

**NORTH CASTLE PLANNING BOARD MEETING  
15 BEDFORD ROAD – COURT ROOM  
7:00 P.M.  
January 9, 2017**

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PLANNING BOARD MEMBERS PRESENT:

John P. Delano, Chairman  
Christopher Carthy  
Jim Jensen

ABSENT:

Steve Sauro  
Michael Pollack

ALSO PRESENT:

Adam R. Kaufman, AICP  
Director of Planning

Valerie B. Desimone  
Planning Board Secretary  
Recording Secretary

:

Joe Cermele, PE  
Consulting Town Engineer  
Kellard Sessions PC

Conservation Board Representative:  
Christine Argentina Futerfas

ABSENT:

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

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

**PUBLIC HEARING:**

**WHIPPOORWILL CLUB DRIVING RANGE**

**150 Whippoorwill Road**

**100.04-1-41**

**Amended Site Plan**

**Richard Cordone, Design Manager, John Meyer Consulting**

**Stephen Spina, PE, Project Manager, John Meyer Consulting**

**Discussion**

**Consideration of Amended site plan application**

The project area is currently being utilized as a driving range, a green waste storage area and a staging area for sod and other landscape materials. The Applicant is proposing a site plan and tree removal permit application for the redevelopment of the existing driving range, with associated short game practice areas, replacement of the existing golf course netting, installation of retaining walls, additional landscaping, and cart path and drainage improvements.

Present for this application was Richard Cardone, John Meyer Consulting.

Mr. Delano asked for a motion to reopen the public hearing. Mr. Carthy made a motion to reopen the public hearing, Mr. Jensen second the motion and it was approved with three ayes. Mr. Sauro and Mr. Pollack were not present for the vote. No noticed neighbors were present for this application

Mr. Cardone reviewed the application for the board and noted he was granted approval from the Zoning Board of appeals. He also stated that there were no wetland permits with this application and he has been working with the NYCDEP regarding the drainage on site and ensuring it will remain the same. He also addressed comments raised from the ZBA approval and confirmed that the NYCDEP will have to sign off on the SWPPP.

All questions were answered to the board's satisfaction.

Mr. Delano asked for a motion to close the public hearing. Mr. Carthy made a motion to approve. It was second by Mr. Jensen and approved with three ayes. Mr. Pollack and Mr. Sauro were not present for the vote.

Mr. Delano asked for a motion to approve the negative declaration. Mr. Jensen made a motion to approve, it was second by Mr. Carthy and approved with three ayes. Mr. Pollack and Mr. Sauro were not present for the vote.

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

**CRINITI**

**2 Barnard Road**

**108.03 - 3 - 60**

**Special Use Permit - Accessory Apartment**

**Roy Fredriksen, PE Rayex Design Group**

**Discussion**

**Consideration of resolution of approval**

The application is for a 307 square foot second floor addition and the construction of a new 1,038 square foot accessory apartment adjacent to the existing 3,242 square foot home on a 1.1 acre lot located within the R-1A Zoning District.

Present for this applicant was the applicant Mrs. Criniti and her professional William Besherooff.

Mr. Delano asked for a motion to reopen the public hearing. Mr. Carthy made a motion to reopen the public hearing, Mr. Jensen second the motion and it was approved with three ayes. Mr. Pollack and Mr. Sauro were not present for the vote. No noticed neighbors were present for this application.

Mr. Besherooff stated that the last time he was before the board the neighbor raised the issue regarding the pipes that interfered with the proposed septic system. He has gone before the board of health and revised the approval and addressed the situation completely. He stated that he has addressed all of the comments from both professionals memos. He stated he has complied with all the comments in the resolution. Mr. Delano noted there was an error in the stormwater calculations and asked for that to be corrected, he also noted some typos in the applicants material and requested that be corrected. Mr. Besherooff stated he will address these comments. Questions were answered to the board's satisfaction.

Mr. Delano asked for a motion to close the public hearing, Mr. Carthy made a motion to approve. It was second by Mr. Jensen and approved with three ayes. Mr. Sauro and Mr. Pollack were not present for the vote.

Mr. Delano asked for a motion to approve the resolution. Mr. Jensen made a motion to approve. It was second by Mr. Carthy and approved with three ayes. Mr. Sauro and Mr. Pollack were not present for the vote.

**CONTINUING BUSINESS:**

**COCKREN AFFORDABLE HOUSING**

**22 Old Route 22**

**107.04- 2-15**

**Field Change**

**Lou Larizza, Lazz Development**

**Nathaniel Holt, PE**

**Discussion**

**Mr. Holt was present for this application.**

Mr. Cermele stated that during the course of construction there were some field modifications that had to be made which resulted in the modification of the stormwater detention system to be partially installed in the town right of way. Prior to construction of the system, discussions were had regarding this matter with the Highway Department, Town Attorney and Town Engineer. After construction and preparation of the as-built survey, it was discovered that the system was built slightly different from the approved plan. The Town Engineer requested that a revised analysis be prepared to demonstrate that the as built conditions satisfied the original intent of the stormwater requirements. Mr. Cermele stated that with a minor modification to the outlet structure, the system is acceptable. Mr. Cermele stated that the owner will be required to complete the modifications to the outlet structure prior to the issuance of the final CO.

Mr. Holt noted that the modification resulted in the system being installed within approximately 500 square feet of the right of way. Mr. Cermele stated it was located between the stone wall in front of the southerly units and the bottom of the steps for each of the units. The limits of the proposed easement area will be shown on a survey prepared by the owner. The easement details will be finalized with the Town Attorney.

Mr. Delano asked for a motion to approve the field change as described above and allow the easement to proceed. Mr. Carthy made a motion to approve. It was second by Mr. Jensen and approved with three ayes. Mr. Sauro and Mr. Pollack were not present for the vote.

**SOUL CYCLE**

**45 Bedford Road**

**108.03- 1-65**

**Referral from Town Board**

**Dan Hollis, Esq. Shamberg Marwell Hollis Andreyck & Laidlaw, pc**

**Discussion**

The Applicant is seeking various zoning text amendments and site plan amendments to permit the creation of a Soul Cycle in place of the existing Garden Market Building.

Present for this application was Rob Aiello, Partner JMC and Dan Hollis, attorney for the applicant.

Mr. Hollis stated that he has reviewed the memos from FP Clark, Town Planner and Town Engineer and will submit a response to those comments by the close of business Wednesday afternoon. He noted that the site is 4.23 acres and located in the NB district. The 3500 square foot indoor cycling studio is proposed in the Market Building. Presently there are 129 parking spaces on site with 84 in the front and 45 in the rear and 18 landbanked for a total of 147 parking spaces.

Mr. Aiello stated that Soul Cycle is proposing 56 cycles in this space which will be a sound proof enclosed area. All Soul Cycle locations are sound proof which is their biggest expense at each location. A unisex locker room for storage of items along with four unisex bathrooms and water fountain will be on site. There will be one shower for men and one shower for woman on site as well. Most of their clients do not shower on site. They are presently reviewing the parking and traffic analysis from FP Clark Associates. He reviewed a typical schedule of classes for the board and noted the classes are 45 minutes. He noted that the outside scenery will be kept which borders Maple Avenue. They are proposing an additional 20 parking spaces and will keep the 18 land banked parking spaces. He will provide additional data based on the three memos received.

Mr. Hollis noted at this point we are discussing the amendment to the zoning ordinance regarding whether the Soul Cycle use is an appropriate use.

Mr. Carthy noted that there were a lot of comments in the traffic report that would be needed to be addressed before he would be comfortable making a recommendation back to the Town Board.

Mr. Delano noted the water information must also be provided before a recommendation can be made back to the Town Board.

A brief discussion was had regarding the suggested word changes by the Director of Planning regarding the Zoning Amendment.

The professionals noted that they will make a resubmission to continue the discussion at the next meeting.

**PASVANKIAS**

**22 Hickory Pass**

**95.01- 1-26**

**Subdivision**

**Petrucelli Engineering, Ken Murphy – Assistant Engineer**

**Discussion**

The application for preliminary subdivision approval of a two lot residential subdivision in the R-2A Zoning District.

Present for this application was Paul Berte, engineer from Petrucelli Engineering.

Mr. Berte stated that his client would like to subdivide the lot to create another building lot for one of his children to live on. He has reviewed both memos and was aware that an area variance was necessary for net lot area. He also stated that he will remove the inground pool and pool house on lot #1 in order to get the ZBA approval.

Mr. Delano noted in Mr. Kaufman's memo that a positive referral to the ZBA was not recommended because this subdivision would create two nonconforming lots(flag lots). The board agreed to do a site walk and discuss the application further after the site walk and with a full board.

The applicant was instructed to contact the Planning Board secretary once the lot was flagged and the centerline of the driveway was marked. The professional agreed.

**850 NORTH BROADWAY (LITTLE SPOT)**

**850 NORTH BROADWAY**

**122.12-5-62**

**Site Plan**

**Hudson Engineering & Consulting, Michael Stein, PE**

**Discussion**

The application for site plan approval to permit several changes of use on the property. The proposed site plan would include a 1,095 square foot carry-out restaurant (Little Spot), a 1,120 square foot carry-out restaurant (Ralph's Ices) and a 920 square foot office . The property is located within the CB Zoning District.

Present for this application was Michael Stein, PE President of Hudson Engineering & Consulting and his client Scott Rosenberg.

The board discussed the revised plans which had raised sidewalks and curbing vs. a Merrit Parkway style guardrail and flush sidewalk. Both alternatives had plantings proposed. The Town Traffic consultant noted in his memo that he was pretty confident that the Merrit style guardrail would not be approved. Mr. Stein noted that if the board had a preference and would communicate that to the NYSDOT, the DOT said they

would take that comment into consideration. After multiple discussions, Mr. Delano, Mr. Carthy and Mr. Jensen concluded that they liked the raised sidewalk with curbing and planter but wanted input from the other two board members at the next meeting.

Also discussed were the permitted eight indoor seats and eight outdoor seats. The board discussed moving of the freezer located outside of the Ices building to inside the building and to move the 8 inside seats outside as a result of the relocation of the freezer. This would then result with no inside seating and 16 outdoor seating 8 covered and 8 not covered. It was also noted this type of business is counter service only with no inside seating. Discussions were had on how to resolve this matter and the applicant will resubmit at plan accordingly. Discussions of Knee walls or Bollards around the Ices building were also discussed. The board concluded that they preferred the look of the knee wall.

Discussions also took place regarding deliveries and dumpster location, Mr. Rosenberg stated deliveries would come once a week, per building, in the morning. Mr. Stein noted where the dumpster access was on site and will update the plan accordingly and will show access to the dumpster. The parking count was also discussed as well as employee parking on site, Mr. Rosenberg stated that he does not have a lot of employee parking as a lot of high school kids work there and they do not drive, their parents usually drop off and pick up. Mr. Kaufman noted that according to the code and uses proposed on site that 17 parking spaces as calculated meet the code requirements. Mr. Stein noted he was two parking over what the code required.

In response to a comment made by one of the board members regarding the light bollard located in the planter, Mr. Stein stated that will be removed from the site as part of this application.

In regards to comments regarding peek use from the Police Department and FP Clark Memo, Mr. Stein stated that he will have Maser Consulting address the comments from the Police Department and FP Clark Traffic memo and submit them back before the board. He will make revisions to the plans per the professional's comments by the close of business Wednesday afternoon.

Maureen Keller from NWP, expressed her concerns regarding the Ices that was opened down in Mamaroneck as it relates to noise, traffic, parking and garbage on site and asked the board to be careful regarding this site and those concerns.

**McMANUS**

**19 Glendale Avenue**

**108.01-5-51**

**2-Lot Subdivision**

**Mark P. Miller, Esq. Veneziano & Associates**

**Consideration of 3<sup>rd</sup> Extension of Time Resolution**

The subject application involves the subdivision of an existing 12,383 square foot lot into two residential building lots, each lot will be approximately 6,191 sq. ft. The Applicant is seeking to retain the existing home after the creation of the lots while a new house is being constructed on the property.

Mr. Delano asked for a motion to grant the extension of time resolution. Mr. Carthy made a motion to approve. It was second by Mr. Jensen and approved with three ayes. Mr. Sauro and Mr. Pollack were not present for the vote.

**APPOINT ACTING CHAIRMAN**

In Chairman's absence

The board agreed to wait for a full board before voting on this matter. This will be placed on the January 23, 2017 Planning Board agenda.

Mr. Delano asked for a motion to adjourn the meeting. Mr. Carthy made a motion to adjourn; it was second by Mr. Jensen second the motion and it was approved with three ayes. Mr. Sauro & Mr. Pollack were not present for the vote. Meeting was adjourned at 8:32 p.m.