

**NORTH CASTLE PLANNING BOARD MEETING
VIA ZOOM
7:00 P.M.
June 22, 2020**

PLANNING BOARD MEMBERS:

Christopher Carthy, Chairman
Steve Sauro
Michael Pollack
Jim Jensen
Lawrence Ruisi

Also Present:

Adam R. Kaufman, AICP
Director of Planning

Joe Cermele, PE
Kellard Sessions Consulting

Valerie B. Desimone
Planning Board Secretary
Recording Secretary

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

Conservation Board Representative:
George Drapeau

Also listening at home was Michael Desimone who was watching this meeting to earn his communications merit badge which is a requirement to become an Eagle Scout.

MINUTES:

June 8, 2020

Mr. Carthy made a motion to approve the minutes as amended, it was second by Mr. Jensen and approved with five ayes.

PUBLIC COMMENT PROCEDURE:

Public comments can be submitted to planning@northcastleny.com during the meeting. Received comments will be read aloud. Include a telephone number in your comment if you would like to provide verbal comments to the Board during the meeting.

PUBLIC HEARING:

NORTH CASTLE SOUTH FIRE DISTRICT #1 [2020-020]

621 North Broadway

122.20 – 1 - 5,6,7

Amended Site Plan

Mark Fritz, AIA Mark W. Fritz Architects

Discussion

Consideration of resolution of approval

Expansion of the existing parking lot from 12 to 23 off-street parking spaces at the North Castle Fire District #1 firehouse and the construction of new retaining walls and parking lot lighting.

Present for this meeting was the architect Mark Fritz and the engineer Benny Salanitro.

Mr. Fritz reviewed his plans and how he addressed each item in Mr. Cermele's last memo. In response to comments from Mr. Carthy, Mr. Cermele stated that the applicant had primarily complied with his memo and there were a few minor things to be complied with, the most important was the curb cut permit from the NYSDOT.

Mr. Fritz reviewed the changes to his plans according to the memos when last before the board and how he complied with each statement. He reviewed the lighting and landscaping plan.

Mr. Carthy asked the board and professionals if they had any comments or questions at this time.

Mr. Kaufman stated that no written comments were submitted and no one was waiting to speak to the board. Mr. Kaufman followed up on Mr. Jensen's comments from the last meeting regarding lighting on site, Mr. Jensen stated that he preferred natural white lighting and Mr. Kaufman noted that was reflected on the plans.

Mr. Carthy made a motion to close the public hearing. It was second by Mr. Sauro and approved with five ayes.

MR. Karthy made a motion to approve the resolution as amended. It was second by Mr. Sauro and approved with five ayes.

Mr. Carthy complimented the applicants on what a nice job they did for the site.

25 ORCHARD DR / 22 ANNADALE ST [2020-018]

25 Orchard Drive & 22 Annadale Street

108.01-6-78 & 108.01-6-67

Subdivision (no new building lot)

Ralph Mastromonaco, PE PC

Discussion

Consideration of resolution of approval

The Applicant is seeking approval of a proposed lot line realignment (subdivision) that would alter the existing common lot line between 25 Orchard Drive & 22 Annadale St. Currently, a patio associated with 22 Annadale St is located on 25 Orchard Drive via an easement. The proposed subdivision would enlarge 22 Annadale so that the patio is located on 22 Annadale and reduce the lot size of 25 Orchard Drive. If approved, the patio on 22 Annadale will be reduced in size so that it is no closer than 5 feet to the new rear yard setback.

Mr. Jensen read the affidavit of publication for the record. Mrs. Desimone stated all paperwork was in order for this application.

Present for this application was Ralph Mastromonaco.

Mr. Mastromonaco presented the application as noted above and stated the shed will be removed.

The board and professionals had no comments, the application was pretty straight forward.

Mr. Carthy made a motion to close the public hearing, it was second by Mr. and approved with five ayes.

Mr. Carthy made a motion to approve the negative declaration, it was second by Mr. and approved with five ayes.

Mr. Carthy made a motion to approve the preliminary resolution, Mr. second the motion and it was approved with five ayes.

Mr. Carthy made a motion to approve the preliminary resolution, Mr. second the motion and it was approved with five ayes.

MOTLAND [2020-013]

55 & 57 Banksville Road

Section 102.03-1-54 & 55

Lot Line Realignment

Kory Salomone, Esq., the Law Office of Kory Salomone, PC

Discussion

Consideration of Resolution of Approval

The Applicant is seeking approval of a proposed lot line realignment that would alter the existing common lot line and would result in Lot 54 being 3.621 acres and Lot 55 being 2.982 acres. A portion of the pool equipment serving Lot 55 encroaches onto Lot 54. Additionally, a portion of Lot 55's septic field also encroaches onto Lot 54. The project would shift the existing common lot line between the Subject Properties so that both the

pool equipment and the septic field serving Lot 55 remain entirely on that property, while also keeping both properties compliant with the minimum lot size in the R-2A zoning district. If approved, Lot 54 will remain compliant with the existing zoning regulations. Lot 55 will be compliant with all zoning regulations except the minimum side yard setback. In the R-2A zoning district the minimum side yard setback is 30 feet. As currently configured, the pool equipment is not only non-compliant, it encroaches on to Lot 54. After the proposed lot line realignment, the pool equipment on Lot 55 will be setback approximately 13.8 feet from new lot line. Accordingly, a variance of 16.2 feet will be required.

Welcomed into the zoom meeting was Kory Salomone and Pete Gregory.

Mr. Pollack read the affidavit of publication for the record. Mrs. Desimone stated all paperwork was in order for this application.

Mr. Salomone presented the application as stated above and stated that the ZBA granted relief of 16.2 feet. He noted both lots are owned by the same owner.

No further comments or questions were made at this time.

Mr. Carthy made a motion to close the public hearing. It was second by Mr. Sauro and approved with five ayes.

Mr. Carthy made a motion to approve the negative declaration. It was second by Mr. Sauro and approved with five ayes.

Mr. Carthy made a motion to approve the preliminary resolution of approval. It was second by Mr. Sauro and approved with five ayes.

Mr. Carthy made a motion to approve the final subdivision resolution of approval. the public hearing. It was second by Mr. Sauro and approved with five ayes.

100 BUSINESS PARK [2020-016]

100 Business Park Drive

108.03-1-51

Site Plan Approval

Paul Sysak, RLA John Meyer Consulting

Discussion

The Applicant is seeking site plan approval to store 5,000 cubic yards of fill from an offsite construction project on the site that would be utilized later on the subject site if Planning Board approval is granted in the future.

The property is approximately 11.3 acres in size and lies within the PLI zoning district. The site is currently developed with a 62,782 square foot office/light industrial building

with associated off-street parking.

Present for this application was Paul Sysak, John Meyer Consulting and Curt Johnson, Jay Group Designs.

Mr. Carthy read the affidavit of publication for the record. Mrs. Desimone stated all paperwork was in order.

An email in opposition of the application was received from Aero Hardware - 130 Business Park Drive.

Mr. Sysak presented the application as noted above and noted the requested amount was reduced to 1,000. From 5,000 cubic yards and the location of the fill will be located outside the wetland buffer and behind a deeply vegetated area so that it will not be visible, there may be one or two trees that would need to be removed.

Mr. Carthy inquired if between now and site plan approval the applicant wanted more fill on site, the applicant would return to the Planning Board, Mr. Sysak agreed.

Mr. Jensen inquired what protections are in place if the soil was moved. He raised the concerns referenced in the Westchester County Letter.

Mr. Cermele inquired if the 1,000 cubic yards were stored in a flood plain.

Mr. Sysak stated that he received Conservation Board approval last week.

Mr. Kaufman expressed his concerns with the board approving the fill without site plan approval, he has rarely seen this. Mr. Pollack agreed with Mr. Kaufman's concerns and the issues raised in the Westchester County Letter. Mr. Pollack stated this was out of sequence and noted the Planning Board would not approve fill on site on its own.

Mr. Ruisi stated that you could put a time line on the use of the fill and what date it would be removed from the site if not used.

It was noted there was existing storage of dirt on site and Mr. Cermele inquired would the fill that was brought on site when added to the existing dirt total 1,000 cubic yard or would it be an additional 1,000 cubic yards. Mr. Carthy asked if the applicant could submit an updated plan showing the existing stockpile of dirt.

Mr. Sauro asked what else would be done on site besides putting up a silt fence. Mr. Sysak stated that it will be a double row of silt fence. The fill will be verified as clean by a third party.

Mr. Sauro and Mr. Carthy were ok with the items in place for this to be done.

Mr. Carthy asked Mr. Kaufman why he was so concerned, Mr. Kaufman stated that this was very annual. Mr. Pollack stated that we are relying a lot on enforcement by the town and this was a bad precedence and out of sequence. We rely on our

professionals at the town level and county level and this is an abnormal way to proceed.

Mr. Jensen noted that he raised the concerns of Westchester County at the beginning of the meeting and felt this seemed premature.

Mr. Sysak stated that no matter what the size of the building, a 1,000 cubic yards will definitely be necessary and is a reasonable request. Mr. Baroni stated that the concerns of flooding in 2007 and flooding down county now have mostly been resolved. He was surprised at the comments from Westchester County. Mr. Sysak stated he will address the concerns of the Westchester County letter.

Mr. Pollack asked what the status of the site plan was.

Mr. Ruisi inquired if you can distribute the material now and not stockpile it. Mr. Cermele stated that we don't know enough now to distribute it and may have to clear additional trees.

Mr. Sysak reminded the board that his client is consolidating all business locations to this site.

Continued discussion took place and a bond was suggested to be put in place to export the fill if site plan approval were not granted, the applicant stated that they were looking to use the fill by the end of the year. It was suggested the fill remain in Pleasantville until it is needed on site. The board then inquired if a bond were put into place for the where and tear on the roads for the Assisted Living project. It was suggested additional information be provided to the board.

It was noted that there was an email submitted from Aero Hardware at 130 Business Park Drive that was in opposition of this application. The email was read into the record.

Mr. Carthy made a motion to close the public hearing. It was second by Mr. Ruisi and approved with five ayes.

Mr. Carthy made a motion to approve the negative declaration. Mr. Sauro second the motion and it was denied with four ayes. Mr. Sauro voted Aye.

Mr. Carthy made a motion to approve the resolution of approval. Mr. Sauro second the motion and it was denied with four ayes, Mr. Sauro voted aye.

NEIGHBOR NOTIFICATION:

**SALAZAR [2020-019]
10 Leisure Farm Drive
101.03-3-33
Amended Site Plan
Bill Einhorn,
Discussion**

The Applicant has removed trees in an area beyond the approved Clearing and Grading Limit Line depicted on the Leisure Farm subdivision plat. The plat contains a note stating that "All of the clearing and grading lines as shown on this plat shall not be altered without Planning Board Approval." Therefore, the Applicant is required to seek amended plat approval from the Planning Board.

Mr. Jensen read the affidavit of publication for the record. Mrs. Desimone stated all paperwork was in order for this application.

Present for this application was Bill Einhorn and Julio Salazar.

DISCUSSION:

**BRYNWOOD [2020-015]
568 Bedford Road
101.02-1-28.1
Amended Site Plan
Josh Lowney, PGA• General Manager• Brynwood Golf & CC
Discussion**

The project obtained Site Plan Approval from the Planning Board for the full scope (Phase B) golf course improvements on 03/07/2016. At this time, the applicant would like to pursue Amended Site Plan Approval for a reduced scope (Phase A) of golf course improvements which significantly reduces the work area (from 72.90 acres to approximately 9.80 acres) and subsequent environmental impacts. Improvements now focus on select tees, bunkers & greens along with limited work to fairways and the driving range. There is reduced tree removal and Town-regulated wetland buffer disturbance associated with this proposal. In addition, the applicant would like to preserve the previously granted approval for the full build (Phase B) golf course improvement as part of this Amended Site Plan application in order to reserve the right to implement the full scope improvements at its discretion in the future.

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Mr. Carthy made a motion to adjourn the meeting, it was second by Mr. Sauro and approved with five ayes. Meeting adjourned at 8:08 p.m.