

**NORTH CASTLE PLANNING BOARD MEETING
15 BEDFORD ROAD – COURT ROOM
7:00 P.M.
January 14, 2019**

PLANNING BOARD MEMBERS PRESENT:

Christopher Carthy, Chairman
Steve Sauro
Jim Jensen

Also Present:

Adam R. Kaufman, AICP
Director of Planning

John Kellard, P.E.
Kellard Sessions

Valerie B. Desimone
Planning Board Secretary
Recording Secretary

:

Craig Benedict
Conservation Board Representative

Absent:

Michael Pollack
Gideon Hirschmann

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

APPROVAL OF MINUTES:

December 10, 2018

Minutes were not voted on this evening.

Mr. Carthy thanked Craig Benedict, Conservation Board representative for being present this evening.

PUBLIC HEARING:

GECAJ [18-025]

3 Vincent Lane

101.01-1-6

Residential Site Plan

James A. Ryan, RLA JMC Planning Engineering Landscape Architecture & Land Surveying, PLLC

Discussion

Consideration of resolution of approval

Proposed driveway realignment and expansion with associated stone walls, gate, and retaining walls. Maintenance of existing rock slopes in front of property and excavation or rock slope associated with new patio. New cantilevered deck on side of existing house. Wetland permit is required for work performed in 100' Town-regulated wetland buffer.

Planning Board site plan jurisdiction has been reserved, via a plat note, for all lots within the North Castle Associates Subdivision.

Present for this application was the applicant Mr. Gecaj and his professionals Lucille Munz and Paul Dumont from John Meyer Consulting.

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

Ms. Munz presented the application as noted above. Ms. Munz and Mr. Dumont reviewed the present conditions, demolition plans and proposed changes and landscaping to the site. She also pointed out the location for the removal of invasive species on site.

The applicant had no issues with the draft resolution as noted. No public comment was made.

Mr. Jensen followed up on the conservation board memo comment regarding the amount of parking spaces on site. Mr. Benedict stated he has read a lot of articles which suggested impervious surface pavers which are porous for the two additional parking spaces, he noted that he would have to confirm that with the Conservation Board since they have not met since November, 2018. Mr. Kellard stated the can review that option with the applicant. Mr. Carthy confirmed that the resolution would remain unchanged. Ms. Munz agreed.

Mr. Kaufman was directed to follow up and confirm the amount of wetland mitigation as noted in the resolution. (This was followed up on and the original amount noted in the resolution did not change) The remaining comments were answered to the boards satisfaction.

Mr. Sauro made a motion to close the public hearing. It was second by Mr. Jensen and

approved with three ayes. Mr. Pollack and Mr. Hirschmann were not present for the vote.

Mr. Sauro noted that an extensive amount of work was done on this site and the applicant should be complimented on a job well done. Mr. Carthy and Mr. Jensen agreed. Ms. Munz thanked the members of the board.

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

SANTOMERO BUILDING [12-005]

868 North Broadway

122.12-5-63

Amended Site Plan Approval

Joseph Riina, PE Site Design Consultants

P Daniel Hollis, Esq: Shamberg Marwell Hollis Andreyck Laidlaw PC

Lou Levy, Lou Levy Construction

Site plan approval for the completion of the existing building under construction that would result in a new 4,300 square foot retail building and the construction of various retaining walls.

Present for this application was Lou Levy, Diana Kolez, esq. from Shamberg Marwell Hollis Andrewcyak and Laidlaw and Thomas Kerrigan from Site Design.

Mr. Carthy noted that this public hearing was originally opened on April 9, 2018 and adjourned at that time. The Board will reopen the public hearing this evening. He had noted earlier to Mr. Kaufman that if we open a public hearing and it is adjourned and then reopened with such a long period of time in-between that it would have been appropriate to re-notify the people. In regards to people who were following this application, if you were not following closely you may have missed something you were interested in. As a rule, he did not think it was a good policy.

Mr. Sauro made a motion to reopen the public hearing from April 9, 2018. Mr. Jensen second the motion and it was approved with three ayes.

Noticed neighbors present from North White Plains were Ed Loberman, Teresa Loberman and Nancy Battistelli and Nora Kanz Manually, Nethermont Avenue.

Ms. Kolez reviewed the changes to the plan since the last submission to the board.

Mr. Kerrigan noted the major change to the plans are at the rear of the site, originally there were pull in parking spaces and parallel parking spaces and now it is a one-way drive through aisle with no parking spaces in the rear. The parking spaces and loading space on the side of the building will remain. The height of the wall has been reduced to a maximum of 25' and will get shorter as it gets closer the property lines on each side

of the property. Mr. Carthy inquired how could you prevent people from parking behind the building. Mr. Kerrigan noted how the plans could be updated with signage and striping on site to prevent parking in the rear of the site.

Mr. Sauro inquired if the sidewalk would be extended across the property up to the bus stop. Mr. Kerrigan stated that it would.

In response to Mr. Jensen's comments regarding prior approvals for this site. Ms. Kolez noted that prior approvals were granted and variances were approved and have since expired. Mr. Levy stated this was a multi-tenant building and now it is a single tenant occupancy.

Mr. Carthy welcomed the members of the public to speak at this time.

In response to Mrs. Battistelli's comment, Ms. Kolez stated that the proposed use is retail. Mr. Carthy reminded Mrs. Battistelli that the Planning Board reviews the use for the site not the tenant. Mrs. Battistelli was concerned about how will this this site work together with route 22 and the close proximity of the bus stop. Mr. Levy noted that originally they had proposed 22 parking spaces for multiple tenants and based on comments from the ZBA they have reduced the parking count to 14 spaces and a single tenant. Mrs. Battistelli stated that it is very important who the tenant is and how its use relates to rush hour traffic on Route 22. Mr. Levy also noted that there will be no left turn when exiting the site. Mrs. Battistelli stated that she wants the hill and erosion fixed because this has been a disgrace for years and this has been going on way too long.

Mr. Loberman noted this site was a foreign car facility which had minimal traffic The new property owner proposed an office building which requires less spaces than the prior retail space approval did. The ZBA granted a variance for parking spaces previously on this site. The Planning Board should also consider the effects of a use on the residents. He understands there is a balance but the applicant is putting 10 lbs. of dirt in a 5lb bag. Mr. Loberman was also concerned with the parking on site and stated the applicant is requesting a 36% parking waiver which is enormous. This use should not be permitted and is a detriment to the residents as it is not safe. Let this applicant thrive within the guidelines of the existing zoning code. Mr. Loberman continued referring to the Town Planner memo and the comments regarding the Town Comprehensive plan. He stated that the Planning Board and the Zoning Board have worked to make North Broadway better and this application does not make it better and he is not in favor of this application.

Mr. Kaufman explained to the members of the public that the Planning Board cannot change the Town Code. The Planning Board can only approve projects that are 100% in conformity with that plan. When an application does not meet that conformity the Town Code has a mechanism in place and that is when an applicant can go before the ZBA for the variances needed when a plan is not code compliant. If the variances are not granted, the applicant will have to return to the Planning Board with a fully compliant application. Ms. Kolez agreed with Mr. Kaufman.

Mr. Loberman stated that the board does not have to send this application to the ZBA,

Mr. Kaufman stated that the planning board can refer this application to the ZBA with or without a recommendation but cannot prevent them from going to the ZBA. Mr. Loberman stated this applicant was turned down by the ZBA. Mr. Kaufman stated that this board recognizes that this applicant's plan does not conform and would refer it the ZBA. The Planning Board cannot deny the applicant from going to the ZBA. The Planning Board can deny the site plan approval.

The board discussed the zoning and the use at the time of the car shop. Mr. Carthy inquired how many parking spaces short would retail use be and how many short would office space be. Mr. Kerrigan noted that they were 9 spaces short for retail use, the applicant was unsure how many spaces the site was short for office space.

Mr. Kellard suggested the wall be pushed further back another 3-4 feet which would permit another 4-5 parking spaces. Mr. Levy noted the wall would be much taller and if turned down by the ZBA that is something his client would look into.

Discussions were had at this time regarding the wall and its height and a single use vs. multiple tenant use and the amount of parking on site. In response to Mr. Carthy's comment, if the applicant wanted to have multiple tenants they would not have to return to the Planning Board. Ms. Kolez noted that the last time her client was before the ZBA that they put that condition in the approval.

Nora Kanze Manuele inquired if there would be more cut into the rock, Mr. Kaufman stated yes. Mr. Levy stated that this is more of a minimal cut, only 6' into the hill vs. the prior submission. In response to Mr. Carthy's comment, Mr. Kaufman stated that the applicant has the ability to build the wall as part of their site plan approval, there is a section of the code which refers to walls 8' and over. The wall is not a zoning issue. Ms. Manually stated that she was concerned about the amount of traffic and the danger for customers and residents in and out of this site.

Michael Fareri stated that this has been an eyesore since 2010 and anything to get it done is a benefit to the community. The building already exists, he suggested that the board work with the applicant to get it done and it is not in anyone's best interest to let it continue to stay that way. The Building will generate income and more taxes. He suggested reducing the size of the building, you can cut off 10' of the rear of the building and that would reduce the amount of parking spaces. He suggested a work session with the applicant and their professionals and the town's professionals to figure out a good solution and then return to the board.

Teresa Loberman stated that she owns a retail business in Mamaroneck and perhaps the problem is that you are allowing too much parking there and you are giving a business false hopes of generating more money. In Mamaroneck, they don't give you the additional parking, the patron has to find a place to park if they want to go to that store.

No other comments were made at this time. The Board will have to wait for comments from the ZBA and the plans may have to change as a result of comments from the ZBA. Ms. Kolez agreed to renote the neighbors prior to returning to the Planning Board.

Ms. Kanz-Manually suggested notifying the residents on Kensico Knoll Place regarding this meeting. Mr. Carthy noted the neighbors closest to the site will be re-noticed for the Planning Board public hearing and noticed for the Zoning Board public hearing.

Mr. Jensen noted that the elevation plans still reflected multiple tenants and the plans should be updated to reflect a single tenant. The applicant will comply with this request.

Floor plans and elevations were presented by Mr. Levy at this time. He noted that due to a rushed submission, some of the plans have to be cleaned up.

Mr. Sauro inquired about fire truck access through the site while all the parking spaces are full. Mr. Kellard noted that the Fire Department would probably not want to bring their vehicles on site.

Mr. Jensen noted it was hard to determine the front yard setbacks on site and whether the trees on the slope were being protected or removed on the plans. The applicant will address these items on the next submission and edit the plans to accordingly. Mr. Levy noted there will be no planting on the slope, it is too steep and have been unsuccessful in the past.

Mr. Carthy inquired if there was room for additional planting on site. The applicant will look into some additional plantings.

Continued discussions were had regarding the amount of parking on site and where the parking spaces were going on site and maneuvering on site. The board also reviewed with the applicant all of the variances necessary for the site.

Mr. Sauro made a motion to refer the following two variance requests to the Zoning Board of Appeals:

- Front yard variance where 0.5 feet of front yard setback is proposed and where 10 feet is required pursuant to the CB regulations within Section 355-22 of the Town Code.
- The site requires the provision of 22 off-street parking spaces pursuant to 355-57 of the Town Code, but only 13 off-street parking spaces are proposed.

Mr. Jensen second the motion and it was approved with three ayes. Mr. Pollack and Mr. Hirschmann were not present for the vote.

470 MAIN STREET [16-021]
470 Main Street
108.01-6-19
Site Plan
Mix Use Commercial/Residential
Nathaniel Holt, PE Holt Engineering & Consulting
Discussion of construction office

Present for this application was Michael Fareri, applicant.

Mr. Carthy updated the board with an email correspondence regarding this application and read the following statement into the minutes.

Team Planning Board, Mr. Michael Fareri obtained a site plan permit to prepare the site at 470 Main Street for development. Now Mr. Fareri would like to obtain his building permit to construct the 16 units on site. Mr. Fareri would like to utilize the last old house on the property at 470 Main Street for a construction office while he develops the site. His approved site plan demonstrates that both buildings must be removed. One building is removed. There may be a question as to the timing of exactly when the last building should be removed. Must it be removed before construction of the 16 units, or can it be removed during or after construction? The building definitely needs to be removed and site work perfected in order to obtain a C of O on the new buildings. The building department is stating that both buildings need to be removed prior to the issuance of a building permit for the 16 units unless the planning board is amenable to the use of the house during construction as a construction office. There is no zoning conflict.

I awaited legal confirmation from Roland Baroni prior to advising the planning board. Roland does not object to the use of the building as a construction office as long as the planning board is amenable. I am interpreting our actions as follows: that the PB mandated the removal of the buildings but the PB did not mandate a sequence of events. It seems reasonable to me to allow the building to stand until construction is complete. Happy New Years to all, Christopher Carthy.

Mr. Carthy stated that he did not want to opine between meetings but this matter came up so this is before the board this evening to approve the use of the house as a construction trailer.

Mr. Fareri pointed out which building was removed and which building he would like to remain and use during construction. He also noted that he would like approval to remove a 24-inch locus tree that is not healthy in addition to using the house as a construction office.

Mr. Carthy stated that the 474 Main Street unit may stay until completion of the construction and will be used as a construction office only and removal of the locus tree. Mr. Fareri agreed.

Mr. Carthy made a motion to allow the 474 Main street house to remain until completion

of the 470 Main Street development and at such time the house will be removed so that the remainder of the 470 Main Street development can be constructed and for the removal of the 24-inch locust tree. The house will be used only as a construction office until construction is completed and then removed prior to the issuance of a temp CO. Mr. Sauro second the motion and it was approved with three ayes.

MARIANI RESIDENTIAL [18-021]

45 Bedford Road

108.03-1-65

Zoning Petition - Referral from Town Board

Anthony Veneziano Jr. Esq. Veneziano & Associates

Discussion - Referral from the Town Board

The Town Board has been presented with a fourth amended zoning petition that would still result in the demolition of the existing structures on the property and the redevelopment of the site for residential use. The revised project would contain five 4-bedroom townhouse units of approximately 3,700 square feet (A Units), six 3-bedroom units of approximately 2,700 square feet (B Units), eighteen 1-bedroom units, eight 2-bedroom flats and one 3-bedroom flat (C Units – Apartment Building) and six one-bedroom flats of approximately 1,300 square feet and 6 2-bedroom units of approximately 1,900 square feet (D Units). Ten percent of the apartments will be AFFH units and will be located on-site. The above would be permitted via the adoption of a new zoning district – the R-MF-DA (Residential Multifamily Downtown Armonk) that would replace the current NB (Nursery Business) Zoning District.

Present for this application was Mark Miller, esq; Rob Aiello, PE and Mark Petrillo from John Meyer Consulting; John Halper, architect for the applicant.

Mr. Miller updated the board with minor revisions to the plan and would like a referral to the Town Board with all the Planning Board concerns. He noted the Town Board is considering rezoning the property and is lead agency for environmental review for this application. Traffic is SEQR related and is within the jurisdiction of the Town Board as lead agency.

Mr. Kaufman reminded the board that we are not speaking about the site plan this evening, we are speaking about zoning amendments, this was referred to the Planning Board from the Town Board to get the Planning Board's feedback. We don't need to hammer out every site plan issue, we discussed the front units a lot at our last meeting and he still has comments about that and he does not know how the board feels on them. We don't need to solve that 100% right now but as long as you feel there is an appropriate resolution, he thinks we can get there. The bigger items for the board to consider this evening are density; the layout, the appropriateness of having the multifamily units in the rear of the site, types of units and how it relates to the hamlet are the bigger global issues.

Mr. Carthy also noted the change to the comprehensive plan from *limited* to *full* residential development. Mr. Miller stated that it is appropriate and almost the boards

obligation to report to the Town Board your recommendations on the global issues that Mr. Kaufman discussed and the Town Board will take those up in context at a public hearing for environmental review.

Mr. Halper has met with the professionals and tweaked the front entrance and reviewed some new renderings. Mr. Carthy requested renderings from Maple Avenue and from the rear of the site. In response to Mr. Carthy's comment, Mr. Halper stated that he will stake the site with orange cones and an Ariel video of the site will be taken by a drone.

Mr. Aiello stated that the drone took photos and video of the site and outlines of the new buildings will be placed on the photo to help visualize the site. Mr. Carthy inquired about a site walk and balloon test for the site. Mr. Aiello stated the photos and video will show the site with existing landscaping and proposed landscaping with the new buildings proposed on site.

Mr. Sauro inquired about the density on site. Mr. Aiello stated that in regards to density, the unit count increased but the size of the units decreased. He noted that .5 density was comparable to other sites in the district. He stated that the senior housing in business park was .4 and the lumberyard was .9. He stated that with the units so close to town, you would want to utilize walking to town and that is why the site should be denser.

Mr. Carthy asked the applicant how things were moving along with the sewer and water and he was aware this was part of the community benefits agreement. Mr. Miller stated that is being worked on.

Mr. Jensen stated that he was concerned that 0.5 is too dense for this site. A lot of the site is in the flood plain and a lot of C building is in the flood plain. He was concerned if too much was put on site. He noted the comprehensive plan referred to limited residential and with the number of units proposed on site and a floor area ratio of 0.5 and the way the site is configured he was concerned that it can't support that and was concerned about the flooding in the parking area and on site.

Mr. Aiello stated that we have looked at that and this is still subject to the Town Engineer comments. He has reviewed the existing flood storage on site within the property lines below the 375 elevations and that is this area in red as shown on the plan. Continued discussion took place regarding the flood zone on site and flooding that could occur at the rear of building C at a 100-year storm and where else on site flooding could occur. Mr. Aiello stated there are ways to modify the plan in order to prevent any flooding. Mr. Kaufman stated that the disconnect is whether or not it is appropriate to have flood storage in any off street parking area. Mr. Carthy asked Mr. Kellard his opinion on this matter. Mr. Kellard noted he did not think that was a past practice of the board. Mr. Aiello stated he could modify the plan. Mr. Aiello noted that there are parking spaces presently in the flood plain and there are ways to modify the grading to address the issues. Continued discussions took place regarding flood plains and what the code states in regards to flood plains.

Mr. Jensen inquired if the flood plain issues need to be worked through as it relates to the density and relationship to the site prior to changing the zoning? He opined that the Density and the relationship to the site kind of drove the rest of the zoning ordinance changes by the applicant. Mr. Kaufman noted that he was not sure if you had to prove it out but you need to demonstrate what is proposed for this district is acceptable. A more major issue is the increase in height for the proposed zoning, is the board comfortable with that or not.

Mr. Carthy stated that he was not sure if he could make a recommendation back to the Town Board regarding this application, typically they would do a site walk first and see the elevations and layout of the site before making a recommendation back to the Town board. He asked the board's opinion on this matter. In response to Mr. Sauro's comment, Mr. Kaufman reviewed the areas the Town Board was looking for comments on regarding the proposed residential zoning on site, height – which is substantially more with this proposed district, density, traffic.

Mr. Sauro inquired about the traffic with this proposed use vs. other uses on site like a business and how would that compare. Mr. Kaufman stated that if you allow something more aggressive and commercial in nature the traffic would be different. Mr. Sauro was looking for something more to grasp what the real impacts in traffic would be to the area. Mr. Kaufman noted that the applicant prepared a traffic study and there are some comments from the FP Clark regarding that report. The applicant will address those issues, he did not think the preliminary results indicated a significant change, there may be some tweaks like some timing to the traffic light. Mr. Carthy inquired if FP Clark was going to make a presentation on their findings. Mr. Kaufman stated they were not planning on it but it could be arranged if the board would like it.

Mr. Miller reviewed everything that the board had been discussing regarding this referral, Mr. Jensen's comments regarding the flood zone, height of the building and suggesting a balloon test, comparisons to other buildings in the area, concerns with traffic like Mr. Hirschmann expressed in prior meetings. These items can be addressed with the Town Board and they will return to this board for site plan approval and site plan issues can be addressed at that time. Much discussion and debate went on at this time with the board members and professionals from both sides. Mr. Carthy noted that after reading the report from FP Clark he did not have a clear understanding of how this project was impacting traffic. Mr. Kaufman stated that the board should wait one more meeting for the applicant to address those concerns and we can get an updated report from FP Clark. Mr. Miller noted that information would be submitted to the Town Board as lead agency. Mr. Kaufman stated that what he thinks he is hearing from the Chairman is that he does not even have that first level of comfort. Mr. Miller stated that comfort is not the standard, concerns are certainly appropriate. Ultimately the Town Board has to have the comfort for what is being proposed from the standpoint of all the issues, traffic included.

Mr. Carthy asked where does the Planning Board fit into that equation. Mr. Miller stated that the Planning Board makes its recommendation to the Town Board and it is the Town Board's jurisdiction under SEQRA as lead agency, the Planning Board will get back into this during site plan review. Mr. Carthy noted that the Town Board sent this

application to the Planning Board for its review and comments. Mr. Kaufman stated that he thinks this Town Board relies heavily on this board and its input. Mr. Miller stated that the Town Board will have the benefit of knowing that the Planning Board is concerned about traffic and other matters and that will drive the discussion with the Town Board.

Mr. Carthy stated that the data he has up to this point was not enough to convince him if there was or was not an issue with traffic, he feels he does not have enough basic information to render a decision at this time. Mr. Miller stated that as part of your recommendation to the Town Board you would say that it does not appear that there is any significant impact to the traffic but the town board should dig into the details with an updated traffic study and with FP Clark input to determine whether there is or is not a significant impact on traffic and if it is how it can be mitigated. This is an appropriate comment to the Town Board. He summarized comments from this board and how they would be worded to the Town Board. Mr. Carthy noted that he would like to solve some of those issues for the Town Board. Mr. Miller stated the issues should be raised, not necessarily solved by this board. The Town Board can take one or more meetings to go over all of the issues and be comfortable with what was proposed.

In response to comments from Mr. Jensen, Mr. Aiello stated that the A, B & D buildings are all code compliant and under 30' and it is only the C building which is 38.4' in building height. Discussions were had regarding the style of roof and how tall the roof actually appears to the naked eye and the distance from the road. Discussions were had regarding how the height of a building is calculated. Mr. Carthy stated that he was not convinced yet that he had a problem with the height or density. He does not want to relay a concern to the Town Board if there is not a concern. Mr. Miller stated that the board can relate that these issues have been discussed in depth and at length at Planning Board meetings and you may or may not have a problem but these are issues that have been raised at length and in depth at the Planning Board and should be considered seriously by the Town Board during their SEQR review. Mr. Kaufman reminded the board that they will have to make a positive or negative recommendation back to the Town Board regarding this zoning petition.

Mr. Carthy suggested the board do a site walk and see where the buildings will be located on site and look at the existing elevation as it relates to the proposed elevation. He also inquired if the sidewalk would be wrapped around the corner up to the bus stop. Mr. Aiello noted the sidewalk comment was from Westchester County and was not reflected on this plan. Continued discussion took place regarding the height of the buildings. Mr. Jensen noted that the C building and its height really ties into the density.

Mr. Carthy stated that he would like to give more specific direction to the Town Board instead of just study and review the density or study and review the height and that is if we are concerned about those issues. He would like to present constructive comments; he was not sure about the height at this point. Mr. Miller stated that this all comes back to these five points: density, height, traffic, # of units and flood plain and you don't have to say you like or don't like it but we have discussed this at length. We would like to continue with this application and get comments from the public and the hearing.

Mr. Sauro stated that the topography helps the applicant a lot. He would like to revisit the Architecture facing Bedford road. The buildings start at a moderate approvable height from Bedford road and it graduates up as does the topography. With the proposed landscaping and existing foliage on the town right of way along with the applicants landscaping talents, the height should not be an issue, especially with the height of Route 22 at the rear of the site. He likes the architecture on site but would like to revisit the architecture that faces Bedford Road. He did not feel like he was "punting" to the town board but was not sure of the exact stage of when we quantify when is that building too high. It is something for the Town Board to look at and we will review when the applicant returns to this board. Mr. Sauro was not concerned with bringing the issues they were really concerned with to the attention of the town board because they would not have taken on the role of lead agency status if there were not going to scrutinize this application. He was not sure how much of this could be decided on with a site walk.

The board noted they would like to join the town board when they do their site walk.

Mr. Carthy wanted to insure that the Planning Board was assisting the Town Board on this referral and not being too vague or general. Mr. Jensen stated we have summarized our key concerns and now Adam will relay that to the Town Board. We have reviewed the professional's comments and that is enough feedback for now.

The Director of Planning and Town Engineer's memo were both forwarded to the Town Board.

Mr. Miller read from Mr. Kaufman's memo that the Planning Board and Town Board will need to deliberate and then provide the applicant the preferred choice for the Bedford road frontage.

Mr. Carthy noted this was tough on the board right now with only three people present tonight. Mr. Kaufman stated that the applicant feels very strongly. During the meeting that took place a week or two ago the applicant reviewed their tweaks and street scapes frontage improvements and this will look fine. Mr. Kaufman is waiting for the additional information before he will be convinced of that. Perhaps the board will want to wait for this additional information as well. Mr. Carthy wanted to make sure that what we send to the Town Board now will not significantly change with the next submission. Mr. Miller stated that there was no significant change that he was aware of. Conceptually the layout is acceptable.

The issues the board were considering in their referral were flood plain storage in the parking area around building C, height of building C as it relates to Maple avenue and Bedford Road; Height of building D as it relates to Maple Avenue and the historic district; density, integrating Bldg. A and complimenting the historic district; impact on traffic.

Mr. Carthy made a motion to make a referral to the Town Board as noted above. Mr. Sauro second the motion and it was approved with three ayes. Mr. Pollack and Mr. Hirschmann were not present for the vote.

The Planning Board also recommended a joint site walk along with a follow-up joint work session with the Town Board to discuss the project and site walk. The board noted this was a very important corner in town.

DEER RIDGE SUBDIVISION [16-012]

7 Deer Ridge Lane

100.04-2-20

Preliminary Subdivision

Ralph Alfonzetti, PE Alfonzetti Engineering PC

Dan Merritts, Thomas C. Merritts Land Surveyors

Release of Bond

No one was present for this application.

Mr. Carthy made a motion to release the bond based on the recommendation from the Town Engineer. Mr. Sauro second the motion and it was approved with three ayes. Mr. Pollack and Mr. Hirschmann were not present for the vote.

VICTORIA EQUITIES LLC [18-012]

15 Maple Avenue

108.01-6-37

Site Plan Waiver

Kory Salomone, Esq. the Law Office of Kory Salomone, P.C.

Discussion

Present for this application was Kory Salomone.

The Applicant is proposing to establish a retail use at 15 Maple Avenue and the last principal permitted use established was a personal service use. The proposed change of use would not require additional off-street parking or loading spaces.

The board members did not have any questions or comments regarding this application.

Mr. Sauro made a motion to approve the site plan waiver, Mr. Jensen second the motion and it was approved with three ayes. Mr. Pollack and Mr. Hirschmann were not present for the vote.

1 WOODLAND ROAD [17-023]

1 Woodland Road

Site Plan, Tree Removal, Wetland Permit

95.02-1-59

Nicholas Gaboury, Project Manager, Bibbo Associates

Consideration of extension of time resolution

The board did not have any comments at this time.

Mr. Jensen made a motion to approve the extension of time request. Mr. Sauro second the motion and it was approved with three ayes. Mr. Pollack and Mr. Hirschmann were not present for the vote.

ROGLIANO (Formerly McManus Subdivision) [13-066]

19 Glendale Avenue

108.01-5-51

2-Lot Subdivision

Mark P. Miller, Esq. Veneziano & Associates

Discussion of consideration of release of demolition bond

The board did not have any comments regarding this application.

Mr. Carthy made a motion to release the bond per recommendation from the Town Engineer. Mr. Jensen second the motion and it was approved with three ayes. Mr. Pollack and Mr. Hirschmann were not present for the vote.

CARDARELLI [18-026]

7 Patriots Farm Court

102.03-2-15

James Ryan, RLA Principal – John Meyer Consulting

Special Use Permit

Discussion of establishment of wetland mitigation bond

The board did not have any comments regarding this application.

Mr. Carthy made a motion to establish the wetland mitigation bond per recommendation from the Town Engineer. Mr. Sauro second the motion and it was approved with three ayes.

Mr. Carthy made a motion to adjourn the meeting. Mr. Sauro second the motion and it was approved with three ayes. Mr. Pollack and Mr. Hirschmann were not present for the vote.

Meeting adjourned at 9:44 p.m.