

**NORTH CASTLE PLANNING BOARD MEETING
15 BEDFORD ROAD – COURT ROOM
7:00 p.m.
January 10, 2011**

PLANNING BOARD MEMBERS PRESENT: Peg Michelman, Chairman
John Delano
Jane Black
Steve Sauro

PLANNING BOARD MEMBERS ABSENT: Beata Tatka

ALSO PRESENT: Adam R. Kaufman, AICP
Director of Planning

Roland A. Baroni, Jr., Esq. Town Counsel
Stephens, Baroni, Reilly & Lewis, LLP

Ryan Coyne, P.E.
Kellard Sessions Consulting, P.C.
Consulting Town Engineers

Valerie B. Desimone
Planning Board Secretary
Recording Secretary

John Fava, Chairman
Conservation Board Representative

The meeting was called to order at 7:00 p.m.

APPROVAL OF MINUTES:

November 22, 2010

Revisions to the minutes were submitted and will be voted on at the January 24, 2011 meeting.

December 13, 2010 Minutes

Ms. Michelman asked for a motion to approve the December 13, 2010 minutes as amended. Mr. Delano made a motion to approve. It was second by Mr. Sauro and approved with three Ayes. Ms. Black abstained from the vote. Ms. Tatka was not present for the vote.

PUBLIC HEARING

MONTEFORTE

Special Use Permit

Section 2, Block 3, Lot 30

52 Wrights Mill Road

Dan Holt, PE Holt Engineering

Discussion

Consideration of special use permit resolution

Present for this application was Pete Monteleone and Bill McClure.

Planning Board Chair Michelman read the affidavit of publication for the record. Ms. Desimone stated that 14/15 green cards were returned and all paperwork was in order. No neighbors were present for this application.

Mr. Monteleone stated that the applicant is proposing to build a 1,008 square foot, detached, four car, tandem garage which will be nestled into the hillside and not visible. There will be no fill brought on site. All fill removed from the project will be used on site.

Ms. Michelman noted that the site walk for this property was cancelled on Friday due to the snowstorm. She asked the board members if they were comfortable approving this application since the board did not have an opportunity to visit the site. Mr. Sauro had no concerns. Mr. Kaufman stated that he had no concerns as well.

Ms. Michelman asked Mr. Coyne if he had any comments or concerns. Mr. Coyne noted that he had some minor plan revisions which were mentioned in his memo.

Ms. Michelman asked for a motion to close the public hearing regarding the Monteforte detached garage application. Ms. Black made a motion to close the public hearing. It was second by Mr. Delano and approved with four Ayes. Ms. Tatka was not present for the vote.

DISCUSSION:

EISENBERG

6 Leisure Farm Drive

Clearing and Grading Limit Line

Section 2, Block 5, Lot 14.-3

Rob Sherwood , Landscape Architect

Consideration of site plan resolution

Kent Thuesen was present on behalf of the applicant.

It was noted that when this subdivision was originally created that the Clearing and Grading Limit Lines were created to maintain a natural buffer between the lots and between this lot and the Town Pool property.

Ms. Michelman asked if there were any issues. Ms. Black noted that a nice job was done with the landscaping. Typically, the board has to request additional landscaping and in this case the board did not have to do that and she complimented the applicant for that. Ms. Black did not really have any issues regarding this application.

Mr. Kaufman stated that the landscaping was well done regarding the side yard pool location and mitigation plan.

It was noted that some of the fencing was located in the utility easement drainage area on the side yard. Mr. Thuesen said the present fence location was more aesthetically pleasing in that location but he would move the fence out of that location. A condition will be added to the resolution regarding the movement of the fence.

The Planning Board agreed that the proposed pool location is logical and eliminating this Clearing and Grading Limit Line is appropriate in this case.

Ms. Michelman asked for a motion to approve the Eisenberg resolution regarding the amendment of the previously approved Clearing and Grading Limit Line (C&GLL) in order to construct a new in-ground swimming pool and terrace. Ms. Black made a motion to approve. It was second by Mr. Delano and approved with four ayes. Ms. Tatka was not present for the vote.

SENIOR HOUSING

Referral from Town Board

Section 2, Block 12, Lot 2-2, 2-1, 3

123 & 125 Old Mount Kisco Road

Mount Kisco Road

Kristopher L. Kellard, Kristopher Lawrence Consulting, LLC

Concept Plan Discussion

Also present for this application was Frank Madona, property owner and his professionals Mr. Ianzetta and Mr. Kellard as well as Mr. & Mrs. Madonna.

Mr. Kellard stated that since their last appearance before the Planning Board they have decided to keep the MIU's on site. Presently they are offering 13 market rate units with two different floor plans which will be between 2,400 and 3,000 square feet. The five MIU's proposed will be approximately 1,400 square feet with no garage and a separate parking area.

After much discussion Ms. Michelman summarized that she would like to see better integration of the market rate lots with the MIU lots. The design of the units has not changed since the last submission which the board had requested. Ms. Michelman suggested working with another professional who had some expertise with senior housing development. She noted that Mr Kaufman has requested in his memos for the applicant to submit a plan with individual lots for each house along with side yard and rear yard figures and that still has not been submitted. Mr. Madonna stated that they have been working on a couple of different concept plans and they will submit that information.

Ms. Michelman is aware of the different concept plans and reminded the applicant that the memos have been very clear with what information the Planning Board needs in order to make a recommendation back to the Town Board and that information has not been provided. If this information is not provided then the Planning Board may be forced to send a recommendation back to the Town Board stating that the applicant has not submitted enough data for the board to render a decision. She was not in favor of that option, nor was the applicant.

Mr. Madonna stated that he has spoken with many residents regarding their input for these units and they have expressed an interest in larger units and units with dens.

Ms. Michelman and Ms. Black stated that they were not concerned with the square footage that is developed. It is the additional square footage that is undeveloped that could present opportunities for expansion within the unit to a size the Planning Board may not necessarily consider for approval. The board would like to approve this and the applicant would like to market the units, but the Planning Board has certain requirements as well. If the information requested was submitted, this would help determine the size of the units.

Mr. Kellard noted that a 3,000 square foot home is not that big once you take out the space for the garage and attic. Ms. Michelman noted that her house was similar in size and was very large.

Ms. Black noted that the MIU's are all in a row and back up to Route 128. Anyone driving on site clearly knows which units are the MIU's. Ms. Michelman noted that this may not be the best design for the site. Mr. Kellard stated that he would work on this further.

Ms. Michelman reviewed again what information the board was looking for to make a recommendation back to the Town Board.

Ms. Black suggested the applicant sit down with the housing board and get their comments on the MIU's. The Housing Board has provided comments on MIU's in the past. She also felt that the parking for the MIU's is too far away from the end units. The MIU location still needs to be practical and serve the needs of the people who are living there. They also need to be attractive and interactive as well. Mr. Kellard stated that the parking area was only 20 feet away from the end unit according to the scale on the plan.

Mr. Sauro stated that one of the beauties of this parcel is that you have great site distances and you can adjust the driveway location any way you would like. The orientation of a few of the buildings may be a problem and the process we are going through may be more advantageous for you in the long run. He agreed with Ms. Michelman that some tweaks can be made to the project to enhance it like sliding the driveway location and working with the orientation of the buildings on site.

Mr. Kellard stated that fences and landscaping will be provided on site and they would submit a landscape plan with the next submission.

Ms. Black stated that landscaping is definitely needed along Route 128 with the present location of the MIU's backing up to Route 128, nobody wants to see everyone's back yards while driving on Route 128 and the residents will not want to see Route 128.

Ms. Michelman suggested that the applicant and the applicant's professionals sit down and review the plan with the Director of Planning and Town Engineer. She requested that plans be submitted with the lot sizes, front and rear yard setbacks, floor plans, architectural plans, elevations and engineering details. She feels this project will turn out very special which this site offers for this project. She looks forward to the next set of plans.

61 & 67 OLD ROUTE 22 SUBDIVISION

Subdivision

Section 2, Block 11, Lots 9-2 & 9-4

61 & 67 Old Route 22

Bob Peake, AICP John Meyer Consulting, PC

Discussion

Mr. Peake stated that this application is currently before the board as a result of a law suit between the Indian Café and the Montessori School. The result of the litigation is a subdivision of the property which he is in the process of doing according to the town requirements. He noted that Mr. Kaufman referenced shared parking in his memo and the litigant did not want shared parking.

Ms. Michelman noted that she did not want to dismiss a good plan with shared parking because the applicants do not get along. The court has no jurisdiction over the Town Law.

Ms. Michelman also noted that it was mentioned in Mr. Peake's memo that there was a previously approved subdivision for this lot. Ms. Michelman stated that there was no filed subdivision map on record with the town for this lot.

Mr. Peake stated that the existing northern lot was the Montessori School and its existing entrance did not change very much from what it is presently and is limited in what can be done due to site distances and present sign locations. He did create additional parking spaces for the school. In regard to some comments in Mr. Kaufman's memo, Mr. Peake will show that there is sufficient play area on site. In regard to the school tree comment in Mr. Kaufman's memo, Mr. Peake's co-worker drove his SUV around the tree earlier today without any problems. The lot to the south, the restaurant, has a turnaround area for the restaurant which is located at the rear of the site. Mr. Peake was aware that the frontage on both lots is not sufficient and therefore would require him to go before the ZBA regarding this matter.

Mr. Peake felt that the big issue was the division of the two lots and the frontage of the two lots. Mr. Kaufman noted that the plans as proposed by Mr. Peake show both driveways with deficient site distances. Mr. Peake will look into that. Mr. Peake mentioned that there is an old road in the rear of the site that goes out to Old Route 22. Mr. Kaufman stated that would be good for the exit of the site and Mr. Peake should look into that option further. Mr. Kaufman stated that it is unfortunate that there is not some consensus on having a shared parking lot, he could not think of a better scenario on site with uses that have different peak times like a restaurant and a school.

Ms. Michelman stated that whether the SUV can go around the tree and has gone around the trees for years is not the issue. This is a great opportunity for the town to improve the circulation on site and bring the site up to code and the combination of uses is a wonderful.

Mr. Peake confirmed with the board that they would prefer a shared parking lot because there would be better circulation on site and less pavement with a shared use. He noted that he needed 40 parking spaces for the restaurant and 26 parking spaces for the school.

Mr. Kaufman stated that if there was a shared parking lot, the board would have the option to land bank some parking spaces since the peak use for both uses on site are at different times. Ms. Black stated that the circulation on both lots is not optimal and the shared parking would serve the Town's needs much better for the site and would provide landscaping on site as well as land banking some of the parking spaces. Mr. Kaufman also noted that when either site was hosting an event they would have additional parking for the event. Mr. Peake noted that would make the site more marketable and a benefit to the applicant. Mr. Peake concluded that the board was pretty strong on the matter of a shared parking lot. The board agreed, they would prefer the shared parking lot.

Mr. Kaufman also noted that the Planning Board has made an effort to improve the street scape of Old Route 22, for example by requesting a side walk in front of the site and on street parking. Presently Mr. Coyne's company is surveying Old Route 22 and he will provide the applicant with this information once completed.

Mr. Kaufman also noted that with a shared parking lot the location of the line is not as significant as with two individual lots, with a shared parking lot the line almost becomes imaginary.

Mr. Peake stated that he would sit down with his client and go over the comments the board provided to him this evening.

STONE MANORS @ ARMONK LLC.

Site Plan

Section 1, Block 11, Lot 5A-5 (Lot 1)

2 Daphne Lane

Linda Whitehead, Esq McCullough, Goldberger & Staudt, LLP

Michael Finan, PE CMX

Discussion

Consideration of approving site resolution 3rd extension of time

Ms. Michelman asked for a motion to approve the Stone Manors Lot #1 extension of time resolution. Mr. Delano made a motion to approve. It was second by Ms. Black and approved with four Ayes. Ms. Tatka was not present for the vote.

STONE MANORS @ ARMONK LLC.

Site Plan

Section 1, Block 11, Lot 5A-6 (Lot 2)

4 Daphne Lane

Linda Whitehead, Esq McCullough, Goldberger & Staudt, LLP

Michael Finan, PE CMX

Consideration of approving site resolution 3rd extension of time

Ms. Michelman asked for a motion to approve the Stone Manors Lot #2 extension of time resolution. Mr. Delano made a motion to approve. It was second by Ms. Black and approved with four Ayes. Ms. Tatka was not present for the vote.

MASSARO

Site Plan

Section 6, Block 5, Lot 2-3

54 Custis Avenue

Jim Vanolli, P.E.

Consideration of extension of time site plan resolution

Ms. Michelman asked for a motion to approve the Massaro extension of time resolution. Ms. Black made a motion to approve. It was second by Mr. Delano and approved with four Ayes. Ms. Tatka was not present for the vote.

Meeting adjourned at 8:00 p.m.