

**NORTH CASTLE PLANNING BOARD MEETING  
15 BEDFORD ROAD – COURT ROOM  
7:00 P.M.  
OCTOBER 15, 2015**

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**PLANNING BOARD MEMBERS PRESENT:**

Art Adelman, Chairman  
Steve Sauro  
Christopher Carthy  
Michael Pollack

**Planning Board Members Absent:**

John Delano

**Absent:**

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

**ALSO PRESENT:**

Adam R. Kaufman, AICP  
Director of Planning

Joseph Cermele, PE  
Consulting Town Engineer  
Kellard Sessions PC

Valerie B. Desimone  
Planning Board Secretary  
Recording Secretary

Conservation Board Representative:  
Larry Nokes

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

**APPROVAL OF MINUTES:**

**September 28, 2015**

Mr. Adelman asked for a motion to approve the September 28, 2015 minutes as amended. Mr. Sauro made a motion to approve the minutes, Mr. Carthy second the motion and it was approved with three Ayes. Mr. Pollack abstained. Mr. Delano was not present for the vote.

**June 3, 2013** – minutes were not voted on as there was not a quorum of those present at that meeting to vote on these minutes this evening.

**PUBLIC HEARING:**

**TAITZ**

**9 Davis Drive**

**94.04/ 1/ 10**

**Special Use Permit for Accessory Structure in excess of 800 s.f.**

**Lou Demasi, AIA Goewey & Demasi Architects**

**Discussion**

**Consideration of resolution of approval**

Present for this application was Lou Demasi and his client Mr. Taitz.

Mr. Adelman read the affidavit of publication for the record. Mrs. Desimone noted all paperwork was in order for this application. No noticed neighbors were present. It was noted that an email was received from Keith Safian at 18 Cole Drive in support of this application.

The application is for the legalization of the basement in an accessory structure over 800 square feet on a 4.2 acre lot located within the R-2A Zoning District.

Mr. Demasi made a brief presentation to the board. The applicant discussed some comments within the resolution with the board members and his comments were addressed. No further questions were had at this time.

Mr. Adelman asked for a motion to close the public hearing. Mr. Sauro made a motion to close, it was second by Mr. Carthy and approved with four ayes, Mr. Delano was not present for the vote.

Mr. Adelman asked for a motion to approve the resolution as amended. Mr. Sauro made a motion to approve, it was second by Mr. Pollack and approved with four ayes, Mr. Delano was not present for the vote.

**80 LAFAYETTE AVENUE**

**80 Lafayette Avenue**

**122.12 / 1 / 11**

**Second floor addition to the existing building**

**Nicholas Cichanowski – Dominick R. Pilla Associates, PC**

**Discussion**

Present for this application was Nicholas Cichanowski and Jorel Vaccaro from Dominick R. Pilla Associates, PC.

The application is for the construction of an addition to expand the height of the existing warehouse, construct second floor office space as well as construct 6 new off street parking spaces within the IND-A Zoning District.

The applicant's professionals stated that they received a variance from the Zoning Board of Appeals at their August 2015 meeting for 5 Parking Spaces. He also noted that they store noncombustible fertilizer on site. No impervious area will be added to the site, minor retaining walls will be added to the rear of the site.

Mr. Kaufman stated that the Applicant has submitted MSDS sheets for all products proposed to be stored within the warehouse. He reminded the professionals to forward the MSDS sheets to all emergency service providers (North White Plains Fire Department) for comment and filing as well as to the North Castle Fire Marshal. The Applicant should submit a risk management/emergency response plan for all stored chemicals on the property.

It was noted that the applicant's professionals had not reviewed the memos on the Town's web site; copies were provided to the applicant at this time. Mr. Kaufman stated that the more important comments raised in his memo were the off street parking, loading areas and circulation. These are the issues the ZBA had to partially deal with as well. The board needs to come to a consensus that they are ok with how the site is going to operate. A big concern is how deliveries are going to get in and out of that property and the MSDS sheets as noted above. The applicant needs to quantify the steep slope disturbance and provide dumpster enclosure details.

Mr. Cermele reviewed the key points in his memo which were parking, loading areas and access to the site. The site plan and Architectural plans showed different parking configurations and should be revised to agree. He inquired about the parking spaces in the loading area on the right side of the building and the use of those spaces. The applicant noted that three of the bays will be used for parking spaces on site and the bays will remain. Continued discussion was had about the bays and parking spaces.

The board was concerned about the site operating safely and was concerned about the trucks backing out onto Lafayette Avenue. The applicant noted the trucks will back into the site and pull forward onto Lafayette Avenue. Mr. Kaufman noted that we don't want the trucks blocking the road; we want vehicles to be able to proceed on Lafayette Avenue. The applicant noted the cab will come off of the truck so as to not block the road.

Mr. Kaufman noted that the code does not permit vehicles to back onto the road but the applicant went to the ZBA and that was one of the variances they obtained from that board, the applicant is allowed to back onto the road.

The applicant noted that parking was explored at the rear of the site but the retaining walls necessary to build the parking spaces were 18' and next to a residential structure.

This was too excessive and out of the question. Typical stormwater maintenance is proposed.

Mr. Cermele inquired about the loading dock on the south side and inquired if that was going to be paved, the applicant advised paving was not proposed in that location. The parking area on the north side will be paved. Mr. Cermele stated he would like the south side paved as well. It was noted the loading dock extends past the easement. Most of the dock extends past the property line. Continued discussion was had.

The applicant needs to get ARB approval, once ARB approval has been granted, the applicant can return to the Planning Board for a public hearing and resolution.

### **WAMPUS MILLS SUBDIVISION**

**805 & 809 Route 128**

**101.03 / 2 / 7 & 101.03 / 2 / 6**

**Site Plan**

**Frank Madonna**

**Kory Salomone, Esq. Veneziano & Associates**

**Referral from Town Board**

Present for this applicant was the applicant Frank Madonna and his attorney Kory Salomone.

The application is for a six lot subdivision of the existing 10.07 acre parcel located within the R-2A Zoning District. The site currently contains a single-family residence, which is proposed to be removed. New single-family residences are proposed to be constructed with all lots served by public sewer and private wells. In addition, the Applicant is seeking Town Board approval to amend the Town Comprehensive Plan to change the Comprehensive Plan Town Development Plan Map for lots 101.03-2-6 and 7 from Semi-Rural Density to Suburban Residential Density. Furthermore, the Applicant is seeking Town Board approval to rezone lots 101.03-2-6 and 7 from the R-2A to the R-1A Zoning District. The Applicant is also seeking Town Board approval for an extension of Sewer District #2 to include lots 101.03-2-7, 9, 10, 11, 22, 23 and 24 & lots 108.01-1-24 and 25.

Mr. Salomone stated that his client is the contract vendee of this 10 acre lot located on the bend of route 128 just past Leisure Farm and before Sands Mill. His client is currently before the Town Board requesting an extension of Sewer #2 to this lot and to rezone R-2A to R-1A. His client needs six lots in order to afford the sewer district expansion to this lot from Old Mount Kisco Road.

Mr. Salomone stated he has reviewed Mr. Kaufman's memo and noted there was no memo prepared by the Town Engineer as it was too preliminary. He noted that if the lot size is reduced to R-1A, the lots will be between 1 - 2 acres which will be keeping in character with the neighborhoods around this property.

Mr. Pollock reviewed the calculations submitted in Mr. Alfonzetti's report and noted that he found some discrepancies and requested the professionals double check their calculations again regarding the waste water flow.

Mr. Madonna noted the waste water flow was allocated for the lots on Old Mount Kisco road, the new houses for this application were not allocated in these calculations.

Discussions were had regarding a Conservation Subdivision. Mr. Madonna noted the road had been marked out.

Mr. Kaufman suggested the applicant focus on his comment #3, 3A & 3B in his memo, Concerns were also noted about the sight distances regarding this site.

Mr. Pollack inquired about a comment in the Director of Planning's memo regarding the site being located within the Archaeological Sensitive Area and the potential impact/effect upon historic and/or prehistoric cultural resources. A brief discussion was had regarding this subject.

A joint site walk will be scheduled with the Planning Board and Town Board. (Tentatively scheduled for Thursday October 29, 2015 at 8:00 a.m.)

## **NORTH CASTLE WD1 UV SITE PLAN APPROVAL**

**980 North Broadway**

**122.08 / 1 / 45**

**North Castle Water and Sewer Department**

### **Discussion**

This application is for the site plan and tree removal permit application for the 171 Square foot addition to the existing North Broadway Booster Pump Station, installation of a UV disinfection system and associated piping in the building addition, and replacement of the existing emergency standby generator with a critically silenced, sound-attenuated generator on a 0.47 acre property located within the R-2F Zoning District.

Mr. Kaufman made a brief presentation of the application.

It was noted that ARB approval was necessary and that once this application was scheduled to appear before the Architectural Review Board a public hearing could be scheduled with the planning board and a resolution considered the same evening.

**TURET**

**East Lane, West Lane, Nichols Road**

**Preliminary Subdivision, Tree Removal, Steep Slope and Wetlands Permit**

**2 /16/ 18.B, 18.B3A, 18.D01, 18.E, 18.E01**

**Tim Allen, PE Bibbo Associates**

**Subdivision of an existing 8.28 acre lot into four residential building lots.**

**Consideration of 12<sup>th</sup> extension of time resolution**

The Board discussed whether or not to grant an additional extension for the 12<sup>th</sup> time. Specifically, the board discussed the different impacts of granting or denying the extension would have on the applicant, application, financial impacts to the property owner, the amount of time spent on obtaining preliminary approval, changes in the stormwater laws over the last five years and whether or not the board was bound or obligated to keep granting the extensions every six months.

After a lengthy discussion, Mr. Adelman made a motion to approve the extension of time resolution. Mr. Sauro made a motion to approve. It was second by Mr. Carthy and approved with three ayes. Mr. Pollack voted nay. Mr. Delano was not present for the vote.

**AMEC CONSTRUCTION, LLC**

**2 Bates Lane**

**102.04 / 1 / 19**

**Dennis Lowes, Ralph MacDonald Company**

**Discussion**

**Consideration of site plan resolution extension of time**

Mr. Adelman asked for a motion to approve the first extension of time resolution regarding AMEC. Mr. Sauro made a motion to approve. It was second by Mr. Carthy and approved with three ayes. Mr. Pollack abstained. Mr. Delano was not present for the vote.

Meeting was adjourned at 8:15 p.m.