

**NORTH CASTLE PLANNING BOARD MEETING  
15 BEDFORD ROAD – COURT ROOM  
7:00 P.M.  
June 5, 2017**

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PLANNING BOARD MEMBERS PRESENT: Christopher Carthy – Acting Chairman  
Steve Sauro  
Michael Pollack  
Jim Jensen

ALSO PRESENT: Adam R. Kaufman, AICP  
Director of Planning  
  
Valerie B. Desimone  
Planning Board Secretary  
Recording Secretary

ABSENT: Roland Baroni, Esq. Town Counsel  
Stephens, Baroni, Reilly & Lewis, LLP  
  
Joe Cermele, PE  
Consulting Town Engineer  
Kellard Sessions PC  
  
Conservation Board Representative:

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The meeting was called to order at 7:03 p.m.

**APPROVAL OF MINUTES:**

**May 22, 2017**

Mr. Pollack made a motion to approve the May 8, 2017 Planning Board minutes. Mr. Sauro second the motion and it was approved with four Ayes.

**May 30, 2017 – Work Session**

Mr. Pollack made a motion to approve the May 8, 2017 Planning Board minutes. Mr. Sauro second the motion and it was approved with four Ayes.

## **11 NEW KING STREET PARKING GARAGE [09-032]**

**11 New King Street**

**119.03-1-1**

**Proposed automated airport parking facility**

**Nanette Bourne, AKRF**

**Bill Null, Esq. Cuddy & Feder**

**Consideration of Findings Statement**

Present for this application were the principals Jeffrey Brown and Kim Frank as well the applicants professionals Nanette Bourne from AKRF and Bill Null, esq. from Cuddy & Feder.

Mr. Carthy summarized the work session with the Planning Board that took place on May 30, 2017 which lasted 3 ½ hours.

Mr. Jenson had a couple of comments from the revised draft he discussed with the board and the professionals, his comments were addressed to his satisfaction and the document will be edited accordingly. Mr. Pollack noted a minor typo which will be edited in the document.

The board complimented Mr. Kaufman on the wonderful job he did incorporating the comments from the work session into the document and how quickly he made those revisions. Mr. Pollack stated that this document accurately reflects the comments from the work session.

Mr. Pollack made a motion to adopt the findings statement as amended. Mr. Sauro second the motion and it was approved with four ayes.

## **PROPOSED APPLICATION PROCESSING RESTRICTIONS LAW**

### **Discussion**

The purpose of this chapter is to prohibit the processing and approval of any and all applications for approval and issuance of any permit or certificate of occupancy or use by any board or official of the Town of North Castle for any property owner who has outstanding fees owed to the Town of North Castle or where outstanding violations (as that term is defined in § 114-4.D herein) of any local laws or ordinances of the Town of North Castle exist on the property for which the approval is being requested.

The board at the last meeting asked for comments from the Building Inspector which has been provided to the board. The building inspector noted in his response that checking a parcel for open violations is a simple task and would not impose a burden on the Building Department staff. It was also noted the Town Board has the ability to waive this if they deem it appropriate.

The board discussed the legislation and agreed that applicants should not benefit from changes while before any board when they are not compliant with the existing

regulations. This legislation would support the existing laws while applicants appear before other boards within the town.

Mr. Pollack made a positive recommendation to the Town Board regarding the proposed application processing restrictions law. Mr. Sauro second the motion and it was approved with four Ayes.

**NYCDEP KENSICO RD CLOSURE TRAFFIC IMPROVEMENT [12-013]**

**Intersection of King St. (Rt 120) at Nanny Hagen Rd**

**North Broadway at Route 22**

**The DEP is proposing various traffic improvement measures to several intersections affected by the closure of Westlake Drive across the Kensico Dam.**

**NYCDEP - Maria Mandarino, PE Capital Planning, Chief**

**Consideration of 2<sup>nd</sup> extension of time site plan approval**

Mr. Jensen recused himself from this application.

Mr. Pollack made a motion to approve the extension of time request. Mr. Sauro second the motion and it was approved with three ayes.

**WAMPUS MILLS [14-103]**

**805 & 809 Route 128**

**101.03-2-6&7**

**Six Lot Subdivision**

**Frank Madonna**

**Kory Salomone, Esq. The Law Office of Kory Salomone, PC**

**Ralph Alfonzetti, PE. Alfonzetti Engineering PC**

**Establishment of Bond - Recommendation to Town Board**

Mr. Pollack made a motion to recommend the construction bond and inspection fees per the Town Engineer memo for the Wampus Mills application. Mr. Sauro second the motion and it was approved with four ayes.

**BETSY SLUDER NATURE PRESERVE (Montessori Pool [15-128])**

**Discussion**

Mr. Kaufman stated that he asked for this item to be added to the agenda this evening regarding clarification of the monies collected from the Montessori Children's room swimming pool resolution of approval which read as follows:

- \_\_\_\_\_ 6. The applicant shall provide the \$3,000 donation to replace the Sluder Nature Preserve bridge.

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In response to Mr. Kaufman's comment - Mr. Carthy, Mr. Sauro and Mr. Pollack stated they were all on the board at the time when the Montessori Pool application was before the board. Mr. Kaufman reminded the board that at the time the offsite mitigation was proposed as the applicant was not able to provide all of the 2:1 mitigation on their own property. Based on conversations with the applicant, the board and its professionals they concluded that \$3,000.00 would be collected to replace the Betsy Sluder Bridge. The money was collected by the Town at the time of approval. The Parks Department wanted clarification about the bridge before spending the money.

Mr. Kaufman stated the simplest solution is that the money should be used anywhere in the Betsy Sluder preserve as the Parks Department deemed appropriate. The board discussed if this money would be used as a capitol project or towards maintenance. Mr Kaufman noted that he saw its use as an enhancement to the preserve.

Mr. Carthy noted that this is another example of the why Conservation Bank would be beneficial to the Town.

After continued discussion the board concluded that the money could be used towards the enhancement of the park. Mr. Sauro made a motion to verify that the \$3,000.00 collected can be used towards the enhancement of the Betsy Sluder Nature Preserve. Mr. Pollack second the motion and it was approved with four ayes.

Mr. Sauro made a motion to adjourn the meeting. Mr. Pollack second the motion and it was approved with four ayes.

Meeting was adjourned at 7:38 p.m.