

**NORTH CASTLE PLANNING BOARD MEETING
15 BEDFORD ROAD – COURT ROOM
7:00 P.M.
January 12, 2015**

PLANNING BOARD MEMBERS PRESENT: Art Adelman, Chairman
 Steve Sauro
 Christopher Carthy

PLANNING BOARD MEMBER ABSENT: John Delano

Guy Mezzancello stepped down effective 1/1/15. He was voted in as a Town Board member the same date. The Town Board has not appointed his replacement to date for the Planning Board.

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 Fava

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

Chairman Adelman wished everyone a happy, healthy, peaceful and prosperous 2015.

11 NEW KING STREET PARKING GARAGE

11 New King Street

Section 119.03/ Block 1, Lot 1

Proposed automated airport parking facility

Nanette Bourne, AKRF

Bill Null, Esq. Cudy & Feder

Continued Discussion of Final Environmental Impact Statement

Mr. Null stated that he followed the directions of the board from the last meeting. The revised text was submitted and highlighted for everyone's review. He hopes the document before the board clearly defines the project.

Mr. Adelman confirmed with the board and professionals that it would be alright to defer some of the comments in the memos to site plan approval. Mr. Kaufman and Mr. Cermele found it appropriate for the applicant to address some of the comments during site plan approval. Mr. Kaufman reviewed the next steps with the board at this time.

In response to Mr. Adelman's comment, a brief discussion was had regarding the screening proposed for the parking garage wall. Vines & Ivy were discussed. Ms. Bourne stated that this ivy is specifically made to grow and adhere to the wall. She said she has recently seen a stainless steel wall where the vine was growing and it looked beautiful.

In response to Mr. Carthy's comment, the applicant will have better information as to how fast or how long it will take for the vines to grow on the wall.

In response to Mr. Adelman's comment regarding the salt free deicers, Mr. Kaufman noted the applicant will be required to submit alternatives which will be reviewed during site plan approval.

In response to Mr. Adelman & Mr. Carthy's follow-up to their suggestion at the applicants previous appearance that they consider powering the automatic standby generator with propane stored in a buried tank instead of diesel to avoid spill hazard. Mr. Null stated that his client will consider this suggestion.

Mr. Sauro noted he will provide his comments during the site plan review.

Monday February 2, 2015 was the agreed upon date to be the last day to file comments by the other agencies on the accepted FEIS (Final Environmental Impact Statement). The applicant asked to return to the Planning Board on February 9, 2015 for Consideration of Findings.

Mr. Adelman asked for a motion to accept the FEIS regarding the 11 New King Street Parking Garage. Mr. Sauro made a motion to accept the document, Mr. Carthy second the motion and it was approved with three Ayes. Mr. Delano was not present for the vote; there is a vacant seat on the board at this time.

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 sf pharmacy and 2,497 square-foot retail space.

Discussion of Utility Pole Bond

The applicant has to return to the Planning Board regarding the bond for the relocation of the utility pole at the intersection of Maple Avenue and CVS's site access drive. The pole is proposed to be relocated approximately 10' to the east as depicted on the town's approved plans. There was a condition indicating that prior to the reissuance of the TCO (Temporary Certificate of Occupancy) by the Building Department the applicant must return to the Planning Board every 90 days to provide a progress update on the work with Con Ed.

Mr. Kaufman stated this was the applicant's first request for the 90 day extension for the TCO. Discussions were had regarding the location of the pole to remain in its present location in exchange for the applicant putting down a side walk from CVS to Maple Avenue and to permit some outside users of the shopping center to park on site. Mr. Adelman noted that when this was originally before the board the pole had to be moved due to a safety issue with fire apparatus entering the site in an emergency. The Fire Department has recently confirmed that in the event of an emergency they can access the site even if the pole is not moved. Mr. Adelman asked to get that in writing for the file.

Mr. Carthy had recalled that Mr. Mezzancello had some real reservations about keeping the pole in its present location. Mr. Kaufman recalled the same thing. Mr. Carthy did not recall specifically his reasons why. Mr. Kaufman noted that he recalled it was due to the Fire Department safety issues. Mr. Adelman noted the pole was very unsightly. Mr. Kaufman noted that was one of the reasons why it was a couple hundred thousand dollars to move the pole because of all the present uses on the pole. With the sidewalk access from CVS to Maple Ave being located on the property to the West, the Stone property, the sidewalk can be positioned so that the fire apparatus will have safe access to the site.

Mr. Carthy inquired if there would be a compensatory value of building the sidewalk vs. moving the pole. Mr. Kaufman stated the price of building the sidewalk would be substantially less than moving the pole, a tenth of the cost. Mr. Carthy inquired if the board was in a position to extract as much development as possible, is there more that can be done to improve that corner. A brief discussion was had at this time and the board concluded that was all they were going to get in exchange for not moving the pole.

Mr. Adelman asked for a motion to extend the TCO for another 90 days. Mr. Sauro made a motion to approve. It was second by Mr. Carthy and approved with three Ayes. Mr. Delano was not present for the vote. There is a vacant seat on the board at this time.

FARRELLY

6 Pine Ridge Road

Section 102.01, Block 2, Lot 9

Eliot Senor, P.E., L.S. Gabriel E. Senor, P.C.

Site Plan

Discussion of Site Walk

Present for this application was Mr. Farrelly and his children as well as his professional Eliot Senor.

Mr. Adelman suggested that Mr. Farrelly meet with his neighbors regarding his proposed pool location and share with them his reasons for his location.

Mr. Senor stated that the board has done a site walk and the applicant's proposed location would work well with access to the basement and with the lay of the land. Mr. Farrelly owns Emerald Tree care and will landscape the pool area.

At the first meeting, the board spoke about an alternate pool location at the rear of the house. The board has conducted a site walk and after visiting the site has agreed that the proposed location is alright with them. They were also pleased with the applicant's abilities to screen the pool.

Mr. Sauro noted he was concerned about the elevation and screening for the neighbor to the left. Mr. Senor stated that there is a drainage easement between the two lots. Mr. Senor stated that while at the site walk the squaring off of the wall was discussed which would help preserve a large tree on site and provide additional space around the pool. The squaring off of the wall would put part of the wall into the wetland buffer.

Mr. Adelman suggested again to the applicant how helpful it would be to reach out to the neighbors and explain the project and the reasons behind your thought process and how this will help put the neighbors' minds at ease.

In response to Mr. Farrelly's comment, he was informed that he will have to notice all neighbors within 500 feet from all sides of his property. A list can be obtained from the Assessor's office.

In response to Mr. Carthy's comments, Mr. Senor presented the fence location on site and noted a black aluminum fence was proposed, something that would blend in.

In response to Mr. Carthy's suggestion of continuing the stone wall look down the road that his neighbor has on his property/. Mr. Farrelly stated that he would prefer the natural screening vs. the stone wall look.

The applicant will need to submit the Landscaping plan and a neighbor notification will be scheduled for the February 9, 2015 meeting providing the detailed landscape plan is submitted by January 26, 2015. A resolution will be considered the same evening.

Mr. Fava, Conservation Board Chairman noted that since a small part of the fence was in the wetland buffer an administrative wetland permit could be issued for that small section of fence instead of the applicant appearing before the Conservation Board. Mr. Kaufman noted the code does provide for that. The wetland survey will be submitted by the applicant and Mr. Cermele stated he will go out and verify the wetlands and if it has to be tweaked, that can be done.

96 – 98 COX AVENUE SUBDIVISION

96-98 Cox Avenue

Section 108.01, Block 2, Lots 55 & 54

3 Lot Residential Subdivision

Frank Madonna

Consideration of site plan resolution extension of time

In response to Mr. Adelman's comment, Mr. Cermele stated that the applicant has done some of the storm water improvements that were required but nothing on site yet. From what Mr. Cermele has been told, Mr. Madonna has been working closely with the neighbors and the neighbors have been pleased so far. The board was happy to hear this information.

In response to Mr. Carthy's comment regarding the applicant's responsibility to finishing the road, Mr. Cermele stated that the road is not all due to Mr. Madonna's activities. Con Ed has beaten up the roads a lot more with their installation of the new gas lines. Mr. Madonna cut the road for the sewer extension and the sewer laterals to serve the properties and that has since been brought up to grade. Con Ed is the owner of all the steel plates in the road and responsible for the trenching from Leisure farm up to Rose Hill. Mr. Madonna has been in contact with Con Ed and they have run the gas lines partly up Cox Avenue but not all the way. Mr. Madonna is trying to get them to run them up to the houses at 96-98 Cox Avenue and trying to coordinate all of this with resurfacing the roads with Con Ed. Mr. Madonna has agreed to repave the road from edge to edge from his sewer connection to his lots. Mr. Cermele stated that they are working with Con Ed to do something similar other than just the trench.

Mr. Adelman asked for a motion to approve the 96-98 Cox Avenue extension of time resolution. Mr. Sauro made a motion to approve the extension of time resolution, Mr. Carthy second the motion and it was approved with three Ayes. Mr. Delano was not present for the vote, there is a vacant seat on the board at this time.

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

Recommendation to Town Board regarding release of Bond

Mr. Adelman noted the parking lot, side walk and lamp posts look wonderful and he asked Mr. Baroni to follow up on the status of the property with the applicant's attorney, Jack Hughes. Mr. Baroni stated he would follow up and get back to the chairman.

Mr. Adelman asked for a motion to make a recommendation regarding the release of Bond regarding 61 & 67 Old Route 22 to the Town Board. Mr. Sauro made a motion to approve the recommendation, Mr. Carthy second the motion and it was approved with three Ayes. Mr. Delano was not present for the vote. There is a vacant seat on the board at this time.

Meeting Adjourned at 7:40 p.m.