

**TOWN OF NORTH CASTLE
PLANNING BOARD MEETING
15 Bedford Road
Armonk, New York 10504
November 5, 2007
7:00 p.m.**

PLANNING BOARD MEMBERS PRESENT: Peg Michelman, Chairman
Jane Black
Gene Matusow
John Delano

PLANNING BOARD MEMBERS ABSENT: Art Adelman

ALSO PRESENT: Adam Kaufman, AICP
Director of Planning

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

Douglas E. Schroeder, P.E.
Kellard Engineering & Consulting, P.C.
Consulting Town Engineers

Valerie Desimone
Planning Board Secretary

Conservation Board Representative:

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

APPROVAL OF MINUTES

October 22, 2007

Dr. Matusow moved to approve the minutes from the October 22nd meeting, as amended. The motion was seconded by Ms. Black and unanimously approved.

PUBLIC HEARING:

BAIRD

**Special Use – Gross Floor Area
Section 1, Block 11, Lots 11-6 & 11-15
Jason Lepro - Jay Fain & Associates
Discussion
Consideration of approving resolution**

Chairman Michelman read the public notice for the record. Ms. Desimone noted that 25 out of 31 cards were returned and that all paperwork was in order. Chairman Michelman asked if there were any neighbors present for the application. There were none.

Mr. Jason Lepro was present on behalf of the applicant. Chairman Michelman explained that a presentation was not necessary because no neighbors were present. She asked if the applicant read the resolution. Mr. Lepro said that he had, and that the applicant was in agreement with the conditions and recommendations and feel they can accommodate all the conditions.

Mr. Schroeder said that he had no issues. Mr. Kaufman had no issues either. He explained that if the Board approved the resolution, the applicant would be in the position to address all the issues from the preliminary subdivision approval, which the Board granted approximately one month ago.

Dr. Matusow had a comment regarding the second whereas clause. He felt that the Board has expressed concern about the likelihood someone would want to create a home larger than being proposed and he has not heard a response from the applicant about that. Mr. Lepro explained that there is no intention to do that; they are just proposing a lot line change. He added that if anyone wanted to have a larger home, they would have to come back to the Board.

Mr. Kaufman agreed, and pointed out that the Board has discretion to go beyond this on an estate lot. Mr. Kaufman explained that the current configuration consists of a 40-acre lot and a 10-acre lot; the 10-acre lot has the same house being discussed. It is likely that a future Planning Board would see an application for a larger house.

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

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

MILLER
Special Use Permit
84 Cedar Hill Road
Section 1, Block 2, Lot 6.C-26
Ken Okamoto, AIA - Andrew Chary Architect, PLLC
Consideration of approving resolution

Chairman Michelman read the public notice for the record. Ms. Desimone noted that 9 out of 11 cards were returned and that all paperwork was in order. Chairman Michelman asked if there were any neighbors present for the application. There were none.

Mr. Ken Okamoto was present on behalf of the applicant. Chairman Michelman asked if any of the professionals had issues. Mr. Schroeder asked Mr. Okamoto if he was aware of the wetlands change. Mr. Okamoto said that he was and that it has been included on the site plan, which would be submitted to the Board.

Mr. Kaufman explained that the resolution has some erroneous information regarding the permits being requested. The Board was not issuing a permit for gross land coverage, but for FAR only. Additionally, the 7th "whereas" clause on the third page that discussed steep slopes should be removed, because there are no steep slopes. Mr. Kaufman noted that there is also a duplicative whereas, one of which should be removed. Lastly, the language "construction of the pool slide" should be removed because no pool is proposed. He explained that he had no other corrections or issues.

Chairman Michelman asked if Mr. Okamoto reviewed the resolution. He said that he had, and that he was satisfied with it. He added that he would submit revisions to the Board.

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

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

PUBLIC HEARING & NEIGHBOR NOTIFICATION

COSTANTINO
Site Plan
Section 2, Block 2, Lot 4D
2 Meadow Hill Place
R. Barry Goewey, AIA
Discussion
Consideration of approving resolution

Chairman Michelman read the public notice for the record. Ms. Desimone noted that 13 out of 16 cards were returned and that all paperwork was in order. Chairman Michelman

asked if there were any neighbors present for the application. Ms. Lisa Feldman of 4 Meadow Hill Place was present.

Mr. Rob Vogel and Mr. Christian Kent were present on behalf of the applicant. The applicant's representative explained that they are proposing a four-car garage and to convert the existing two-car garage into a living space. There would be a bonus area above. He indicated the location on the plan. The applicant is also proposing a pool in the rear of the lot. Mr. Vogel explained that they have reworked the driveway slightly in order to meet gross land coverage requirements. The entrance will remain the same and they are not disturbing any trees in the vicinity. Mr. Vogel presented a new elevation of the front and rear of the house and indicated the existing stairway. Chairman Michelman asked how it would impact the neighbors, if at all. Mr. Kent explained that there is really only one neighbor, whom he believed was Ms. Feldman. He explained that the construction would be on the other side of the property, away from her.

Ms. Feldman said she believed the lot was 2.5 acres. Mr. Vogel explained that it was almost three acres. Ms. Feldman explained that she recently did a renovation on her home, and her home is smaller with the renovation than the applicant's addition. Ms. Feldman wanted to know how high the cabana was going to be. Ms. Feldman added that there are very few trees on the property, and the buffer between the two lots is on her land. She said that she could see Whippoorwill Road from her backyard and from the street you can see everything. The screening is very thin. Ms. Feldman advised the Board that there is a cemetery on the other side of the applicant, and wanted to know who was speaking on their behalf. She claimed there is an easement that leads to the graveyard. Ms. Feldman was also curious about the new septic, where they were putting it, and the drainage for all the new construction.

Mr. Vogel indicated the new septic system, and where the drainage system would be located. He explained that the new impervious surface needs drainage and the applicant has satisfied the engineering requirements. He indicated the cabana and explained that it would be a one-story structure, heavily screened by a pergola with ivy and other plantings.

Ms. Feldman said that after all her septic plans and drainage systems were approved, they found that it was difficult to actually construct. Mr. Kent explained that the system has been approved by the County Health Department and satisfactorily engineered. Ms. Feldman asked what the normal square footage that would be allowed for a property this size. The applicant's representative explained that this was under the maximum allowed.

Chairman Michelman explained that the applicant exceeds the basic of the gross floor area by 2,880 sq. ft. and below the maximum by 2,212 sq. ft. With the land coverage they are above the basic by 5,000 sq. ft. and below the maximum by approximately 680 sq. ft. Because the proposal is in between the basic and the maximum, they need a special use permit. Mr. Kent explained that the applicant originally proposed a larger renovation, and this has been scaled down. The Board agreed that the applicant has been responsive to their concerns.

Mr. Schroeder asked if the applicant has submitted the approval from the Health Department. Mr. Kent said that he did. Mr. Schroeder asked if the applicant was adding bedrooms. Mr. Kent explained that the current house has a temporary C.O. for the

renovation. Mr. Schroeder asked if it was for a six-bedroom house. Mr. Kent said that it was a four-bedroom house currently, and that they are installing a six-bedroom septic system even though the house will become five-bedrooms. Neither the bonus room, nor the cabana will have bathrooms.

Ms. Feldman noted that she had seen construction vehicles at the site. She asked if this was going to be a 10,000 sq. ft. house with only five-bedrooms. Mr. Vogel explained that the 10,000 sq. ft. includes the first floor and the garage. Ms. Feldman wondered why the other rooms were not considered bedrooms because they were in her house. She did not know why there would be a difference. Mr. Kaufman explained that this was not within this Board's jurisdiction; that is the County Health Department's purview.

Chairman Michelman asked if the applicant has been to the ARB. Mr. Vogel said that they had not been there yet. Chairman Michelman recalled that this was discussed the last time the applicant was before this Board. The applicant's representative recognized this, but due to scheduling they were not able to get on the agenda yet.

Chairman Michelman said that there were some issues that disturbed her. She asked why the applicant had begun construction on the site without approval from this Board. Mr. Vogel said that they had received the Board of Health approval for the septic and that was what they were working on. Chairman Michelman pointed out that despite that approval, the Town had not issued any approvals or resolutions, and the Town Engineer had not even seen the County permit yet. Chairman Michelman recognized that the County issues the permits for the septic system, but the applicant still needed the final OK from this Board. Mr. Vogel explained that the septic was part of the renovation that was less than 1,500 sq. ft., separate and apart from this application. Mr. Kaufman believed that the applicant was saying that there are no new bedrooms proposed as part of the addition. Chairman Michelman said that was not true because they currently have a T.C.O. for a four-bedroom house, and are building five bedrooms with a six-bedroom septic. Mr. Kaufman said that the old bedroom count is a result of the previous construction. Mr. Kent agreed. Mr. Kaufman said that this was not an ideal situation. The Board agreed.

Chairman Michelman said that the Board was going to request that the Building Inspector walk the site to see what else was being done on the site. She advised the applicant to go to the ARB as soon as possible. The Board reminded the applicant to provide all the necessary material to the Town Engineer and ensure they approve of what is on the plan.

Ms. Feldman said that she understood that the Board of Health has to approve the septic, and implied that when she was doing her renovation, she had more issues to overcome. She found it impossible that the applicant could build a septic that big on that size lot. Chairman Michelman said that the Board would consider the issue of the easement to the cemetery. Ms. Feldman found it hard to believe that the Board of Health would not question whether there would be a bathroom somewhere in the four-car garage with a bonus room above it. The Board reminded her that it was up to the County Board of Health. Mr. Kaufman added that the Board was not going to sign off on any plans until the Health Department approves it.

The applicant was advised to pull everything together, submit all materials to the Town

Engineer and go to the ARB.

Mr. Delano moved to adjourn the public hearing to see how this plan evolves. The motion was seconded by Ms. Black and unanimously approved. Ms. Desimone advised Ms. Feldman to check the website to see when the application would be on the agenda because neighbors would not be renoticed.

ROSENBLUM

Site Plan

Section 1, Block 4, Lot 10- 420

4 Thorne Lane

Nick Pouder - Pouder Design Group, Landscape Architect

Discussion

Chairman Michelman read the public notice for the record. Ms. Desimone noted that 26 out of 26 cards were returned and that all paperwork was in order. Chairman Michelman asked if there were any neighbors present for the application. Rosalie Sauerhaft of 21 Windmill Place and Norman Gleicier of 1 Fawn Lane were present.

Mr. Nick Pouder was present on behalf of the applicant. He explained that the applicant was proposing an addition to the existing four-bedroom house. The addition will primarily take place on the east side and wrap around to the backyard. The construction will increase the bedroom count by one.

Mr. Pouder presented a rendering to the Board. He explained that the additional bedroom would require a new, larger septic. He indicated the locations of the old septic and the new proposed septic location. Mr. Pouder explained that it would occupy the area near the first two rows of the spruce trees. He indicated the backup area for the septic.

Mr. Pouder explained that the Board's main issue with the project is the location of the septic system, and whether it could be relocated. After the last meeting, the applicant considered the request to relocate and have drafted a theoretical alternate location. Mr. Pouder advised the Board that they assumed the soils would work and that everything else was the same, and simply shifted the system up the hill. He explained that a system located uphill this would require a pump system and a more complicated engineering process. The relocation would require resubmission to County Health Department, who has already signed off of on the current proposed location.

The current plan requires the removal of approximately 25 spruce trees, which are 20-30 feet tall. These spruce trees are thin at the bottom and provide little screening. The alternate location would require the removal of five specimen trees, two of which are very large (the largest on the site). In terms of value, he felt that the value of the spruce trees was less than the value of the very significant specimen trees.

Mr. Pouder added that if the Board requires the alternate field location, it would open up the line of sight between the applicant and Mrs. Sauerhaft's house. The proposed / preferred location in the back yard, is not in the line of view.

Mrs. Sauerhaft asked about the five specimen trees. Mr. Pouder explained that these

are trees that are over 24", and he indicated their locations. She asked how far it would be from the road and Mr. Pouder said it would be approximately 100'. Mrs. Sauerhaft said that one area has very light cover, and is mostly scrub. She asked if there were any ways to save the two trees. Mr. Pouder said that they were not sure because the alternate location was only theoretical – they did not engineer the alternate location.

Mrs. Sauerhaft asked what Mr. Pouder meant when he said "buffer" and "if anything goes wrong." Mr. Pouder explained that the Health Department requires an additional area that is the same size area of the septic system that could accommodate a system in the event the septic failed it could be relocated. Mr. Pouder added there is a wetland near the applicant and Mrs. Sauerhaft's property and the Town discourages activity within the buffer. He indicated the buffer line in response to Ms. Sauerhaft's question.

Mr. Pouder pointed out the differences between the Health Department's approved plan and the relocated area that the Board has asked to see. She asked if the applicant had a picture of the rear elevation. Mr. Pouder said that he did not have one with him, but believed the Board had one in the file.

Mrs. Sauerhaft said that since 1959, it has been her joy to look out her kitchen windows and not see 4 Thorne Lane in the summer, and only barely in the winter. She said that she did not want to lose the value of her property in order for the applicant to get the full value of his property. She hoped that something could be worked out, and suggested significant planting.

Mr. Gleicer referenced the rendering, and asked if everything was being built from the right of the garage. Mr. Pouder said that was correct. That was Mr. Gleicer's only question.

Mr. Rosenblum asked what types of plantings could he do to satisfy Mrs. Sauerhaft if the system was built as proposed. Mr. Pouder said that something could be done; they could add screening on the north side of the field where Mrs. Sauerhaft indicated.

Chairman Michelman said that the Board was faced with a choice. Mr. Pouder said that the pros and cons had to be weighed. He explained that pumps don't always work but gravity does. The proposed / preferred location is \$25,000.00 cheaper to construct, and both the Conservation Board and the Health Department have signed off on the proposed / preferred location. He felt there were two main concerns: the trees and the buffer. He felt that the spruces don't have the same relative value as the specimen trees. He suggested a compromise: the Board could require that if the field ever needs to be developed, a more comprehensive mitigation plan would need to be submitted for the expansion area. The Board expressed interest in this idea. Mr. Kaufman advised the Board to consider that screening now, because otherwise, the Board would not have jurisdiction over it.

Mr. Rosenblum believed he remembered Mr. Schroeder saying that if the expansion area was not likely to be needed over the next 25 years. Mr. Schroeder said that the expansion area would probably not be needed for a good number of years, but it still needed to be considered. Mr. Schroeder noted that the preferred location limits the applicant quite a bit; whereas the alternate location would permit a pool or the like in the future. Mr. Rosenblum recognized this, but said that this project has been going on for a

couple of years now, and if he had to come back with a new plan then it would continue for another couple of years and he could be faced with new laws in the Town and have to start all over. Mr. Schroeder pointed out that this was not the first time the issue was raised.

Mr. Rosenblum said that the first time he came to the Board he was advised of two issues: whether the reserve system would be affected and whether other trees would be placed in danger if the two rows of spruce trees needed to be removed. He said that he went to the Conservation Board twice, and that Board has since approved it. Mr. Rosenblum felt that he has satisfied the Board's issues and concerns and has done everything that's been asked. He felt that it was time for a vote.

Chairman Michelman asked if there were any issues from the Board or the professionals. Mr. Kaufman explained that in addition to the two concerns Mr. Rosenblum mentioned, the location of the septic was an issue from the beginning. Aside from that, he stated that there is not one location that is clearly better than the other. Both locations have both pros and cons, and is a decision the Board needs to make.

Dr. Matusow said that he had been concerned about the number of trees being removed. He initially thought it would be better to take down a fewer number of trees than the 2 rows of spruces. Based upon the information regarding the large trees, he no longer felt that he was in a position to choose. Mr. Pouder pointed out that the Town places values on specimen trees. Dr. Matusow agreed, and said that in a case like this, he would support the applicant's preference, because he did not see a great difference between the two.

Dr. Matusow added that when the Health Department approves a septic system, they don't pay much attention to the Town's regulations, only on whether the soils will work. He did not think this was a big plus in the applicant's favor. Dr. Matusow felt that reconfiguration was still possible and suggested having the septic to the east, and having it horseshoe around to preserve one or two of the specimen trees and still maintain the spruces. He said he did not know if this was possible from an engineering standpoint. Mr. Schroeder said that, depending on how close the applicant got it would destroy the roots. He added that anything within 10' of the system would have to be removed anyway.

Mr. Pouder said that this would be a fairly convoluted system. Additionally, the entire area would be entirely disturbed. He pointed out they merely took the shape and slid it up the hill, but the reality of the situation was that the system up hill would have to be bigger.

Ms. Black felt that there were pros and cons to both locations, but the applicant's argument about the specimen trees is compelling and the alternate location would place it closer to the Sauerhafts. She said that she would like to see the mitigation plan for the expansion area. Chairman Michelman agreed, and said that she would also like to see additional screening as discussed. Mr. Pouder agreed.

There were no other issues or comments.

Mr. Delano moved to close the public hearing. The motion was seconded by Ms. Black

and unanimously approved. The Board stated that a resolution could be prepared.

SISKIN

Amended Site Plan

Section 2, Block 4, Lot 1-10

53 Hammond Ridge Road

Dan Sherman, Landscape Architect

Discussion

Consideration of site plan resolution

Chairman Michelman noted that this application had been opened at a prior meeting, and was adjourned.

Chairman Michelman asked if there were any neighbors present for this application. Mr. and Mrs. Sampre of 55 Hammond Ridge Road were present but they explained they were at the meeting for their own application.

Chairman Michelman asked if Mr. Siskin had read the resolution. Mr. Siskin said that he had, and that his representative, Mr. Mercurio had some comments he asked Mr. Siskin to relay to the Board. The first three things on page four have been complied with. Additionally, "the resolution should reflect the drawing submitted by Michael Stein, who is the engineer who made the retaining walls over 4 feet." The Board would add this in the resolution. Mr. Kaufman noted that number one should say Town Engineer not Town Planner.

Mr. Siskin asked if the Board recommended he get a surveyor to identify the clearing and grading limit line. Mr. Kaufman said he did not think it was necessary for the applicant to get a surveyor. Mr. Schroeder noted that a surveyor would guarantee the property location, but that it would be an added expense that was not necessary. He noted that it is the responsibility of the Building Department to ensure the accuracy.

There were no other comments. Dr. Matusow moved to close the public hearing. The motion was seconded by Ms. Black and unanimously approved.

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

NEIGHBOR NOTIFICATION:

CHEN

Site Plan

19 Denim Place

Section 6, Block 5, Lot 15A

Julian Chen, PE

Discussion

Ms. Desimone noted that 23 out of 26 cards were returned and that all paperwork was in

order. Chairman Michelman asked if there were any neighbors present for the application. Mr. and Mrs. Fanning of ___ Denim Place were present.

Mr. Chen was present for this application. He presented an updated 3D model of the proposal. He said this was a proposal for a house he is planning for himself. He presented a revised site plan based upon the comments received at the last meeting. He said that he believed he could comply with all of Mr. Kaufman's recommendations.

Mr. Chen said there were still some outstanding issues. The lot has a very steep slope. The prior owner had difficulty building the house. He was trying to build a single-family house with a small footprint. Each floor would have a floor area of approximately 950 sq. ft. He noted that, even with the small footprint, there were still difficulties. There is a grade difference between the two corners of approximately 12'. In order to have a basement, you have to dig out soil and build a small retaining wall. In order to keep the height of the retaining wall under 4', the basement had to be a bit higher. They have proposed the basement at 9' high otherwise they would have a 5' retaining wall. The lowest point of the house is about 10' lower than the floor of the first floor. The total height for a two family house is 38'. This is approximately 1.5' higher.

Mr. Kaufman explained that the Board has the ability to allow the maximum exterior wall height to go above the maximum based upon the topographic conditions. The Board could find that this is appropriate in this situation.

Mr. Delano asked how the maximum height was measured. Mr. Kaufman explained it was done from the average grade around the perimeter to the eaves. Mr. Delano thought the applicant would meet that. Mr. Kaufman said that the other height standard is the maximum exposed wall, to the midpoint. Mr. Delano still believed the applicant would meet the requirements. Mr. Chen believed he would be 1.5' over to the very top. Mr. Delano explained that the applicant only had to measure to the midpoint. Mr. Chen said that with that calculation, he would be OK at 35'. Mr. Kaufman advised Mr. Chen that the Board would need the documented proof. Mr. Chen acknowledged this.

Mr. Chen explained that he has worked hard on designing this so that the house will not look too high. He added that there had been some concerns with plows and other vehicles on the road. The space in which they have to back up is very narrow, about 12' wide. Mr. Chen offered to improve that space to provide a much larger area for any vehicle to turn around.

The Fannings indicated their lot on the site plan. They said they could fit about 2 cars in between the lots. She said that the homes are very close, and that she enjoys the hillside. Mrs. Fanning said that no one really knows where Mr. Chen's property ends and theirs begins. She asked who has title to Denim Road. Mr. Kaufman said that he confirmed that the Highway Department has been maintaining it for 10 years and it has become a highway by use.

Mr. Chen addressed the issue of the tree removal. He indicated the location of the two large trees, and said that they had to be removed because they are growing where the basement is proposed. Mr. Kaufman agreed they would have to be removed. Mr. Chen noted that the others trees are smaller. Mr. Kaufman explained that the applicant is not proposing a significant amount of trees to be removed.

Mr. Chen stated that he too was not sure who owned the road. He said that there was a portion of Denim Place that is on his property. The prior owner owned them both, the Fannings property and his and then subdivided the parcel into two lots. The Chen deed indicates he owns that part of the road. He asked if this meant he had to pay for everything related to the road. Mr. Delano said that if the deed matches the survey, that is what he owns. However, some part of the road might have become a highway by use because the Town has maintained it; however that portion that the Chens own would be dictated by physical indications in the field.

Mr. Chen said that in addition to the space being used for turnaround, the Fannings should also be able to park there. Mrs. Fanning noted that he was talking about an area near her retaining wall. Mr. Baroni said that the Chens might have bare legal title to the bed of the road, but that it has become a highway by use. This meant that nothing could be built on it, and the owners could not interrupt the use of the road.

Mr. Chen said that he was going to merge the two lots. Mr. Chen said that he got the necessary form from the town to begin this process. Mr. Kaufman explained that the applicant would need to file that form with the County. Mr. Chen said that he would eliminate #21 and keep #19 for purposes of the address.

Chairman Michelman asked Mr. Baroni if the Board should consider a deed restriction for no further subdivision. Mr. Baroni said that if the applicant was willing to do that, it would be beneficial. Mr. Chen said that he was willing to have a deed restriction. Mr. Baroni advised that the applicant needed to merge the two parcels, and then do the deed restriction. He advised them to get an attorney to do the deed restriction.

Mrs. Fanning asked if a new sewer line would be run in, or if Mr. Chen would tap into the existing sewer connection in her driveway. Chairman Michelman said that the applicant would have to get approval from the Sewer Department. Mr. Chen explained that he spoke to the Building Inspector, who advised him that the sewer was originally designed for two houses, not just one. Mr. Schroeder said that the Chens would tap into that one. Mrs. Fanning asked if they would dig up her driveway to do this, because the cap is in her driveway. Mr. Kaufman pointed out that the Fannings driveway appears to be in the road, but assured her that the Town would not leave the driveway in disrepair.

Mr. Kaufman said that it was not apparent where her property was actually located. He suggested the Fannings get a survey, but based upon the information the Board has, it appears that Mr. Chen owns the bed of the road, and that it has become a highway by use even though Mr. Chen owns it. Mr. Kaufman added that this meant that he'd be able to tap into the line there, even though it looks like its in the Fannings' driveway. Mrs. Fanning said that it was in her driveway. Mr. Kaufman agreed, but noted that they do not appear to own it.

Mrs. Fanning asked what would happen with respect to blasting on the site, because it is all rock in the area. Mr. Kaufman explained that if blasting is proposed, Mr. Chen would need to secure a permit from the Town and meet all requirements. Mr. Chen said that there are areas that are loose rock. He spoke to a construction company, who recommended chipping. Chairman Michelman noted that if, in the future, it was determined that blasting is required, the applicant would need to meet the Town's

requirements, and the neighbors would be notified ahead of time.

Mrs. Fanning asked if people were still allowed to blast steep slope with the new requirements. Mr. Kaufman said that it is still permitted if the applicant meets the requirements of the Code. Mrs. Fanning was concerned about where the construction vehicles, the modular units, etc. would be stored on the site during construction. Mr. Kaufman said that was a fair question, and pointed out that the applicant cannot block the entire road. Chairman Michelman said that the Board would require a detailed construction plan.

Mr. Kaufman asked if the Fannings had a survey when they closed on their house. Mrs. Fanning said that they did not. The survey they had was the old survey that shows everything as subdivided lots, including the Chen property. Mr. Kaufman stated that the Fannings might want to consider obtaining a survey so that they know exactly what they own.

Mr. Chen explained that he has submitted everything to the ARB, and he is on the next agenda. He also noticed all the neighbors, submitted the application to the Conservation Board and begun the environmental review.

Mr. Kaufman noted that the applicant still needed to address his comments as well as the Town Engineer's.

Mr. Schroeder said that he had a question regarding the improvement of the Town road. He did not see how Mr. Chen would be able to provide additional space for emergency vehicles, and did not see how it was his responsibility to do so. Mr. Schroeder said that if this was being proposed, he would like Mr. Chen to submit this to the fire department for their comments. He repeated that he did not see how much more it could be improved.

Mr. Kaufman explained that the Board is taking proactive steps to prevent future subdivision. One additional measure the Board could take to improve access on Denim Place is to get an easement from Mr. Chen to allow emergency vehicles to turn around. Mr. Chen pointed out that there is a fire hydrant in the area and there is a retaining wall on the neighbor's site.

Dr. Matusow pointed out that the Board has seen previous plans for this property that were far more intrusive and would create more problems. He felt this proposal was a tremendous improvement and the application itself is protecting Denim Place from future problems. He felt that the Board should consider that in relation to some of the problems that would occur if something else was constructed there. Dr. Matusow said that he was very much in favor of how this is developing. He urged the neighbors to look upon this favorably. The Fannings said that this was the best-case scenario and that they liked the Chens.

Mrs. Fanning added that she was concerned with runoff from this proposal. Mr. Schroeder said that he would work out the engineering details with the applicant's engineer. He added that they might need a basin on the site. Mr. Chen suggested some possibilities. Chairman Michelman explained that the Board would look at everything through the Town Engineer. She added that it had the potential to improve the existing conditions, but it would definitely not create more.

Chairman Michelman asked if they were ready for resolution. Mr. Kaufman said they were not; they needed a lot more information, including the detailed construction plan, the merger of the lots, the deed restriction and all the other questions relating to details. Dr. Matusow recognized that this was a legitimate question, but he doubted that anything was going to be ideal. He reiterated that this proposal would be better than anything that could be done in the future, and unless the Board was planning to reject this proposal, which he did not believe, they should just accept that there would be some inconvenience until it is done. Mr. Chen said that he would only need one day. The Board said they still needed a construction sequencing plan. Mr. Chen said that a sequencing plan would not be needed because the construction company has their own crane and truck. Chairman Michelman said that the construction sequencing plan is required, because the Board needs to know when and how vehicles and equipment would access the site, be stored on the site, as well as the construction timetable, etc.

CONTINUING BUSINESS:

CARRIER

Site Plan

29 Sarles Street

Section 2, Block 4, Lot 1-5A

Ralph Mastromonico PE, PC

Consideration of approving site plan resolution

Ms. Carrier was present for this application. Mr. Kaufman explained that the Board had asked him to prepare a resolution. There are a couple of changes from the draft the Board had in front of them. On page 3, he added the ARB date of June 6, 2007. He clarified condition #5 on page five: to reflect that the applicant needed to submit proof that the pool house and the house have received final ARB recommendation. Mrs. Carrier thought that had already been submitted. Mr. Kaufman said that they only have preliminary approval. Mrs. Carrier said that the ARB would not give them final approval, until the Planning Board approved the site plan. Mr. Kaufman explained that this was not usually how it was done, because the ARB is an advisory board, not an approval board. Dr. Matusow felt that since the ARB approval was a condition, and the Board had the preliminary approval, he felt it could stay. The Board agreed.

Mr. Delano noted that condition #6 on page five should read "drywell separation of 100' from the well" as opposed to the septic. Mr. Schroeder agreed.

Mr. Kaufman explained that the resolution contains conditions that the applicant would need to satisfy at various stages of the process. Mrs. Carrier said that she assumed that a majority of them have been addressed. Mr. Kaufman said that the Board had not yet seen them. Mr. Schroeder said that the applicant's engineer may have satisfied the conditions, but he has not had a chance to speak with him yet.

Chairman Michelman noted that there are no issues that appear to be major, but they have to be addressed.

Mr. Delano moved to approve the resolution as amended. The motion was seconded by

Ms. Black and unanimously approved.

WYMAN

Preliminary Subdivision

Section 2, Block 1, Lot 7

93 Whippoorwill Road

Barry Naderman, P.E. - Naderman Land Planning & Engineering, P.C

Consideration of approving preliminary subdivision resolution

No one was present for this application

ARMONK SQUARE (formerly known as Pembroke Square and Heritage Square)

Site Plan

Section 2, Block 14, Lots 3, 8, 9

Main Street, Maple Avenue, Bedford Road

Mark Miller - Veneziano & Associates

Discussion

Chairman Michelman said this would be addressed at the end of the agenda.

Mr. Mark Miller was present along with Bonnie Von Olson. Mr. Miller explained that at the last meeting, they went through the history of the SEQRA review. Several submissions have been made to the Board, including submissions in January, July and September of this year. The most recent submission was made in October. He explained that they were before the Board to discuss the negative declaration and to consider some responses the Board is considering from the public hearing.

Mr. Kaufman explained that he has reviewed the transcript from the public hearing on October 1st, categorized each comment from the public, and provided the Town's responses. He recommended the Board review the document and adopt its contents to make it a part of the official record. Mr. Kaufman explained that there were many comments in support of the project, but also many concerns regarding the impacts it would have on the historic district, traffic and parking. Mr. Kaufman explained that he could discuss items by category and did not think it was necessary to go over each specific comment in detail. Instead, he could summarize the comments and the responses. Chairman Michelman agreed. Mr. Kaufman asked if there were any comments the Board wanted to discuss first.

Ms. Black stated that at the public hearing, many people were concerned about the solvency of Antares. Mr. Kaufman recognized this, and explained that this was addressed on page 19. He explained that the issue at the public hearing was what would happen if the construction began on the site, and progressed for some time and then, for whatever reason, they couldn't or wouldn't finish the project. They wanted to know what would happen to the Town. Mr. Kaufman said that the Code allows the Board to bond for infrastructure improvements, but not necessarily for a project to be completed. He said that one way is for the Town to require a bond that would allow for the removal of the structures to get it back to the preconstruction state. Mr. Kaufman recognized that Mr.

Baroni had concerns with that. Mr. Baroni did not think there was any basis for the Town to pick this particular property out from all the others, and he did not recommend this.

Dr. Matusow asked if it was normal / appropriate to bond the infrastructure. Mr. Baroni and Mr. Kaufman said that it was. Dr. Matusow noted that if the Board bonds the infrastructure, and the project was that far along, it would be pretty easy for someone else to step in to complete it. He said this was not one of his major concerns. Ms. Black asked if Mr. Kaufman was ok with that. Mr. Kaufman said that he was, and that the Board did not know how long the time frame would be, and whether this was acceptable to the Planning Board.

Mr. Delano said that the only recourse is to impose upon Building Department to determine the safety or non-safety of the site. If it is determined that the site is unsafe, it would have to come down. Dr. Matusow agreed with Mr. Baroni that this is not something this Board does.

Chairman Michelman agreed that the Board does not do that, but felt that there are a number of projects in Town that have fallen through. She felt that a protective measure in the middle of the hamlet would be beneficial. She said that she did not expect this applicant to desert the project, but thought that there should be some more research before they make a decision.

Mr. Miller agreed with Mr. Baroni's opinion that it is inappropriate to single out this property. He added that there is a lack of statutory authorization to secure to the extent of security the Board was considering. The applicant understands the Town's concerns, but should this issue come to pass, the proper remedy is through the Building Department. He assumed that the onus is on the property owner to make sure it is safe, and if they did not do that, that the Town would do it at the owner's expense.

Mr. Kaufman did not think it was really an issue of safety, but more of aesthetics. Mr. Delano pointed out that the Building Inspector has the Code requirements for properties in Town; he did not know if there is any other recourse.

Ms. Black said that she understood the dilemma about not bonding beyond the infrastructure, but wanted to know what other recourses the Town would have. Mr. Miller explained that they were the mechanisms just discussed – the Town Code safety standards and the property maintenance requirements.

Mr. Delano suggested that in light of the discussion, this language should be removed from the draft. Mr. Kaufman said he would like to amend it to reflect the methods the Town has through the building code.

Mr. Delano asked if there were any open-ended issues. Mr. Kaufman explained that there were not, that he was looking to the Board to acknowledge whether these responses were appropriate and reflected the feeling of the Board. Dr. Matusow felt that the comments in the document clearly reflected the comments before the Board over the last few years. The Board agreed they were all accurate.

Mr. Kaufman provided a summary of the traffic, he went through the history of the analysis of the study required by the Board and provided by the applicant. Based upon a

review of those traffic reports by the Town, it was decided that the Town felt it would be appropriate to have a signal, however the DOT has not yet approved that. Mr. Kaufman explained that the Town has secured an agreement from the applicant to construct the light if the DOT requires it in the future. Additionally, the Board discussed the shared parking analysis prepared by the applicant in response to the existing provision in the CBA zone, for providing a lesser amount of parking for mixed-use development in the CBA district. That report indicates that given the varying peak demand time, throughout the weekend and weekday, from one to two and twelve to one depending on weekend or weekday, that peak demand is 116 parking spaces and 118 spaces are being provided on the site. That addresses the code provision and that the Board analyze the peak demand and set an appropriate parking requirement based upon those studies. The Town has sent this information to the traffic consultant, who indicated that was appropriate.

The Town has also considered possible historical impacts. The Board has required that the applicant architecturally treat all sides of the buildings as they impact adjacent properties, specially the historic district. They have also discussed the extensive mitigation for buffering St. Stephen's and the tree maintenance plan to preserve the trees on the periphery. The Town has noted that the applicant is working with other property owners to preserve trees off site.

The Board felt that Mr. Kaufman had summarized the major issues. Dr. Matusow noted that since parking is on the mind of the residents, the mixed-use aspect of this project, which permits the Board to consider 118 spaces as opposed to more, is further mitigated by the fact that there is already retail on Main Street, which would help relieve the pressure on new parking spaces. Mr. Kaufman pointed out that the Town acknowledges that some of these trips are not "new trips."

Ms. Black asked if they have learned anything else about the road (i.e. that it was paved illegally). Mr. Kaufman said that it was not clear when it was paved. He noted that the road is called Elm Street on maps dating back to the 1800s, and it does not appear there was ever a permit to pave.

Mr. Delano asked if the Board had a fully executed copy of part 1 of the EAF. Mr. Kaufman said that they did; the Board had the portions that the lead agency is responsible for completing, parts 2 and 3.

Mr. Kaufman suggested finalizing the public comment draft responses. Mr. Delano moved to adopt the draft comments as amended. The motion was seconded by Ms. Black and unanimously approved.

Mr. Kaufman explained that the next document that was prepared for the Board's consideration was part 2 of the EAF. He explained that New York State provided the Town with a number of potential impacts that the project may cause. The Planning Board is required to determine whether there is an impact and if so, whether it is small, moderate or potentially large. Mr. Kaufman said that he has done this, and the Board would only have to determine whether they agree with his determinations.

Mr. Kaufman explained that the first issue is whether it would result in any physical change to site; the answer is yes. However, it does not meet any thresholds, so it is

categorized as small to moderate.

The second issue is whether there would be an affect on unique or unusual landforms on the site; the answer is, no there would not be.

Question numbers 3 and 4 were answered in the negative. The fifth question, whether a discharge permit would be required, was answered in the affirmative; however, the impact could be classified as small or moderate. Question 6 was also answered in the affirmative because the proposed project might cause erosion on the site. Again, the impact could be classified as small or moderate, but the applicant has plans to mitigate this.

Questions 7-10 were all answered in the negative. Question number 11 was answered in the affirmative because there are potentially large impacts to the aesthetic resources. This would be in sharp contrast to surrounding land uses, and would be visible to users and could result in screening of scenic views. However these can be mitigated by the aplicant. Question number 12 deals with the impact to the historic assets in the community. This question was answered affirmatively, because the proposal could have some potentially large impacts.

Questions 13 and 14 were both answered in the negative. Question 15 deals with transportation, and although there are potentially large impacts to this area, they can be mitigated.

Questions 16 through 18 were all answered in the negative. Question 19 asks if the proposal would impact the character of community. Although this is answered affirmatively, the impacts would be small to moderate.

Mr. Kaufman explained that part 3 of the EAF requires the lead agency to evaluate the aspects above that were categorized as having potentially large impacts. Those were 11 (aesthetic resources), 12 (site structures), and 15 (transportation system). Mr. Kaufman explained that he addressed the reasons in Part 3. Mr. Delano pointed out that this is further supported by the supplemental information prepared / provided by applicant.

Chairman Michelman noted that the Board had made some changes in certain paragraphs in part three, specifically, page 13, number 15. Mr. Kaufman explained that there was a sentence that read "also studying the potential impacts of the proposed road to the historic district." Mr. Kaufman explained that the Board felt that the next sentence: "the Planning Board determined that the traffic impacts would be the same with or without the driveway through the historic impact" was too vague. Therefore, the paragraph will be moved up/

Chairman Michelman asked if the Board members looked at the EAF carefully. The Board said that they had. She asked if everyone concurred with part 2, and they did. Mr. Kaufman did not believe that the Board needed to make a motion on the EAF because the Board is using the EAF to come up with the other document, namely the negative declaration.

Mr. Kaufman said that the first two pages are the standard form. The last page was replaced. In response to the first question on page two, he provided an attachment with

reasons, approximately 10 pages long, which outlines the material. The Board explained that they have read the reasons, and did not see a significant difference between the other documents. Mr. Kaufman explained that the explanation attachment documents the decisions the Board has made to this point.

Mr. Delano asked if there was a reference to the EAF supplemental report submitted by the applicant. Mr. Kaufman said that he considers that the EAF, but he could add that language. Mr. Delano said that he would like to be clear, and indicate that this document was part of the Board's deliberation. Mr. Kaufman and the Board agreed. Mr. Miller suggested including it in a certain area. Mr. Kaufman explained that those were the components of the expanded EAF. Mr. Kaufman said that he could reference that document by name, in addition to everything else that is listed.

Chairman Michelman asked if there were any other comments from the Board. There were not. Chairman Michelman asked Mr. Kaufman what the next step was. Mr. Kaufman explained that if the Board was ready to, it could consider the adoption of the neg dec.

Mr. Delano moved to adopt the neg dec, as amended. The motion was seconded by Dr. Matusow and unanimously approved.

Mr. Kaufman explained that the document would be distributed to all the interested involved agencies. He noted that all these documents are available on the Town's website.

One member of the audience asked if this was a public hearing. Chairman Michelman said that it was not, the public hearing was conducted on October 1st. She said that if he had an issue that had not already been addressed previously, he could raise it now.

John Penaris explained that he owned a piece of property on Bedford Road and Main Street. He felt the project would be a benefit to the Town. He said that the only problem was that he has kept his parking lot open for approximately thirty years. There seems to be a lot of parking there that is used for other areas of Town, and he read a newsletter that there was going to be a farmers market and community events and felt that people were very convenience oriented in Town. He wanted to know where he would stand if he tried to develop his property to the fullest extent; would he be hindered by anything done on Armonk Square. The Board explained that he would not be hindered, but he would have to go through the formal process.

Mr. Kaufman noted that the Armonk Square project would not solve the existing the downtown parking problem, only that it would not exacerbate the problem. He repeated that the project would not present any extra parking in Town.

Mr. Penaris asked how much total square footage they were considering. Mr. Kaufman explained that it was approximately 51,000 sq. ft. Mr. Kaufman explained that the parking is based upon all the different uses: apartments (lowest) and restaurant (the most). The project also includes a bank, retail spaces and office spaces. The Town required the applicant to analyze each use and provide the parking for each use. Mr. Penaris said that he was told that he could not use a specific area for shared parking, and he felt this was unfair. Mr. Kaufman said that he would be happy to discuss the

NEW BUSINESS:

**BERGER – 39 Evergreen Row
Site Plan
Section 1, Block 4, Lot 10-516
39 Evergreen Row
Nick Pouder - Pouder Design Group
Discussion**

Mr. Nick Pouder and Mr. Lucio DeLeo were present on behalf of the applicant. Mr. Pouder explained that the applicant is proposing an addition, which will be constructed on the right side of the plan. The applicant is not proposing any additional bedrooms although they are reconfiguring them. Mr. Pouder explained that there is a wetland, and he indicated the location and the buffer. The entire existing house is in the buffer; the majority of the expansion would be as well.

With respect to the site plan issues, there is a working septic in the back and side. The challenge was what to do with the runoff. He had conversations with Mr. Kaufman and Mr. Schroeder about how to do this, and they determined that the only way to do it is to bring the drainage into the front, expand it, and either have an overflow drain into a Town catch basin, or design the site for a 100-year storm. Mr. Pouder explained that the latter would require a very large basin. Mr. Pouder explained that they were now considering a rain garden with an overflow, because it was more rational. He asked if this would be something Mr. Schroeder and Mr. Kaufman would accept; if so, they would need to have further conversations. Mr. Pouder added that they still needed approval from the Highway Department and that the proposal still needed to be referred to that department.

Dr. Matusow asked if the applicant has looked at the engineering feasibility. Mr. Pouder said that they have not designed the overflow system in detail, because they wanted to wait until they had some feedback. As of right now, it was designed for a 2" storm.

Mr. Schroeder pointed out that the Highway Department is very reluctant to put things in right of way. He recommended that the applicant speak with the Highway Department before going much further. Mr. Pouder stated that it was basically "a make or break" requirement for the project. Dr. Matusow agreed that it was, and said that the Board would like to know the answer sooner rather than later. Mr. Pouder pointed out that the alternative is to construct the very large basin in the front of the house.

Mr. Schroeder asked if the applicant has done soil testing to see how deep the water is in that area. Mr. Pouder said that they did not.

Mr. Pouder asked if there were any other comments from the Board. Chairman Michelman noted that the location of the septic and its proximity to the construction area has to be clearly defined. Mr. Pouder explained that they have another plan that shows that.

Dr. Matusow asked how many bedrooms the existing septic system was approved for. Mr. Pouder explained that the existing system is approved for three, as is the proposed. Dr. Matusow asked if, assuming they could work everything else out, they are going to end up with a 5,000 sq. ft. house with 3 bedrooms. He noted that, if so, this could present a problem in the future. Mr. Pouder recognized this, and pointed out that there is a mechanism in the code to deal with it.

Chairman Michelman explained that the direction given by the Board is the most prudent. Mr. Pouder asked if there was some kind of mechanism that the applicant could use, like a maintenance agreement, so that they could have the drainage in the right of way. Mr. Schroeder said that they would all meet with representatives from the Highway Department to discuss the issue.

Ms. Black asked if there was any other location for the septic system. Mr. Pouder said that there was really no other suitable location; one area is rock, one area is too wet, and one area had bad soil. The applicant is trying to work with what they have to update a house that has not been improved in 40 years.

Mr. Berger explained that with respect to the increase of square footage, the increase is in the kitchens, dining room and the master suite. The only other place that they could add another bedroom is the playroom on the lower level, and that currently exists. He said that the areas being enlarged could not be used for bedrooms.

Additionally, apart from the expansion, he needs to deal with the impervious coverage. This will solve the problem beyond sump pumps on the yard. He believes this could resolve a piece of property that was never adequately designed. Chairman Michelman said that the Board understood, but the steps recommended are the most prudent place to start.

TOTS & TODDLERS

Subdivision

Section 2, Block 15, Lots 4A & 5

15 & 17 Old Post Road

Bob Peake, AICP - John Meyer Consulting

Discussion

Mr. Bob Peake was present on behalf of the applicant. He explained that the site is across from IBM, not far from Kensico. The Board was at the site last week. He explained that the lot is currently developed as Timber Ridge. Two lots exist: 4A and 5. The Town Board rezoned the property from residential to PBO. This permits subdivision of the property by shifting the lot line of the property so that the existing use remains in conformance with the requirements and creates a two-acre lot on the side.

Mr. Peake explained that he had received the comments from Mr. Kaufman and Mr. Schroeder, and they would respond to them all thoroughly. In the meantime, Mr. Kaufman had requested a theoretical site plan, and after speaking to the applicant, it was revealed that his is not in serious negotiations with anyone for an elder care facility. Therefore, the applicant would like to develop the site plan with a small professional building. There were two amended site plan approvals on the property, the latest was March 25, 2002. He explained that he had to file a FOIL request, and then would

thoroughly research the records. At that point, any existing conditions that are not in conformance with approvals, the applicant would like the Board to permit them to include them on the site plans.

Chairman Michelman noted that the Tots & Toddlers project was going to be utilizing the entire two lots. With the zoning change and the line change the Board would probably like to have some sense of what will be constructed there, before we approve the lot line change. The Board wants a firmer idea as to what is going to be located on the new site. She recognized that this zone permits office space, but that was not what the applicant is considering. Secondly, various violations need to be addressed, and could be addressed as part of the overall plan. Mr. Peake explained that was why they are looking through the Town records.

Chairman Michelman asked if there were any other comments. Mr. Kaufman explained that the Board needed more information to really evaluate this project. If the applicant wants to analyze a use in the PBO district that is appropriate. He added that he has raised an issue with the configuration of the lot, and that is an issue he would like the Board to discuss.

Mr. Baroni recalled that the applicant was given this property by IBM, exclusively for the use of a daycare center. He wondered if there are any restrictions placed on the site that prevents any other uses. Dr. Matusow recognized that this came up at the site walk and the applicant told us that the restriction was for the building, not the lot that would be created. Mr. Baroni said that he should discuss this with IBM so that the Board is not spending time on an application that could not be approved. The Board agreed.

Dr. Matusow said that that this was being considered for an elder care facility as opposed to a small office building. He thinks the Board should see a theoretical plan in keeping with that idea, because it is very different than a small office. Chairman Michelman pointed out that that is not yet permissible in that zone. Mr. Peake explained that it is a floating zone, and he originally thought that the applicant was further along in discussions with an elder care tenant.

SAMPERE
Amended Site Plan
Section 2, Block 4, Lot 1-11
55 Hammond Ridge Road
Frank Giuliano, RLA
Discussion

Mr. Giuliano was present on behalf of the applicant. He explained that the Board had conducted their site walk the prior week. He presented a color site plan: the dark green = what was in conservation easement, the medium green represents the clearing and grading limit line. The applicant is seeking to build a pool, motorcourt, and terraces, which would change the clearing and grading limit line as depicted by the light green.

Mr. Giuliano presented a blow up of what the site and the motorcourt would look like. He explained that the existing driveway would come near that motorcourt. There would be a new entrance / walkway. He added that the comments from Mr. Kaufman and Mr.

Schroeder would be incorporated into the next submission

Mr. Schroeder said that he had no issues with this plan. Mr. Kaufman agreed, and said that the plan was nice, looks reasonable, and that no mature vegetation would be impacted.

Mr. Giuliano said that the test pits take time to work out with the engineers, and asked if this application could progress.

Mr. Kaufman explained that this project does not require neighbor notification, or special permits, so the Board is free to adopt a resolution when it is ready. The Board decided to have Mr. Kaufman prepare a resolution and they would look at the revised plans.

ROSENBERG
Amended Site Plan
Special Use Permit
Section 2, Block 4, Lot 1-19
61 Sarles Street
Frank Giuliano, RLA
Discussion

Mr. Giuliano was present on behalf of the applicant. He indicated the location of the residence and explained that the applicant is seeking approval to build a pool with a cabana, and a turnaround entry with a new walkway. The applicant is proposing extensive plantings and currently, the grass is mowed approximately a few feet in from clearing and grading limit line. They will keep fence within the clearing and grading limit line, and it would not be a chain link fence. Mr. Giuliano explained that they would update the details on the plan for the next submission.

Mr. Schroeder said that he had no issues with this project. Mr. Kaufman advised the applicant still needed to submit the gross floor area worksheet. He added that the applicant also needed a special permit for the gross land coverage, which would require neighbor notification. The Board said they could have a resolution for the same night.

ILANY
Amended Site Plan
Section 2, Block 4, Lot 1-18
59 Sarles Street
Frank Giuliano, RLA
Discussion

Mr. Giuliano was present on behalf of the applicant. He indicated the location of the residence and explained that the applicant is seeking approval to construct a pool and an addition that has already been approved by the ARB. He added that he would provide the architectural renderings, as well as the FAR. The applicant will not have a chain link fence. Mr. Giuliano added that he had no issues with the professionals' comments.

Mr. Kaufman explained that the Board still needed to know if this required a special permit, so the applicant needed to submit the calculations. If a neighbor notification was not needed, the Board would prepare a resolution. If a neighbor notification was needed, it could be scheduled, and still have a resolution for the same night.

The meeting was adjourned at 9:48 p.m.
