

Mr. Kaufman explained that the public hearing was opened on February 5th, however at that time, there was no plat map on file and the Board was not comfortable with proceeding without one. Mr. Kaufman explained that the plat has been submitted, and the Board could close the public hearing. Mr. Kaufman added that he had prepared a resolution.

Mr. Adelman moved to close public hearing. Chairman Michelman asked to see the plat map and confirmed that she had received a copy. Mr. Delano seconded the motion and it was unanimously approved.

Chairman Michelman asked if the applicant had reviewed the resolution. Mr. Lepro said that he had, and that he had no issues with it.

Mr. Adelman moved to approve the resolution. Chairman Michelman asked if there were any comments from the Board or the professionals. There were none. Mr. Delano seconded the motion and it was unanimously approved.

Mr. Kaufman stated that additional information was still needed. He added that there does not appear to be a problem with the contiguous area or floor area, however if there becomes a problem, then the applicant would need a special use permit, or the Board would not approve the final. Mr. Lepro stated that he understood this.

Mr. Delano asked if the Town Board issue had been resolved. Mr. Kaufman explained that this still needed to be worked out. The special use permit for the horses are required. Mr. Lepro said that this process has begun.

CONTINUING BUSINESS:

CASTLE REALTY GROUP, INC.

Extension of time Site Plan

Section 2, Block 1A, Lot 8

40 Bayberry Road

Barry Naderman, P.E.

Consideration of extension of time resolution

Chairman Michelman asked if the applicant was present. Mr. Kaufman explained that no one was expected to appear because of the nature of the application.

Chairman Michelman stated that the applicant's letter is clear, indicating the reason for the extension. She asked if anyone had any issues, and no one did.

Dr. Matusow moved to approve the extension of time. The motion was seconded by Mr. Delano and unanimously approved.

MUCKELL

**Preliminary Subdivision
Section 5, Block 19, Lot 1
3 Morningside Place
Susan Fasnacht, PE
Discussion**

Susan Fasnacht was present on behalf of the applicant. She explained that they have reconfigured the lots based upon the new laws. She added that Mr. Kaufman had requested the FAR for existing lot one; this had been done already, but was inadvertently left out of the submission. She submitted the figures to the Board and pointed out that they are below the basic FAR.

Ms. Fasnacht stated that they have drafted the utility easements, and Mr. Baroni has approved them, although they have not been executed yet.

Mr. Delano stated that there was an error on the easements in that the point of beginning is incorrect. He explained what he was referring to, and Ms. Fasnacht acknowledged the error, and said that it would be corrected.

Ms. Fasnacht stated that Board still had to deal with the tree issue. She stated that with respect to the non-conformity, the card from the Building Department shows that the permit was issued in the 40s. Ms. Fasnacht also explained to the Board that the Zoning Board had granted variance for the sight lines.

She stated that the last issue that needed to be looked at concerned the wetlands. She explained that, for reasons unknown, the application was not referred to the Town Wetlands Consultant last year. He reviewed the wetlands earlier that morning after the heavy, record-breaking rains. As a result there is a disagreement as to the extent of the wetlands. If it is anything near what Mr. Sessions is saying, the subdivision will be precluded. Mr. Kaufman believed that the reason that the application was delayed in going to Mr. Sessions was because the applicant went to the Conservation Board on their own without waiting for the Board to refer it. Ms. Fasnacht did not believe this was the case.

Chairman Michelman stated that the Conservation Board made their referral in June 2006. She said that she did not know what happened, but Mr. Sessions did not get the memo until March. Mr. Schroeder pointed out that Mr. Sessions said that he would return to the site once the water dried up. Chairman Michelman felt this would be best because of the abnormal amounts of rain. She felt that if there were a problem, the Conservation Board would have said something.

The applicant stated that this is a man-made trench; that he has spent a significant amount of money and not taken one short cut. He made sure this process was done properly and found this situation unbelievable. The Board said that they were empathetic and that this situation would probably work itself out once the property dries out.

The applicant stated that he was afraid that the engineer was going to walk the site after 12 inches of rain. Mr. Schroeder explained that the review is not based on the amount of water but upon the vegetation. The applicant asked why, if the Town has a wetlands consultant, would he be told to "do it; why check their markings if the Board wouldn't accept them anyway." Mr. Kaufman explained that the Town checks the wetlands delineation that the applicant provides in the field; the Town does not do the original hanging.

Ms. Fasnacht pointed out that they would not get anywhere tonight, and that they would have to wait until the property dried. Mr. Schroeder stated that he had some issues with the application but that they were not a problem and they were being taken care of. Ms. Fasnacht sent the plans to the Highway Department and we have not heard back from them yet.

Chairman Michelman asked about the information regarding the FAR. Ms. Fasnacht pointed out that she had given it to the Board at the beginning of the hearing.

Chairman Michelman asked if they could have a resolution prepared, and include a condition regarding the wetlands. Mr. Kaufman said they could not do that because if the wetlands is in the area that Kellard Sessions believes that it is, then the subdivision cannot move forward. Chairman asked if they had any options; Mr. Kaufman said they would have to wait.

Chairman Michelman asked if there were any other issues from the Board or the professionals. Mr. Kaufman stated that there were no significant issues, and all their concerns are contained in the memoranda. He pointed out that if not for the wetlands issue, the application would probably be complete.

Dr. Matusow recalled that at the site walk the Board noticed some dumping in the back of the property that the Board wanted cleaned up. He asked if there has been anything done in this regard. The applicant explained that he and the Board sent a letter to the city, because it is city property, but there has been no response. Dr. Matusow suggested the Board push this while they are waiting for the wetlands issue to be resolved because it may be the only opportunity to resolve the issue.

The applicant asked what he would need to do if he needed to get a variance. The Board explained that he would have to make an application to the ZBA, but that would be difficult. The applicant asked what would happen if the ZBA denies the variance. Mr. Kaufman explained that there is nothing this Board could do.

Mr. Nokes asked how much of a difference there was between the prior wetlands line and the new one. Ms. Fasnacht explained that it came down to the property line and pushed the setback another 20'.

The applicant asked again why it took until today for the wetlands consultant to do a site walk. Mr. Kaufman stated that the Board sent a letter to Mr. Sessions on March 8th requesting him to verify the wetlands. The Board asked why this was sent so late. Mr. Kaufman was not sure. He said that in a perfect world, the flagging would have been done correctly in the first place. The applicant stated that Mr. Kaufman was assuming that they were flagged incorrectly.

Dr. Matusow asked what happens when there is a difference like this. Mr. Schroeder stated that usually, they try to work it out in the field; but in the end, deference is given to the Wetlands Consultant.

The Board apologized to the applicant for the inconvenience again, but reiterated that there was nothing that could be done until this issue is resolved.

C&H PROPERTIES, LLC

Site Plan

Section 1, Block 2, Lot 1

336 Bedford Banksville Road

Peter Gregory – Keane Coppelman Engineers, P.C.

Discussion

Mr. Brad Schwartz, Esq., Mr. Mark Hatch, Mr. Jason Colbe, Mr. Nick Pouder, and Mr. Peter Gregory were present for the application. The applicant's representative explained that they have received the engineer's comments, and they are able to satisfy all the conditions; the revisions will be submitted upon completion. Additionally, they have reviewed Mr. Kaufman's memo and they will address them at the meeting.

Mr. Pouder presented a cross section of the lot and the view of Bedford-Banksville Road from two views. He explained that the worst-case scenario would require series of terraced walls if the area is not stable. They would be a maximum of 4' high. He felt that this would be a workable solution.

Mr. Pouder stated that in a best-case scenario, they would hit a lot of rock and be able to do a simple cut at the base. He said that from the driveway perspective, this is likely the best approach. He suggested this be made a condition of approval.

The existing grade will clip the view of most of the house and there is an existing hedge of lilacs to block the view as well. He said that unless someone is stopped on the road looking up, this would not be an issue.

Chairman Michelman stated that the house will be seen, but it is not intrusive. She had one concern about whether the applicant will propose service quarters or the accessory apartment. Mr. Pouder stated that they have come to resolution on this. Mr. Schwartz explained that they are not able to satisfy the conditions for an accessory apartment. Therefore, they will process the application with service quarters, and if things change in the future, they will make the necessary applications.

Chairman Michelman stated that another issue concerned the sight distance on the curb cut. Mr. Pouder stated that they are approximately 13' short. Mr. Gregory explained that there may be some trees in the right of way that could be obstructing the view; but this would be confirmed in the field the necessary revisions would be made. He added that they anticipate keeping the curb cut and getting the required distance.

Mr. Pouder pointed out that Mr. Kaufman had asked for the size of the five adjacent houses. He explained that they have provided the five closest homes; three that are bordering the property and the two homes that are directly across. Mr. Kaufman

explained that used the five closest homes, but he did not get the same houses the applicant used. Mr. Pouder explained that he used the homes in Bedford, and that they preferred to use the data that they submitted. Mr. Kaufman said that he did not consider the houses in the next town. He felt that this was not important because they needed a special permit anyway. The Board was comfortable with this.

Mr. Pouder explained that there were four trees that had been a concern. One is at the crest of the rock cut. The only other one that is a concern is in the middle of the lot. He added that the applicant has consented to the deed restriction.

Mr. Schwartz said that they would submit the steep slope map, and the architectural renderings. Mr. Kaufman asked how much steep slope disturbance was being proposed. Mr. Gregory explained that there were 57,566 sq. ft. of steep slopes over 25%, and the total disturbance is 16,925 sq. ft. Mr. Kaufman said that this was not an insignificant amount, but it is needed for access. Mr. Delano noted that a great deal of the disturbance is caused by the access.

With respect to the Landmarks Preservation Committee and the landmarks designation Mr. Pouder said that they would take this as far as they could. He asked if this could be made a condition of the resolution. Mr. Kaufman said that this was not a problem, because there is no guarantee that the Town would accept the designation.

Mr. Pouder added that the application was before the ARB the week before, and that the board suggested they change some of the siding on the main house, which will be done.

Mr. Kaufman asked if the Board wanted to discuss the change in grade for the drive and the visuals of the retaining walls from Bedford-Banksville Road. He explained that the Board needed to be comfortable with the worst-case scenario. Mr. Adelman asked what the alternatives were, and Mr. Pouder said that the terracing was the only option.

Mr. Delano asked what type of wall it would be. Mr. Pouder said that it would be natural, indigenous materials. The walls would be 4' high and there would be at least 6' between each wall. He added that they would be able to plant a significant amount in between the walls, and he would be comfortable with a condition of approval.

Chairman Michelman explained that the Board has concerns regarding the aesthetics on the approach to the house. Mr. Kaufman stated that the best solution would be to come off Brett Lane, but this alternative was explored and it was determined that was not an option.

Chairman Michelman asked if the public hearing and neighbor notification could be scheduled. Mr. Kaufman said that they could.

BARON

Amended Site Plan

49 Sarles Street

Section 2, Block 4, Lot 1-15

Frank Giuliano, Landscape Architect

Discussion

Mr. Giuliano was present on behalf of the applicant. He explained that the architect has completed the draft of the cabana and they will be applying for the change of the clearing and grading limit line. The application will be on the next ARB agenda.

Mr. Giuliano explained that they have removed all of the piping and all of the fill from the wetlands and wetlands buffer area and the grades worked out. There were no other issues, except that they are over on the basic lot coverage, but not over the maximum. Chairman Michelman explained that they would only need a special use permit.

Mr. Giuliano stated that there is still the issue of the 3' wall with the 3' fence. Chairman Michelman asked if they could compromise; a standard 2' wall and a 2' fence. She asked why they needed 6' at all when the house is so far back.

Mr. Giuliano said that this was what the applicant wanted. He stated that perhaps they could consider a 3' wall and a 2' fence on top. The Board suggested they consider simply a 3' wall. Chairman Michelman reminded the applicant that the Board has worked very hard to maintain the look of Sarles Street and now the applicant is asking the Board to approve something that we have worked to avoid.

Dr. Matusow stated that the Board has already dealt with this issue with other applicants who have agreed to maintain the street the way it is. He suggested Mr. Giuliano work with his client on this issue; it is not a significant issue, and it seems unwise to delay this project. Mr. Giuliano said that he would speak to the applicant again.

Chairman Michelman added that the applicant still needed to submit a plat map with the clearing and grading limit line. Mr. Giuliano asked if the surveyor took care of this. Mr. Kaufman said that it was, and that, procedurally, then just file an amendment for the plat for that lot. Mr. Kaufman stated that they would need to conduct a public hearing and neighbor notification.

Mr. Adelman stated that he had no problem with a 3' stone wall with a 3' fence. Dr. Matusow asked if the Board was going to resolve the issue of the wall before the public hearing is scheduled. He felt that it should be because it wouldn't make much sense to move that far ahead before that issues is resolved. Chairman Michelman pointed out that they couldn't do anything until the plat is received, and in the meantime, hopefully the wall issue would be worked out. Chairman Michelman said that a resolution might be prepared at that time as well.

The Chairman, Mr. Delano and Dr. Matusow informed the applicant that they wanted to look at the plat, and in the meantime, the applicant should reconsider the wall issue before a public hearing.

Mr. Delano stated that after the applicant's last appearance he drove down Sarles Street, and determined that the applicant's comments regarding the varying heights of the walls on Sarles Street was incorrect; they don't come close to 6' high.

The applicant asked if the engineer's concern regarding the deep hole tests could be made a condition of approval. Mr. Schroeder stated that he requires those tests be completed before he signs the site plans because the applicant had to demonstrate there are suitable soils. It may be done before the signing of the site plan or now; not later than that.

Mr. Kaufman asked what size the proposed pool house would be. Mr. Giuliano said that it is proposed to be 20x22. Mr. Kaufman asked if he incorporated that space into the gross floor area calculations. Mr. Giuliano said that he did.

DUSANSKY
Amended Site Plan
Section 2, Block 4, Lot 1-13
Frank Giuliano, Landscape Architect
Discussion

Mr. Giuliano was present for the application. He explained that they are within the basic coverage for this application. At the last meeting, the Board recommended that the motorcourt be better screened from the road. He explained that they have revised the plans to add to the planting plan significantly to buffer that area. He stated that all of the engineering issues have been resolved, but one area that was supposed to be filled in by Bayswater was never. Therefore they will be disturbing slopes in order to fill it in, completing what was previously approved.

Mr. Giuliano explained that they are removing 4 ash trees, because they were the only ones left after the others had been removed around it. He pointed out that they were planting a significant amount of other trees.

Chairman Michelman stated that the applicant must have had a different understanding regarding the previous discussion of the motorcourt. She explained that although they did discuss the buffer, the Board was more concerned about the significant amount of impervious surface in the area. The Board had concluded that it shouldn't just be screened, but that the applicant should consider alternatives.

Mr. Giuliano stated that one suggestion was to put a parking area in a different area. He explained that this was attempted, but there would still be parking in the front, only it would make it condensed into one big mass of pavement where the preferred plan has it broken up with greenery in between. Mr. Giuliano noted that that alternative didn't work well with the slope. He felt that if this alternative was used, it would look like a parking lot.

Mr. Kaufman stated that his opinion was that since the house is so close to the street, a walkway from the road to the house is the best option. He felt that motorcourts are really only necessary when there is no nearby parking. Mr. Giuliano stated that it was not

realistic for this neighborhood and this house to be treated like a village neighborhood with parking on the street. Mr. Adelman agreed and pointed out that cars parked in the street would impede snow plowing. Mr. Giuliano pointed out that cars would not be allowed to park on the street overnight during winter months.

Dr. Matusow felt that parking on the street was not the issue. He said that this is a large house that is too close to the street; he pointed out that the applicant bought into it. Now in order to correct it, they want to put in substantial motorcourt close to the street, and closer to the front setback than the Board would like. Dr. Matusow said that this is a situation where the applicant wants a lot of things, and the Board is going to let him do a lot of them. However, the Board is hung up on the motorcourt and there may not be space for it. Just because the applicant wants it, does not mean the Board has to approve it. Mr. Giuliano said that they have discussed other alternatives, and it is difficult to get people to the front of the house. Dr. Matusow agreed that it may be a problem, but that it may be intrinsic to the house. Mr. Giuliano said that they have a solution to this problem – the motorcourt. He said that it is elegant, and not out of character with the neighborhood. Mr. Giuliano said that they might be able to reduce the size of the circle to 45' but no smaller because it would not work.

Chairman Michelman stated that making a reduction of any size might be helpful. She agreed that this is a very big house, and it is very close to the street. She said that the screening is lovely and it helps, but there is still a problem.

Mrs. Dusanksy was present and she explained to the Board that her neighborhood is happy with the proposal. It will change the whole environment of the neighborhood and she did not understand why anyone else has a problem with it when her neighbors are in favor of it. She pointed out that, right now, the neighbors see a house from the street with three dead bushes and this proposal will be an improvement.

Mr. Dusansky recognized that he inherited the problem. However, he wanted to correct the problem and create a wonderful area. He said that he would like there to be a lot of screening, and would actually like to fill in the gaps that are still in the revised plan. Mrs. Dusansky's father is elderly and spends a lot of time at the house, and they would like an easy access for him.

Chairman Michelman said that perhaps reducing the size and adding additional screening might work. She stated that the Board appreciated that the neighbors like the proposal, but this is the Board's decision.

Dr. Matusow suggested that a hammerhead drive would be appropriate. Mr. Giuliano said that if they did that, they would have to bring the driveway way out. It would not be any less pavement. Mr. Kaufman told Dr. Matusow that, aesthetically it would be worse. Mr. Giuliano added that they proposed the circle instead of square for that purpose.

Mr. Giuliano said that he would revise the plans as the Board has suggested. Mr. Kaufman asked if the Board was comfortable with this and they said that they were. The Board explained that neighbor notification is needed and could be scheduled for the next meeting; a resolution could be prepared as well.

Mr. Kaufman reminded the applicant to ensure that all the plants are on the applicant's property and not in the right-of-way.

Dr. Matusow advised the applicant to make sure this is revised to be as small as possible, with the most amount of screening possible because otherwise, they would be delayed another month or so.

NEW BUSINESS:

**FLANAGAN
Special Use
Section 2, Block 1C, Lot 2-8
1 Deer Trail
Mary Scott, AIA
Discussion**

Ms. Mary Scott was present for the application. She explained that they are seeking a special use permit because they are over the minimum permitted gross floor area, but under the maximum. They are proposing a 3rd garage bay and adding a playroom over the new garage. The proposal will also include the relocation of a bedroom; it will not add to the number of existing bedrooms.

Mr. Schroeder had no issues. Mr. Kaufman explained that this application is only approximately 500 feet over and this is a very small request.

Chairman Michelman asked if the applicant has been to the ARB. Ms. Scott explained that she was told to make this application first, so she had not been to that Board yet. Mr. Kaufman advised Ms. Scott that if the Board provides positive feedback, they should go to the ARB as soon as possible.

Mr. Kaufman explained that neighbor notification and a public hearing would be required. Dr. Matusow asked if a resolution could be prepared for the same time. The Board and Mr. Kaufman agreed.

Mr. Kaufman told Ms. Scott to inform the Planning Department as soon as they receive ARB approval and then they would be placed on the agenda.

SHAPIRO

Site Plan

Section 2, Block 17, Lot 4.101

2 Hadley Road

Robert Sherwood, Landscape Architect

Discussion

Mr. Robert Sherwood was present on behalf of the applicant. Mr. Sherwood explained that they are seeking a special permit to construct pool where they are over the basic, but under the maximum lot coverage.

Mr. Sherwood explained that the site walk was conducted last and it was determined that they needed to add a landscape plan for screening. He stated that this would be added, and submitted to the Board.

Dr. Matusow asked if the applicant considered moving the pool closer to the house. Mr. Sherwood explained that the applicant was not in favor of the pool in that location, but he could give him the Board's recommendation again. Dr. Matusow said that was not necessary, as the Board does not feel that strongly about it.

Chairman Michelman pointed out that the applicant still needed to add the clearing and grading limit line. The applicant agreed. Chairman Michelman explained that the Board still needed the updated plan. Mr. Kaufman agreed but noted that the issues were not major, they just needed to replace the numbers.

The Board stated that the public hearing could be scheduled; at that meeting, the Board would review the landscaping plan and have a resolution prepared as well. Mr. Kaufman said that if there were any issues, the Board could always extend the public hearing.

The Board advised the applicant to submit a good landscape plan so that there are no issues.

SCHWARTZBERG

Special Use

Section 2, Block 3, Lot 7-22

12 Wrights Mill Road

Robert Sherwood, Landscape Architect

Discussion

Mr. Robert Sherwood was present for applicant. He explained that they are seeking a special use permit because they are above the basic coverage, but below the maximum lot coverage. Chairman Michelman noted that the application is very close to the maximum – within 600 sq. ft.

Mr. Sherwood explained that the client is looking to construct a pool and enlarge the parking court in the front. At the site walk the applicant understood the comments regarding the court and they are going to try to make it smaller to accommodate both the Board and the client. He added that he thinks it could be done. Chairman Michelman

pointed out that it is very large, and she did not think it is necessary to go that much bigger.

Ms. Black noted that the applicant could easily park two cars with a smaller area. Mr. Sherwood, said that he would speak to the client.

Dr. Matusow felt that the pool would not be a problem. He added that making the parking court slightly smaller would be a minuscule change in terms of what is already on the site. He said that if the rest of the Board was comfortable with the application, he would support it.

Neither Mr. Kaufman nor Mr. Schroeder had any issues with the application. The Board advised the applicant to show a smaller parking area, and then a public hearing could be scheduled and a resolution would be prepared for the same time.

GUCCI LIMO
Site Plan
Section 9, Block 2, Lot 3
37 Virginia Road
Discussion
Edward Swaby, RA

Mr. Ed Swaby was present for the application. He explained that the applicant is proposing a 1 1/2-story parking garage for limos. The applicant has a business where he provides limousine service for parties, proms, weddings, etc. He explained that this is a very high-end limo service and operates primarily on weekends. He recognized that this is a busy street during the week, it is less busy on the weekend.

Mr. Swaby showed the existing conditions plan, he pointed out the nearby businesses and parking areas. He stated that the proposed building would be fairly flat. He explained that the entire lot is fairly flat itself, with the exception of the end. Columns would be installed in that area, and the second floor would be used for storage. The entire building is approximately 3,000 sq. ft. Chairman Michelman recognized that this is a tough site.

Mr. Swaby said that he would deal with Mr. Schroeder directly about his comments. He said that he has already done the erosion control so not sure what else he wanted. He needs to find out if they need more than a soil distribution box.

Chairman Michelman explained that the real issue is the significant safety concern and the ability to back in or out of the site. Mr. Swaby said that there is a difference between backing in and backing out; backing in is the solution that would likely cause less problems. He pointed out that the Board did not have a problem backing out during the site walk. Chairman Michelman said that it is not a question of a problem, it is a question of safety; this would cause traffic to be blocked, and there is a potential for difficulty. Mr. Swaby said that the applicant has a right to use the site. Dr. Matusow agreed, but said that perhaps it could not be used for limos. Mr. Kaufman stated that the applicant has to use the site safely.

Dr. Matusow explained that the one of the long limos heading north on Virginia road, and then backing into the garage would have to cross the line of traffic. Mr. Swaby said that if it was during a heavy traffic time, it would not make any sense to cross the line of traffic; the driver would go around the block and back in that way.

Mr. Delano said that this property was before the Board some time ago, and it was difficult then. At that time, questions were raised and the applicant never came back. He said that there would be less of a problem if they were not dealing with longer limos. Mr. Delano noted that this is not an uncommon practice; often gas trucks on Route 22 block four lanes of traffic during deliveries, and he thinks that is more dangerous than what the applicant is proposing. He was not claiming that the Board should be promoting this type of situation, but felt that he did not know what other option there is for this property.

Chairman Michelman stated that this Board originally felt that the best use for this property would be to sell it to one of the neighbors. She explained that the Board's concern is whether this is the most appropriate use for the property. Mr. Swaby said that he did not think this was a viable argument because the area was just recently rezoned for limos.

Mr. Kaufman corrected Mr. Swaby, and explained that although the new code permits limos in the area there was nothing done specially to this property or this zone. The applicant still has to demonstrate that it is viable and safe.

Mr. Kaufman suggested that the first step should be to send the application to the county for their comments. The Board thought that was a good idea. They were concerned about the improvements on North White Auto, and would probably be very concerned with what is happening here.

Dr. Matusow stated that although he was not happy with what is being proposed here, he did not want to see this held up. He said that he could not imagine that the county departments were going to approve of this idea; the same things that concern this Board will likely concern them. He asked if the Board was concerned enough to say that they would not approve this use on this lot. He asked what the county would really add. Mr. Swaby felt that the county could love the proposal, and pointed out that it has to go to them anyway.

The owner of the property explained that he was trying to work with the Board to work with this site. His main concern is safety as well. He pointed out that Wallauer trucks block the entire road and they always have trailers backing up. He added that he would remove the long limos from the site, and limit the use to an office and some town cars. Mr. Adelman felt the applicant made a good point about Wallauers. The owner said that those trucks are 40-50' long, and he only had a few limos.

Mr. Delano suggested the applicant approach the county first. He said that he would not have a problem with having several town cars if the county was comfortable with the application; he felt this was not unreasonable. The neighbor backs trucks in and out all the time.

Mr. Baroni pointed out that the large limos could not remain on the other properties. The owner said that he would remove them. He said that he was not looking to do anything

unsafe on this property. He claimed that before he purchased the property, he spoke to Mr. Kaufman, who suggested the Spinelli property. Mr. Kaufman stated that was not exactly what happened.

Chairman Michelman agreed with Mr. Delano that this should be referred to the county and then the Board should move forward from there.

Dr. Matusow asked how much space would be on the 2nd floor. Mr. Swaby said that it would be 900 sq. ft. Dr. Matusow asked if part of that space would include the officer. Mr. Swaby said that approximately 240 sq. ft. would be the office and a small bathroom and the rest would be storage. Dr. Matusow asked what would be stored there. Mr. Swaby explained that they would keep soda, beer, wine, liquor etc. for the limos.

The Board asked how the drivers got to work. The owner stated that they drive in; there are employee spaces in one area of the garage and limo spaces in another. He said that if it was a problem, he would not allow the drivers to drive in; he would keep the other site that he has and let the employees park there and have them walk down the road. Dr. Matusow explained that he was concerned with employees parking on the street. The owner said this would not be a problem.

The Board explained that they would wait to hear back from the county and then discuss the zoning variance that is required. Mr. Swaby said that because this is an undersized lot, they have to go anyway. He said that they have FAR of 1.31 versus .6. They are asking for a lot more, but typically in commercial applications, commercial garages are not included in FAR. Chairman Michelman said that the first step is to hear from the county.

Mr. Kaufman advised that the Board is going to need some level of comfort regarding backing into the site. Mr. Adelman felt that the owner made a good argument. Chairman Michelman said they needed to wait to hear from the county before they discussed this any further.

The meeting was adjourned at 8:41 p.m.
