

**NORTH CASTLE PLANNING BOARD MEETING
15 BEDFORD ROAD – COURT ROOM
7:00 P.M.
October 21, 2013**

PLANNING BOARD MEMBERS PRESENT:

John Delano, Acting Chairman
Steve Sauro
Guy Mezzancello
Christopher Carthy

ABSENT:

Art Adelman, Chairman

ALSO PRESENT:

Adam R. Kaufman, AICP
Director of Planning

Joseph Cermele, PE
Consulting Town Engineer
Kellard Sessions PC

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

Valerie B. Desimone
Planning Board Secretary
Recording Secretary

Conservation Board Representative:
John Tiernan

APPROVAL OF MINUTES:

October 7, 2013

Mr. Delano asked for a motion to approve the October 7, 2013 Planning Board minutes as amended. Mr. Sauro made a motion to approve, it was second by Mr. Mezzancello and approved with four Ayes. Mr. Adelman was not present for the vote.

PUBLIC HEARING:

SOUNDWORKS

1 Hunter Avenue

Section 108.03, Block 3, Lot 2

Consideration of overnight parking of vehicles on site

Mr. Gordon, Applicant and owner of Soundworks

Discussion

Consideration of Site Plan approval

Mr. Delano read the affidavit of publication for the record. There were no noticed neighbors present. Mrs. Desimone stated that all paperwork was in order for this application and 9/14 green cards were returned.

Mr. Louis Gordon stated that this application was for the over night storage of three commercial work vehicles, he has received ZBA approval.

The board had no comments or concerns regarding this application.

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

Mr. Delano asked for a motion to approve the resolution as amended. Mr. Carthy made a motion to approve the resolution as amended, It was second by Mr. Mezzanello and approved with four Ayes. Mr. Adelman was not present for the vote.

23 BEDFORD BANKSVILLE ROAD (open & adjourn to 11/4)

23 Bedford Banksville Road

Section 102.04, Lot 1, Block 9

Referral from Town Board regarding Outdoor Nursery sales – George

Bridge Boxwood Nursery

Paul Sysak, RLA, ASLA – John Meyer Consulting

Discussion

Mr. Delano read the affidavit of publication for the record. There were no noticed neighbors present. Mrs. Desimone stated that all paperwork was in order for this application and 21/21 green cards were returned.

Mr. Delano stated the applicant requested that this public hearing be adjourned to the November 4, 2013 Planning Board meeting.

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

61 & 67 OLD ROUTE 22

61 & 67 Old Route 22

Section 107.04, Block 2, Lots 8 & 9

Site Plan application for two commercial lots

Robert Peake, AICP John Meyer Consulting

Discussion

Consideration of site plan resolution of approval

Present for this application was Bob Peake.

Mr. Delano read the affidavit of publication for the record. There were no noticed neighbors present. Mrs. Desimone stated that all paperwork was in order for this application and 20/24 green cards were returned.

The applicant is seeking site plan approval for the creation of a shared parking lot between 61 and 67 Old Route 22 and the construction of streetscape improvements along Old Route 22. The shared parking on these two lots will be exceptionally beneficial given that the two uses have differing times of peak parking demand (restaurant - lunch and dinner, school - early morning and late afternoon). The project proposes vehicular circulation through the site from points on Old Route 22.

Mr. Kaufman stated that this property has had three resolutions approved, two subdivisions (preliminary and final) and site plan that were approved over a year ago. The expiration dates of the subdivision resolutions and the site plan resolution were different. The applicant had requested the extension of time for the subdivision resolutions but neglected to request an extension of time for the site plan and unfortunately the site plan expired. The applicant is back before the board this evening to get the exact same approval as the first time.

The board had no comments or concerns regarding the reapproval of this application.

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

Mr. Delano asked for a motion to approve the resolution. Mr. Sauro made a motion to approve the resolution, It was second by Mr. Mezzanello and approved with four Ayes. Mr. Adelman was not present for the vote.

PUBLIC NOTICE:

SEDRISH

22 Smith Farm Road

Section 102.02, Block 1, Lot 39

RPRC Referral to Planning Board regarding Swimming Pool

Edward Figura, RLA, CPESC Benedek & Ticehurst Landscape Architects and Site Planners, P.C.

Consideration of site plan resolution of approval

Present for this application was Ed Figura and Glen Ticehurst from Benedek and Ticehurst Landscape Architects and Site Planners, p.c.

Mr. Delano read the public notice for the record. Skariahg Kakkanatt , 10 Carey Drive was present, Mrs. Desimone stated that all paperwork was in order and 27/28 green cards were returned.

Mr. Ticehurst stated that he has received approval from the Zoning Board. The applicant is proposing a new pool and associated terrace in the back yard. The applicant is also proposing plantings on the side of the wall facing the neighbors. The pool, patio and wall are all within the setback.

Mr. Delano asked Mr.Kakkanatt is he was familiar with what his neighbor is proposing. Mr. Kakkanatt said yes he was. Mr. Delano asked Mr. Kakkanatt is he had any questions or comments. Mr. Kakkanatt stated that he did not and just wanted to see what it was going to look like.

In response to Mr. Carthy's question, Mr. Ticehurst stated that even though the pool is a few feet larger, it was moved toward the house and the variance granted did not have to include that, everything proposed was still within the setbacks.

Mr. Sauro stated that this is an improvement to a severely steep slope. This is an improvement and makes the area much more functional.

Mr. Carthy stated this is what moved the board in the direction of doing this. He did not thinkThe Planning Board would typically approve of a pool so close to the property line or a wall this close to a property line but the way you solved the problem with a topographical slope really did improve the property and the community.

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

CONTINUING BUSINESS:

CIDER MILL

Old Route 22

Section 107.04, Block 2, Lot 15

Section 2, Block 15, Lot 1

Amended site plan resolution

Mark P. Miller, Esq. Veneziano & Associates

Discussion

In response to Mr. Carthy's comment, Mr. Miller stated that at the Cockren site there are 10 MIU's regarding the Cidermill site, 8 are associated with Cidermill and two are associated with the Market at Armonk Square and none of them are built to date. There are 27 units at Cidermill, 23 CO's have been issued, the applicant is asking for two more CO's and will bond the remaining two sites.

A public hearing and resolution was scheduled for November 4, 2013 regarding the proposed amendment to the site plan and subdivision plat approval resolutions with respect to the construction of the middle income units on the Cockren property and the release of Certificates of Occupancy for the Cider Mill property. .

GJONAJ

7 PINE RIDGE ROAD

Section 102.01, Block 02, Lot 7

Preliminary 3 lot subdivision

Paul Sysak, RLA, ASLA John Meyer Consulting, PC

Discussion

Present for this application was Paul Sysak.

Mr. Sysak stated that a 5 x 10 school bus stop was created on lot three on Bedford Banksville Road. There is a 22,000 square foot wetland buffer disturbance, there is 47,000 wetland mitigation practices proposed on site and briefly reviewed the mitigation proposed. He presented a typical landscaping plan for the entrance for each of three lots which included a stonewall entrance to all three lots. He reviewed the mitigation for the tree removal on Bedford Banksville road.

Mr. Sysak submitted a conceptual Conservation Subdivision and presented the pros and cons of the Conservation Subdivision, He opines that he is working with the lay of the land and reminded the board that this was not the direction his client was interested in with this application. The board did not like the Conservation Subdivision and noted the houses would be significantly closer than on the originally proposed subdivision and the house site on lot three of the

Conservation Subdivision would be 115 feet closer to the existing neighbor than what is proposed on the original subdivision. Mr. Carthy noted he was not in favor of the Conservation Easement.

Discussions were had regarding Lead Agency at this time.

Mr. Delano asked for a motion to declare lead agency intent. Mr. Sauro made a motion to approve, it was second by Mr. Mezzancello and approved with four Ayes. Mr. Adelman was not present for the vote.

The applicant will return to the Conservation Board and continue with that review.

The board encouraged the applicant to proceed with the original subdivision and thanked the applicant for presenting the Conservation Subdivision.

Mr. Kaufman stated that the applicant should continue working on the development of lot three in a way that minimizes those impact and minimizes those walls, clearly that is the most challenging lot. He noted that lot #3 was a tough lot and had many environmental issues like wetland buffer and steep slopes, the applicant has done a good job, it is not an easy lot.

Mr. Sysak stated that is the reason it is the last lot developed up there, it has potential to be a very nice piece of property for each of the three lots based on meetings with the Architects who have designed nice houses.

Mr. Sysak stated the will return to the Conservation Board, finish up the SWPPP and see what else can be done with Lot #3.

Mr. Kaufman stated that he will distribute Lead Agency letters, the board is alright with the conventional subdivision with a focus of reducing the impacts on Lot #3 and the applicant will proceed with the Conservation Board.

MONTEFORFTE

35 Orchard Drive

Section 107.02, Block 4, Lot 11

Subdivision, lot line, wetland permit and site plan approval for building expansion and renovations of existing structures

Rob Aiello, PE John Meyer Consulting

Discussion

This application was adjourned to the November 4, 2013 agenda at the applicant's request.

SCOTT

80 Mianus River Road

Section 96.01, Block 1, Lot 8

Proposed 5 lot subdivision on 38 acres with proposed common driveway.

J.D. Barrett & Associates

Consideration of preliminary site plan resolution extension of time

Mr. Delano asked for a motion to approve the Scott extension of time resolution. Mr. Sauro made a motion to approve, it was second by Mr. Carthy and approved with four ayes. Mr. Adelman was not present for the vote.

CVS

450 Main Street

Section 108.01 Block 6, Lots 22 & 27

Site development plan for various amendments to the site and the establishment of a 17,389 square-foot pharmacy and 2,497 square-foot retail space.

Consideration of extension of time resolution.

Mr. Delano asked for a motion to approve the CVS extension of time resolution. Mr. Carthy made a motion to approve, it was second by Mr. Sauro and approved with four ayes. Mr. Adelman was not present for the vote.

SINGER

1 Quarter Mile Road

Section 107.04, Block 1, Lot 25

Paul R. Sysak, RLA, ASLA, John Meyer Consulting, PC

Consideration of extension of time resolution

Mr. Kaufman did mention to the board that this was originally approved in 2009. The board asked Mr. Sysak what was going on with this application. Mr. Sysak stated that he has been told that Mr. Singer is very close to beginning this project within the next year.

Mr. Delano asked for a motion to approve the Singer extension of time resolution. Mr. Sauro made a motion to approve, it was second by Mr. Mezzancello and approved with four ayes. Mr. Adelman was not present for the vote.

Meeting adjourned at 7:30 p.m.