

**NORTH CASTLE PLANNING BOARD MEETING
15 BEDFORD ROAD – COURT ROOM
7:00 p.m.
March 14, 2011**

PLANNING BOARD MEMBERS PRESENT:

John Delano, Acting Chairman
Jane Black
Steve Sauro
Beata Tatka

ALSO PRESENT:

Adam R. Kaufman, AICP
Director of Planning

John Kellard, P.E.
Kellard Sessions Consulting, P.C.
Consulting Town Engineers

Valerie B. Desimone
Planning Board Secretary
Recording Secretary

Absent:

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

Conservation Board Representative

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

APPROVAL OF MINUTES:

February 14, 2011

Mr. Delano asked for a motion to approve the February 14, 2011 minutes. Ms. Black made a motion to approve. It was second by Mr. Sauro and approved with four Ayes.

DISCUSSION:

BEDROCK PLAZA CORP.

Site Plan Waiver

731 North Broadway

Section 7, Block 2, Lot 14

Discussion

Consideration of site plan waiver

Present for this application was Pete Monteleone, property owner.

Mr. Kaufman stated that this application was for a change of use from office space to residential accessory apartment space, which is a permitted use. The board has a copy of the letter from the Building Inspector stating that no additional parking is required for this change of use. The board has the ability to waive site plan approval if it has a letter from the Building Inspector.

In response to Mr. Delano comment regarding the location of the apartment in the building, Mr. Monteleone showed the board where the apartment was located in the building.

Mr. Delano asked the professionals and the board members if they had any comments regarding this application. The board felt this was a good use for the site as the parking use is opposite the other uses on site. The professionals had no additional comments at this time.

Mr. Delano asked for a motion to approve the Bedrock Plaza Site Plan Waiver application. Ms. Black made a motion to approve, it was second by Mr. Sauro and approved with four Ayes.

90 BUSINESS PARK DRIVE

Referral from the Town Board

90 Business Park Drive

Sec 2, Blk 16, Lot 11B08

Anthony Veneziano, Esq. Veneziano Associates

Discussion

The following professionals were present on behalf of the applicant, Anthony Veneziano, Esq. - Veneziano Associates, John Saccardi, AICP - Saccardi & Schiff VHB and Steven Grogg, PE - M.C. Laren P.C.

Mr. Grogg put together a 39,000 square foot office building plan regarding the vacant lot next to the proposed assisted living building. The assisted living facility has a lot coverage of 29%.

Mr. Veneziano stated that the Town Board accepted the FAR and the Plan. A public hearing was scheduled for April 13, 2011.

Discussions were had at this time regarding the issuance of a negative declaration for this

application and when a negative declaration can be adopted by the Planning Board. It was agreed that the applicant will prepare a formal site plan and provide all data necessary for the Planning Board to adopt a Negative Declaration.

Mr. Saccardi reviewed the SEQR steps that have been completed so far in the process and other items previously discussed.

Mr. Grogg stated that two preliminary stormwater reports were submitted to the Director of Planning and Town Engineer. He has come to an agreement regarding the sewer flow and water demand information with the Town Engineer and that information will be submitted. In regards to the flood plain, the FEMA map shows various lines and according to the Town Code any fill taken out will have to be replaced on site.

Mr. Delano inquired about the 2:1 mitigation plan. Mr. Veneziano stated that it will be done.

Mr. Delano asked Mr. Kellard if he had any concerns with the plan. Mr. Kellard stated that he was waiting for revised plans to review. He noted that the water and sewer plant recommended a 50,000 gallon expansion which allowed for 20,000 gallons to adjacent small residential lots. There will be 30,000 gallons left for future expansions such as this one and 10,000 – 11, 000 gallons are proposed for this project.

Mr. Veneziano requested this application be reviewed again on the March 28, 2011 Planning Board agenda.

Mr. Kaufman reminded the applicant to submit a complete site plan.

TREAT DOG HOTELS, LLC

Referral from Town Board - Zoning Petition

23 Bedford Banksville Road

Section 1, Block 11, Lots 9-C-24, 32-A1, 27, 26.A1

Anthony Guccione, RLA John Meyer Consulting

Discussion

Also present for this application was Rod Christie, Director of the Mianus Gorge Preserve.

The applicant is proposing to convert the former hardware store in Banksville to a Luxury Dog Hotel with 60 luxury sweets for dogs. The site will provide training, grooming and a reception area. The lot is 10.8 acres and the applicant is proposing to lease 5.8 acres. The zoning of the property CB-B. The applicant would like a positive recommendation back to the Town Board regarding this Special Use in this zoning district. There will be a “Porte Cochere” which will protect the dogs from the elements when dropped off. There will be between 20 – 30 parking spaces on site. There will be no more than 15 dogs outside at one time. There will be one trainer per 6-8 dogs. If the dogs misbehave while outside or bark they are brought inside immediately,

they will not be allowed to stay outside and constantly bark. The outside hours for group play are 8:00 a.m. – 8:00 p.m. each day. They would like to be able to bring one dog outside at a time on a leash if the dog has to go to the bathroom between 8:00 p.m. – 8:00 a.m. The board found that request reasonable.

Ms. Black inquired where the closest residence was in relation to this project. Mr. Kaufman stated that in the residential district it was about 300 feet away. It was noted that there is another residence that is 100 feet away but the house is not in the residence zone and this house is also presently unoccupied.

Mr. Delano noted that in Mr. Kaufman's memo he suggested the outside recreation area be screened from the drop off area. Mr. Delano agreed with this comment, it should be screened to minimize the barking.

Ms. Tatka inquired how would the dog waste be accommodated. Mr. Guccione stated that the existing septic, which will remain and be used for the employees of the facility. They are looking into a second septic system for the dog waste, a green technology is being reviewed, which is regulated by the Health Department.

Ms. Black inquired about external dog waste. Mr. Guccione stated that the applicant will also be using canine turf for outside bathroom use which is made especially for this purpose. The solid waste can be carted off site and the urine will filter into the ground and then into the septic.

Ms. Tatka asked if the applicant would be going to the ARB. Mr. Guccione stated that the applicant will be putting up a "Porte Cochere" and fixing up the façade and painting the building. Ms. Black looks forward to this building being fixed up as it is in poor condition presently.

Mr. Guccione stated that they are having an expert Mechanical Engineer working on the noise abatement and sound proofing the building. This is a real upscale facility, this is not a regular kennel, there will be a lot of detail into the training facility with a plush interior.

Mr. Delano stated that this application is for a zoning amendment and a site plan approval. There is a DEC Wetland in the back yard, the property abuts the CEA (Critical Environmental Area) and is in 100 year flood plain. He was concerned with the impact on adjoining neighbors and businesses and due to the fact that this site is located right on the road, he wants to make sure the Architectural needs and noise issues have been addressed. Mr. Guccione stated that in relation to the noise issue, the building will be sound proof. He also noted that classical music will be played for the dogs as it's calming to the dogs and buffers other noises from the other dogs. Also available at the facility will be a video chat sessions that the owners can have with their dogs.

Mr. Sauro inquired if there were any issues with the septic system due to the wetlands, CEA and flood plains. Mr. Guccione stated that he believes there are no issues, there will be no impact to the wetland buffer and this applicant will probably reduce the impervious surface. Mr. Sauro inquired if the second septic system does not work or is not approved, would this applicant still

be able to proceed with his application. Mr. Guccione stated that dog waste can be carted away if the septic system is not approved. He has prepared and reviewed alternatives for the site if the septic does not work.

Mr. Kellard stated that when the original dog hospital was considered in Town at 135 Bedford Road, the applicant proposed 3,000 – 3,500 gallon a day use for septic for which a lot of water was used for hosing down the dogs and their areas. Mr. Sauro stated that he felt this was a big concern regarding this project.

Discussions were had regarding prior uses on site.

Ms. Tatka inquired how much water would be used a day on site. Mr. Guccione stated that he is still working on that information.

Ms. Tatka asked how many gallons of water per minute does the well on site provide. Mr. Guccione stated that he was working on this information.

Mr. Delano stated that there are a lot of plan issues, but we are only concentrating on the zoning text amendment right now.

Mr. Kaufman stated if the board were to make a referral to the Town Board regarding the zoning text amendment, the board can add to the referral their site plan concerns as discussed this evening. Those items would include screening, noise issues, sound proofing, landscaping, waste, flood use, wetland buffer, water use and septic issues.

The board inquired how the meeting with the neighbors went. Mr. Guccione stated that the meeting was fine and about 15 neighbors were present and had similar concerns.

Mr. Delano felt this use was consistent with the Town Comprehensive Plan. Mr. Kaufman stated that it is certainly not inconsistent with the Town Comprehensive plan. What the board has to consider is, these other external issues and it is really a policy issue, does the town want to permit this type of use and if the Town is comfortable with this use and the protections put into the law regarding this use.

Mr. Delano stated that he agrees with the hours the dogs can be leashed outside from 8:00 p.m. to 8:00 a.m. Ms. Black agreed those hours are reasonable as well.

In response to a question by Mr. Delano, Mr. Guccione stated that the guidelines for the hotel would be based on the Pet Care Services Association or another accredited business.

Ms. Black stated that the Treat Dog Hotel was a compatible use to the CB-B zoning and was comfortable with a positive referral back to the Town Board as long as the concerns of this board, as expressed this evening, were relayed as well.

Mr. Kaufman stated that he will prepare a draft and circulate it to the Planning Board members.

Mr. Sauro stated that the concern regarding waste is very important. His main concern is the proximity to the residential neighbors and the noise abatement as well as how wastes will be handled on site.

Mr. Guccione stated that the same issues were raised by the neighbors and we told them that they are our future customers and his clients certainly do not want complaints to the town regarding noise or dog waste and these issues will absolutely be addressed. As long as you are keeping the dogs occupied, playing with them and paying attention to them, dogs will not bark, it is when they are ignored they start barking because they are looking for attention.

Mr. Sauro stated that as long as all of the items the board discussed this evening are scrutinized pretty closely then he would be comfortable with this application and positive referral back to the Town Board. .

Mr. Kellard stated that his main issue is about the sewer issues. He also inquired if there were any homes in Conyers Farm that would be close to this application. Mr. Guccione pointed out the closest house and he did not have a distance to provide to the board but felt that it would not be an issue.

Mr. Delano stated that it was a good use for the area and the applicant will make the building more attractive.

In response to Ms. Tatka's question, Mr. Guccione stated that his application will stay out of the wetlands and the wetland buffer and a Conservation Board approval would not be necessary as the project is presently proposed. Now that the snow has melted, he will have his professional go out and delineate the wetland.

Mr. Christie stated that he was concerned about the underground stream that runs across the street.

Mr. Kaufman stated that this is consistent with the Town Comprehensive Plan and he will express the concerns of the board in the referral back to the Town Board.

Mr. Black made a motion for a positive recommendation to the Town Board along with the concerns raised by the Planning Board this evening. Mr. Sauro second the motion and it was approved with four Ayes.

Letter from the Director of Planning
Re: 37 Virginia Road, NWP

Mr. Delano stated that Mr. Kaufman has submitted a letter to the Board stating that it would be in the best interest of the Town and the Ivezaj's that Mr. Kaufman not be involved with the processing of the Gucci Limo site plan. Mrs. Desimone stated that when she spoke with the Town Attorney regarding this letter that he suggested the Town hire a planner from F.P. Clark in

regards to this application and an escrow account be set up as well. The board was in agreement with this request and suggestions from the Town Attorney. .

The board briefly discussed the location and uses previously presented to the board regarding this site.

823 MOUNT KISCO ROAD

Site Plan

Section 2, Block 2, Lot 7C

James Sahagian

Discussion

Consideration of approving 4th extension of time resolution

Mr. Delano asked for a motion to grant the 4th extension of time resolution regarding the 823 Mount Kisco Road application. Ms. Black made a motion to approve. It was second by Ms. Tatka and approved with four Ayes.

Meeting adjourned at 8:01 p.m.