

TOWN OF NORTH CASTLE
PLANNING BOARD MEETING
15 Bedford Road
Armonk, New York 10504
November 23, 2009
7:00 p.m.

PLANNING BOARD MEMBERS PRESENT: Peg Michelman, Chairman
John Delano (arrived at 7:07)
Jane Black
Gene Matusow
Steve Sauro

ALSO PRESENT: Adam Kaufman
Town Planner

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

Ryan Coyne, P.E.
Kellard Sessions Consulting, P.C.
Consulting Town Engineers

Valerie Desimone
Planning Board Secretary

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

Chairman Michelman noted that the Byram Ridge application had been removed from the agenda at the applicant's request.

APPROVAL OF MINUTES

November 10, 2009

Ms. Black moved to approve the minutes from the November 10th meeting as amended. The motion was seconded by Dr. Matusow and unanimously approved by all except for Mr. Delano who had not yet arrived.

PUBLIC HEARING:

VARSALES

Lot Line Change

Section 2, Block 8, Lots 13A & 13A-5

2 & 4 Nash Place

Dan Merritts - Thomas C. Merritts Land Surveyors P.C.

Discussion

Chairman Michelman read the public notice for the record. Ms. Desimone noted that 10 out of 18 cards were returned and that all paperwork was in order. Chairman Michelman asked if there were any neighbors present. There were none.

Chairman Michelman explained that this application had needed another public hearing because the prior approvals had expired. She explained that the Board had been ready to prepare a resolution but the applicant's approval from the ZBA has also expired, so they could not. The Board would have to refer them to the ZBA again.

Dr. Matusow moved to close the public hearing and refer the applicant to the ZBA. The motion was seconded by Ms. Black and unanimously approved by all except for Mr. Delano who had not yet arrived.

CONTINUED PUBLIC HEARING CON'T (from May 26, 2009):

SINGER

Special Use Permit GLC & FAR

1 Quarter Mile Road

Section 2, Block 11A, Lot 24

Bob Roth, PE - John Meyer Consulting, PC

Consideration of approving Special Use Permit Resolution

Chairman Michelman noted that this was a continued public hearing and asked if there were any neighbors present. There were none.

Chairman Michelman explained that this public hearing had been continued because the original subdivision plat had not been filed. Mr. Roth stated that the plat has since been filed.

Mr. Bob Roth was present on behalf of the applicant. He believed this was just a matter of the Board approving the resolutions they'd drafted last spring. This application was to allow the applicant to adjust a property line so they could enlarge a piece of property that he plans to sell to the city. Mr. Roth added that the applicant was currently under contract for that sale. Mr. Kaufman clarified that the Board was approving the garage addition as well. Mr. Roth agreed. Mr. Kaufman advised that the resolution contained a one year time limit. If the applicant needed additional time they could come back and request it from the Board.

Chairman Michelman pointed out several typographical errors in the resolution. They were noted by Mr. Kaufman, who said that he'd make the corrections.

Chairman Michelman asked if Mr. Roth had read the resolution he said that he had, and had no issues.

Ms. Black moved to close the public hearing. The motion was seconded by Dr. Matusow and unanimously approved.

Ms. Black moved to approve the resolution as amended. The motion was seconded by Mr. Sauro and unanimously approved.

OTHER BUSINESS:

MASSARO

Site Plan

Section 6, Block 5, Lot 2-3

54 Custis Avenue

Jim Vanoli, P.E.

Discussion

Mr. Jim Vanoli was present on behalf of the applicant. He said that he had received the memos from the Town Engineer and Town Planner.

Chairman Michelman pointed out a typographical error in the resolution. Mr. Kaufman made a note of it and said he'd make the correction.

Chairman Michelman said the applicant would not be able to get approval until the plat was filed. Mr. Vanoli said that the plat was currently being reviewed by the Health Department. Chairman Michelman said that once that was filed, they would be able to schedule the public hearing.

Chairman Michelman asked if the Board had any comments or issues and they did not. Mr. Vanoli explained that in response to the Town Engineer's memo, the entire site would be graded from the beginning; they would not be doing it in phases. Mr. Vanoli asked about the condition regarding silt fencing and Mr. Coyne said it was a field condition; he was mainly concerned about the area in the rear.

Mr. Vanoli said that with respect to condition numbers 2 and 4 of Mr. Kaufman's memo, he did not understand why these had changed from the time of the public hearing on the subdivision and today. The neighbor had approved the fence and screening at that public hearing. Mr. Vanoli stated that what is shown on the subdivision plan is what was approved by this Board. He said that if anything more was needed, they would work it out at that time. There is a note on the plan to that effect. Chairman Michelman said that the Board was concerned about protecting the neighbor because that house will be the one that is most exposed. Mr. Vanoli questioned why the Board was changing the requirements that they approved as part of the subdivision process. Mr. Kaufman said that he recommended taller trees. The applicant said that the trees in front are 10-12' high.

Ms. Black – what is it shown on the plan. Adam – the smaller trees are shown on the subd plan.

Mr. Vanoli said that the neighbor had already approved the smaller trees. Chairman Michelman said that it was nice that the neighbor had agreed with the planting plan, but the approval had to come from this Board and they were considering requiring the larger trees. Mr. Vanoli read the notes regarding the screening for the neighbor on the landscaping plan. Chairman Michelman asked how many 10-12' trees the applicant was proposing and Mr. Vanoli said they were going to plant four.

Mr. Delano said that he recalled the neighbor being at the public hearing. He said he had no problem with leaving the screening conditions "as is." That is what the Board worked toward achieving.

The Board continued to discuss the trees. They were just concerned about protecting the neighbors. The applicant wanted to know if this Board was ok with the landscaping plan as it was approved during the subdivision stage. The Board ultimately determined that they were as long as the applicant was willing to plant larger trees if need be.

Mr. Vanoli said he was also concerned about the comment regarding the fence. Mr. Kaufman said that he recommended that they screen more of the yard / neighboring ppty. The applicant said that it was a wooded area and didn't think it was necessary. Mr. Vanoli indicated the location of the privacy fence. Mr. Delano pointed out that there was also planting in the area and then the woods. Dr. Matusow said that there comes a point where fences are as much as an eyesore as what is being built on the site. Ms. Black said that she hadn't seen the site, but if it is truly a wooded area, she had no issue with leaving it as is. Mr. Delano showed her a photo of the site and explained the layout. The Board ultimately agreed that it was not necessary to extend the fence any further.

Mr. Delano asked if the applicant has been to the ARB. The applicant said that they had received the approval on November 4th. The Board said they had not yet received a copy of the approval.

The applicant asked who was responsible for submitting this to the county planning board and Mr. Kaufman said that the Board handled that.

The public hearing will be scheduled for the special permit once the plat is filed and a resolution could be prepared for the same night. Mr. Vanoli asked how many copies of the plat he had to submit and Ms. Desimone said that he only had to submit one mylar.

ROSENBLUM

Site Plan

Section 1, Block 4, Lot 10- 420

4 Thorne Lane

Nick Pouder - Pouder Design Group, Landscape Architect

Consideration of 2nd extension of time site plan resolution

Mr. Delano moved to approve the resolution. The motion was seconded by Ms. Black and unanimously approved.

ILANY
Amended
Site Plan
Section 2, Block 4, Lot 1-18
59 Sarles Street
Frank Giuliano, RLA
Discussion
Consideration of 2nd extension of time site plan resolution

Ms. Black moved to approve the resolution. The motion was seconded by Mr. Delano and unanimously approved.

The meeting was adjourned at 7:33 p.m.
