on-Hudson, NY

Dear Loretta:

Gloria Foster and Tom Vayda of ARSA, LLC have been operating a licensed Group Family Day Care in their home in Cortlandt Manor for 14 years. The business started after successful professional careers and has grown exponentially during that time, creating jobs for local residents and providing much needed love, care and education for children.

They are currently at their legally permitted maximum of 12 children and 4 after school children and have been at full enrollment consistently for the past few years. They have a waiting list of prospective families that would like to place their children in their care and have had to turn away several children due to their licensing requirements (spacial restrictions). This suggests that there are not enough spaces available in our immediate area and that the quality of their program makes it desirable.

The current facility is in their home on wooded lot in a quiet neighborhood. They did not want to establish themselves in a shopping center store front as it is their belief that children need trees and fresh air to develop and grow. The subject property located at 52 Scenic Dr is a beautiful stone house on a wooded 3+\- acre lot. This property was formerly used as a Synagogue and preschool/community center. The building and property fits their desired business model of caring and educating children in a safe, open air country setting.

The project involves the renovation of the structure to accommodate approximately 60-70 children, meet current NYS Construction Codes and make the building ADA compliant. The grounds, which have not been well taken care of are to be addressed to improve the overall appearance of the site and provide parking spaces that do not currently exist. There are no plans to expand or change the foot print of the building.

There are no neighbors immediately abutting the building area so there would not be any disturbance or noise issues. They would be buffered by the wooded areas which we plan to keep.



The project will add needed quality child care provisions, improve the appearance of the site, and create jobs for residents. Possibly more important to the town is that it will be added back to the tax roles. The property was confirmed tax exempt as part of this application process.

We are sanguine about our chances for success. We have the business knowledge and experience to operate the business and have secured bank financing to support us through the project. Clearly, the market need for quality child care spaces is present, especially in that immediate area.

Section 307-65.4 of the Town of Cortlandt Zoning provides for the conversion of an existing structure to that of a care facility. The purpose reads as follows:

“The Town recognizes that safe, well-situated facilities should be provided in the Town to meet the needs of nursery care, day-care and child education programs. The Town further recognizes that such facilities should be provided in a manner that does not disrupt residential neighborhoods while providing such neighborhoods with access to such facilities. The purpose of this section is to allow for certain types of NYS Department of Education licensed nursery/day-care-center facilities that are most compatible in certain residential zoning districts and to establish standards which ensure protection of those neighborhoods. To the extent that the NYS Social Service Law preempts local jurisdiction, these regulations do not apply to certain types of day-care facilities.”

The previous recorded use of this property was that of a Synagogue and Daycare or Nursery School for the congregation children. Therefore this use is not such a large diversion from that.

Pursuant to the NY SEQR we would ask that the board consider this a Type II action. The facility is to be of Educational use and pursuant to 617.5(c)(8) "routine activities of educational institutions, including expansion of existing facilities by less than 10,000 square feet of gross floor area and school closings, but not changes in use related to such closings;"

This section includes changing transportation schedules or policies, changes in curriculum, developing or changing after school activities, changing the school calendar, or transferring students from one school to another. It also includes an expansion of less than 10,000 square feet. This includes construction of new, elevators or storage space; or expansions for new classrooms (typically eight rooms or less), elevators, special facilities for handicapped access, libraries, lunch rooms, special education facilities, computer laboratories, garages, caretaker residences, teacher centers, child-care centers, storage buildings, pole barns, press boxes and greenhouses, etc.

The closure of a school is also included as a Type II action under this item. However, refitting an elementary school building to become a senior center or town hall administration building would not fit under this category. In addition, a school closing with the intention of leasing the building for non-school purposes would not be classified as Type II.



Educational institutions include all schools and libraries chartered and/or registered by the New York State Board of Regents.

Further, the lot meets all of the bulk criteria as listed in sub-section C of 307-65.4 except that the rear setback falls short of the special permit requisite of 75' and is only 55' which is still greater than the 30' required by the R40 zone. Pursuant to subparagraph 15 we ask that the Planning Board vary this requirement. Pursuant to NYCRR 617.5(c)(12) "granting of individual setback and lot line variances;" are considered Type II.

We look forward to presenting our project to you and further discussing its benefits.

Regards,

Olson + Partners, Inc.



Mark S Olson, AIA