

**NORTH CASTLE PLANNING BOARD MEETING
15 BEDFORD ROAD – COURT ROOM
7:00 P.M.
August 3, 2015**

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

PLANNING BOARD MEMBERS ABSENT: JOHN DELANO

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:
 Jane Black

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

APPROVAL OF MINUTES:

June 22, 2015

Mr. Adelman asked for a motion to approve the June 22, 2015 minutes as amended.
Mr. Pollack made a motion to approve, it was second by Mr. Sauro and approved with
four Ayes. Mr. Delano was not present for the vote.

July 13, 2015

Mr. Adelman asked for a motion to approve the July 13, 2015 minutes as amended. 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. Mr. Pollack abstained.

May 6, 2013

Mr. Adelman asked for a motion to approve the May 6, 2013 minutes. 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. Mr. Pollack abstained.

June 3, 2013 & June 17, 2013 – were both held over until the next meeting when a quorum of those present at the meetings in 2013 were present to vote in 2015.

PUBLIC HEARING:

AT&T

1 New Orchard Road

113.02-1-18

Amended Site Plan

Daniel Laub, Cuddy & Feder

New Singular Wireless PCS

Discussion

Consideration of Site Plan Resolution

Present for this application was Daniel Laub, Cuddy & Feder,

Mr. Adelman read the affidavit of publication for the record. Mrs. Desimone stated that all paperwork was in order for this application. No noticed neighbors were present.

The site plan application is for the addition of two LTE antennas and appurtenances to the existing AT&T wireless telecommunications facility located on the roof of the IBM Learning Center.

No comments or questions were had at this time.

Mr. Adelman asked for a motion to close the public hearing, 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.

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

Mr. Adelman asked for a motion to approve the site plan resolution. 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.

DISCUSSION:

NYCDEP BOWLING ALLEY

1 George Smith Place

107.04- 2-17

Maria Mandarino, NYCDEP

Discussion

Consideration of Resolution Text Amendments

Present for this application was Laura McLean, HDR and Richard Willham, NYCDEP.

The wetland permit was originally approved in 2013. The board is considering this evening various changes to the timing of when conditions needed to be met.

In response to Mr. Carthy's comment, Ms. McLean stated that the 13 space parking lot was proposed to be built in 2016.

Mr. Adelman asked for a motion to approve the text amendments as proposed in the resolution. Mr. Sauro made a motion to approve. It was second by Mr. Carthy and approved with four ayes. Mr. Delano was not present for the vote.

OLIVE BRANCH PLAZA

386 Main Street

108.03-1-6

John Poniros

Amended Site Plan – Installation of New Fence

Discussion

The application is for amended site plan approval for the installation of a three foot high fence along a portion of the Main Street property frontage.

Mr. Poniros was hoping that the fence would remind residents to allow parking for his tenants. He preferred a 3' fence vs. a 4' fence which he opined was too tall. He has read both professionals memos. His fence will look as close as possible to the Armonk Square fence. A contractor will install the fence which will be purchased from Lowes.

Mr. Kaufman noted that the fence detail submitted was for a residential fence. He would like to make sure that the fence is strong enough to support people if they lean up against it and suggested a commercial grade fence.

In response to Mr. Carty's comment, Mr. Ponirois stated that he was concerned if he purchased wrought iron that it would rust. Mr. Kaufman noted that the fence proposed will not last long. Mr. Adelman suggested to the applicant that he would want to do this once and do it right the first time, this is a very visual place on Main Street and we want it to be attractive. Mr. Ponirois noted that he does not want the fence to stand out, he wants it to blend. He will upgrade the durability of the fence.

Mr. Carthy noted that if there is a cross bar at the top of the fence people may step on it to cross over vs. if the top of the fence has spokes.

Mr. Ponirois will resubmit plans for a more durable fence and return back to the board. A public hearing and resolution can be considered at that time.

19, 21, 23 COWDRAY PARK DRIVE

102.03-2-26, 27& 28

Geraldine Tortorella, Esq. Hocherman Tortorella & Wekstein, LLP

Site Plan, Tree Removal and Wetland Permit - New House

Discussion

Present for this application was Geraldine Tortorella, Esq. Louis Demarzo, Redness and Mead, Jay Fein – Jay Fein & Associates, John Halper.

The application is for the demolition of the existing residence and the construction of a new 20,766 square foot 8 bedroom home, pool, cabana, pedestrian bridge, walkway, lake deck and dock on three lots comprising 33.84 acres within the R-2A Zoning District. Site plan, tree removal, wetland and steep slopes will be necessary permits for this application.

Mr. Demarzo familiarized the board with the site as it presently exists. He noted that the applicant will have underground cable and phone service, 2 rain gardens, wetland mitigation, 2 infiltration systems; a tank replacement from WCDH, footing drains will be redone. The new residence will have a water sprinkler system installed.

The applicant's professionals have read the memos and will submit revised plans accordingly.

Ms. Tortorella spoke with Mr. Baroni regarding uses on a lot that do not have a primary residence. Mr. Baroni stated that those types of uses can be treated the same way they have been previously on this lot.

Mr. Kaufman noted that the plans were in good shape and did not have a lot of comments. The applicant needs to go before the Conservation Board. He also noted that there was no difference in the Town Code regarding temporary and permanent wetland buffer disturbance but the Conservation Board can make that determination. He also suggested the applicant follow up with the Building Inspector regarding the walkway structure to the deck and the proposed setbacks.

Mr. Kaufman stated that the applicant can respond to the comments with the next submission which would be after the applicant has gone to the Conservation Board, ARB and the site walk has taken place.

In response to Mr. Pollack's comment regarding the 8 1,000 gallon underground propane tanks it was noted that the client was concerned about not having power.

The site walk was scheduled for Thursday, August 20th at 8:00 a.m.

GJONAJ

7 Pine Ridge Road

102.01-02-7

3 lot Residential Subdivision

Paul Sysak, RLA, ASLA John Meyer Consulting, PC

Discussion

Consideration of Extension of Time Resolution

Mr. Adelman asked for a motion to grant the Gjonaj extension of time resolution. Mr. Pollack made a motion to approve. It was second by Mr. Sauro and approved with four Ayes. Mr. Delano was not present for the vote.

HIDDEN OAK SUBDIVISION

13 Hidden Oak Road

Section 107.01, Block 1, Lot 32

Alan Pilch, Evans Associates

3-lot subdivision

Discussion

Consideration of preliminary subdivision resolution extension of time

Mr. Adelman asked for a motion to grant the Hidden Oak extension of time resolution. Mr. Sauro made a motion to approve. It was second by Mr. Cathy and approved with four Ayes. Mr. Delano was not present for the vote.

ZONING CODE DISCUSSION

Discussion of various changes to the Zoning Chapter as Part of the Town's Code Update project

Consideration of Recommendation to the Town Board

The board discussed the local law to amend the Town Code to reduce the front yard setback in the RB Zoning District from 75 feet to 10 Feet.

After much discussion regarding this matter, Mr. Adelman asked for a motion to positively recommend this change in the RB zoning district regarding the reduction of the front yard setback from 75 feet to 10 feet. Mr. Sauro made a motion to approve. It was second by Carthy and approved with four Ayes. Mr. Delano was not present for the vote.

Mr. Kaufman then reviewed with the board and professionals the proposed changes to the zoning code in chapter 355. Mr. Kaufman reviewed the definition of cabana size, hospital, fast food, yard improvements, height of retaining walls, CB-B district regarding flexibility of percentage of manufacturing vs. retail space, site plan standards, width of the parking isles.

The Planning Board recommends several changes to the Zoning Chapter draft as follows:

1. The definition of cabana should be revised to clearly state that a cabana is an accessory structure.
2. The definition of hospital should be revised to only permit the treatment of humans.
3. Section 355-15G(1) should be revised to require Planning Board approval of any retaining wall in excess of six feet in height.
4. Section 355-43 should be revised to eliminate the word "particularly" and be replaced with the words "including, without limitation,"

Mr. Adelman asked for a motion to recommend the zoning changes to the Town Board 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.

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

Meeting was adjourned at 8:55 p.m.