

NORTH CASTLE PLANNING BOARD MEETING
15 BEDFORD ROAD - COURT ROOM
7:00 P.M.
September 9, 2013

PLANNING BOARD MEMBERS PRESENT: Art Adelman, Chairman
 John Delano
 Steve Sauro
 Christopher Carthy
 Guy Mezzancello

PLANNING BOARD MEMBERS ABSENT: None

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

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

PUBLIC HEARING:

GUSSACK

13 Hemlock Hollow Road

Section 94.04, Block 02, Lot 23

Accessory Structure

James Coleman, AIA LEED AP James Coleman Architecture Studio

Consideration of site plan approval

The Planning Director quickly reviewed the proposal.

After due discussion, Mr. Delano made a motion to close the public hearing. It was seconded by Mr. Sauro and approved with five Ayes.

Mr. Delano made a motion to approve the resolution as amended. It was seconded by Mr. Sauro and approved with five Ayes.

AMORE PIZZERIA AND PASTA

1 Kent Place

Section 108.03, Block 1, Lot 76

Roof expansion, architectural changes and outdoor dining revisions.

John Sullivan, FAIA, Sullivan Architecture, PC

Consideration of resolution of approval

Mr. Sullivan, the project Architect, made a brief presentation of the project.

After a lengthy discussion regarding parking on the west side of Main Street and a discussion of the potential future improvements along the Kent Place frontage, Mr. Delano made a motion to close the public hearing. It was seconded by Mr. Sauro and approved with five Ayes.

Mr. Delano made a motion to approve the resolution as amended. It was seconded by Mr. Sauro and approved with five Ayes.

COX AVENUE SUBDIVISION

95 Cox Avenue

Section 108.01, Block 2, Lot 28
2 Lot Subdivision
Frank Madonna
Discussion

The Applicant made a presentation of the project to the Planning Board. The Planning Board discussed the Director of Planning's memorandum and the Town Engineer's memorandum and directed the Applicant to address the comments in those documents.

In addition, the Planning Board discussed the need for the Applicant to submit a planting/screening plan for review. In addition, the Planning Board noted that the Applicant will need to investigate whether the site contains any historic or archeological artifacts. Furthermore, the Applicant agreed to limit the homes to 3,500 square feet, unless the Planning Board approves a larger home.

The Planning Board directed the Planning Director to prepare a draft resolution of approval for consideration at a future meeting.

Mr. Delano made a motion to adjourn the public hearing. It was seconded by Mr. Sauro and approved with five Ayes.

MARIANI GARDEN CENTER

45 Bedford Road

Section 108.03, Block 1, Lot 65
Proposed amendments to the NB Zoning District to allow for less restrictive and additional uses in the NB Zoning District.
P. Daniel Hollis, Esq. Shamberg, Marwell & Hollis PC
Discussion

The Applicant made a presentation of the project to the Planning Board. The Applicant explained that the proposed physical site plan changes are limited to the construction of four new off-street parking spaces along with interior modifications.

Several residents expressed concerns with the proposed changes of use on the property. In addition, they wished to ensure that the Town Board conditions limiting restaurant size, outdoor music, wine and beer sales and size of retail uses would also be limited in any Planning Board resolution. The Planning Board noted that such Town Board restrictions would also be noted in any Planning Board approval.

Mr. Delano made a motion to close the public hearing. It was seconded by Mr. Sauro and approved with five Ayes.

The Planning Board directed the Planning Director to prepare a draft resolution of approval for consideration at a future meeting.

CONTINUING BUSINESS:

MADONNA

Route 128 - Mount Kisco Road

Section 108.01, Block 1, Lot 30.3

Application to apply senior floating zone to property and construct 14 townhouse units on the 3.8 acre property.

Kory Salomone, Esq. Veneziano & Associates

Consideration of Negative Declaration adoption

Referral back to Town Board regarding Zoning Petition

The Applicant made a presentation of the project to the Planning Board. The Planning Board and the Applicant discussed the draft Negative Declaration prepared by the Planning Department. The draft Negative Declaration contained an open issue regarding the provision of adequate water and sewer. The Planning Board will wait for further information from the Sewer and Water Department prior to finalizing the Negative Declaration.

The Planning Board discussed the Applicant's request to modify the Town Code to reduce the age of a senior citizen from 62 to 55. In addition, the Planning Board discussed the merits of providing AFFH units versus Town-regulated Middle Income Units.

The Planning Board expressed their support to reduce the age of a senior citizen from 62 to 55 and to provide AFFH units rather than Middle Income Units on the property.

JENNIE CLARKSON / ST. CHRISTOPHER'S, INC.

1608 Old Orchard Street

Section 118.01, Block 1, Lot 2

Lot Line Change

Kory Salomone, Esq. Veneziano & Associates

Consideration of 2nd extension of time resolution

Mr. Delano made a motion to approve the extension of time. It was seconded by Mr. Sauro and approved with five Ayes.

NIKIC

12 Terrace Circle

Section 100.02, Block 1, Lot 51

Michael Stein, PE Hudson Engineering,

Construction of a new 8,203 square-foot single-family home.

Discussion

[Mr. Delano recused himself from participating in a discussion of this project]

The Applicant made a presentation of the project to the Planning Board. The Planning Board discussed the Director of Planning's memorandum and the Town Engineer's memorandum and directed the Applicant to address the comments in those documents.

It was noted that the Conservation Board reviewed the project and received a recommendation to issue the requested wetlands permit. The Planning Board noted that the property is difficult to develop, but the development, as revised during the review, now seems to make the best of a difficult lot.

The Planning Board directed the applicant to proceed to the Architectural Review Board. Once ARB approval has been obtained, the Applicant should return to the Planning Board for a public hearing.

MAOUNIS

5 Ashfields Lane

Section 102.03, Block 2, Lot 34

Geraldine Tortorella, Esq. Hocherman Tortorella & Wekstein, LLP

Construction of a new single family home.

Discussion

The Applicant made a presentation of the project to the Planning Board. The Planning Board discussed the Director of Planning's memorandum and the Town Engineer's memorandum and directed the Applicant to address the comments in those documents.

The Planning Board reviewed the conceptual plan and indicated that the proposal appears to be acceptable.

BANKSVILLE REZONING

Referral from Town Board

Draft local law that would rezone the properties along Banksville Avenue from the GB Zoning District to a newly created CB-C Zoning District.

Discussion

The Planning Board discussed a Local Law to amend Chapter 213, Zoning, of the Code of the Town of North Castle, New York, so as to rezone an area of approximately 14.7 acres located along the northerly side of Banksville Avenue, adjacent to the Town of Greenwich, Connecticut, from its present GB General Business District classification to RC Residential Commercial District and to amend Chapter 213, Zoning, of the Code of the Town of North Castle, New York, so as to rezone an area of approximately 1.0 acres located at the northeasterly corner of the intersection of Bedford-Banksville Road and Banksville Avenue from its present GB General Business District classification to CB-B Central Business B District.

Mr. Carthy made a motion recommended approval of the proposed zoning amendments. It was seconded by Mr. Delano and approved with five Ayes.

MASSARO

54 Custis Avenue

Section 122.12, Block 3, Lot 8

Reduction in Bond

Recommendation to Town Board

The Planning Board reviewed the request of the Town Engineer to reduce the amount of the previously established performance bond for the Massaro Subdivision.

The present value of the bond is \$295,000 and the developer has completed a substantial amount of the private roadway and has completed the public sewer and water main extension improvements and stormwater management systems.

Based upon a review of the original construction cost estimate and comparing it to the work completed to date, the Town Engineer feels that a reduction in the bond amount would be appropriate at this time. In accordance with Section 216-17 of the Town Code, the amount that a bond may be reduced is limited to 25% of the original estimate. Therefore, the Town Engineer recommends that a new bond be posted in the amount of \$73,750.00.

Mr. Delano made a motion to recommend to the Town Board a reduction of the performance bond to a total of \$73,750. It was seconded by Mr. Sauro and approved with five Ayes.

CVS

Main Street & Maple Avenue

Section 108.01, Block 6, Lot 22

Establishment of Bond

Recommendation to Town Board

The Planning Board reviewed the request of the Town Engineer to establish a construction performance bond and inspection fees, pursuant to the site plan approval issued by the Planning Board, in an amount acceptable to the Town Engineer to ensure the completion of the sidewalks along NYS Route 128 (Main Street). The Town Engineer recommends that the amount of the bond be \$38,400.

Inspection fees are calculated based upon 5% of the Performance Bond value, or \$1,745.

Mr. Delano made a motion to recommend to the Town Board the establishment of a bond in the amount of \$38,400 and an inspection fee of \$1,745. It was seconded by Mr. Sauro and approved with five Ayes.

Meeting adjourned at 9:58 p.m.