

**NORTH CASTLE PLANNING BOARD MEETING
15 BEDFORD ROAD – COURT ROOM
7:00 P.M.
April 9, 2012**

PLANNING BOARD MEMBERS PRESENT:

Robert M. Greene, Chairman
John P. Delano
Steve Sauro
Guy Mezzancello
Art Adelman

ALSO PRESENT:

Adam R. Kaufman, AICP
Director of Planning

Joe Cermele, PE
Consulting Town Engineer
Kellard Sessions PC

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

Valerie B. Desimone
Planning Board Secretary
Recording Secretary

Conservation Board Representative:
Peter Limburg

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

APPROVAL OF MINUTES - March 26, 2011

Mr. Delano noted some minor typos were given to the secretary earlier in the day. Mr. Greene asked for a motion to approve the March 26, 2012 Planning Board Minutes as amended. Mr. Delano made a motion to approve as amended. Mr. Adelman second the motion and it was approved with four Ayes. Mr. Greene abstained from the vote.

In response to Mr. Greene's comment, Mr. Adelman volunteered to be the liaison for the Planning Board regarding the status of the meetings electrical equipment for recording and playing back the Planning Board meetings for the viewers at home.

PUBLIC HEARING:

BAC ELECTRIC

Consideration of Site Plan Resolution

873 North Broadway

Section 6 Block 02 Lot 3

Barry Naderman, Naderman Land Planning and Engineering.

Application for “after the fact” site plan approval of a proposed change of use to electrical contractor office, retail sales and personal training uses. The property is located within the CB Zoning District.

Present for this application is Barry Naderman and JR Cavallaro, tenant.

Mr. Greene read the affidavit of publication for the record. No noticed neighbors were present for the application. Mrs. Desimone stated that 22/29 green cards were returned and three envelopes were returned and all paperwork was in order for this application.

Mr. Naderman stated that Mr. Cavallaro was in contract to purchase this building. Mr. Naderman noted this site was .39 acres in size and was formerly known as Fishers Garage and then United Rentals. Presently BAC Electric and a personal trainer are before the board for a change of use on site along with some site improvements.

The board discussed the lighting on site at this time. Mr. Kaufman did not want to encounter any glare issues. The applicant stated that he will comply with this request.

Mr. Naderman commented on item #4 in the resolution regarding the bucket trucks. Mr. Kaufman clarified that the trucks have to have a designated parking spaces above and beyond the parking requirements. He stated that we can designate overnight storage of vehicles on site which have to be shown on the site plan. Mr. Naderman stated that there were no unlicensed vehicles on site and they will comply with the request.

Mr. Greene asked for a motion to close the BAC public hearing. Mr. Delano made a motion to close, it was second by Mr. Adelman and approved with five Ayes.

Mr. Adelman made a motion to approve the BAC resolution. Mr. Delano second the motion as amended and approved with five Ayes.

DISCUSSION:

ARMONK TENNIS

Consideration of Site Plan Resolution

546 Bedford Road

Section 2 Block 08 Lot 7.B

Site Plan application for the construction of a new deck attached to the existing clubhouse. The property is located within the R-2A Zoning District.

Present for this application is Mr. Grecco, builder.

Mr. Greene had no comments or issues with this application, Mr. Adelman agreed.

Mr. Greene made a motion to approve Armonk Tennis resolution. Mr. Delano noted a typo. It was second by Mr. Adelman as amended and approved with five Ayes.

FORDHAM UNIVERSITY

Discussion

31 Whippoorwill Road

Section 2 Block 1 Lot 8

Amended site plan application for generators

Present for this application was Joseph Scaltro, Fordham University.

The proposed generator is within the wetland buffer. This application will need to go before the Conservation Board for a wetland permit.

Mr. Greene made a referral to the Conservation Board regarding this application. It was second by Mr. Adelman and approved with five Ayes.

Mr. Greene stated that once the applicant had its referral from the Conservation Board a public hearing will be scheduled and a resolution considered the same evening.

BYRAM RIDGE ROAD SUBDIVISION

Consideration of Extension of Time Resolution

62 Byram Ridge Road

Section 2 Block 5C Lot 10.

Subdivision of existing 6.1 acre property to create five lots for single family dwellings. Each lot is proposed to be provided with septic and well.

Present for this application was Megan Collins, Esq. Shamberg, Marwell, Davis and Hollis.

Mr. Greene asked for a motion to approve the Byram Ridge Road Subdivision extension of time resolution. Mr. Delano made a motion to approve as amended, it was second by Mr. Sauro and approved with five Ayes.

MARGOLIN

Discussion

15 Gifford Lake Drive

Section 1 Block 9 Lot 13-9

Site development plan for the construction of a 5,490 square foot home.

Present for this application was Rob Vogel, Thuesen Management.

In response to the board's comment regarding the orientation of the house. Mr. Vogel stated that the property owner specifically requested the house be oriented as presented on the plans so the house would be oriented for solar panels in the future.

The applicant was directed to submit plans to the ARB and return to the Planning Board once the approval was granted and the board will consider a resolution the same evening.

CVS

Discussion

450 Main Street,

Section 2 Block 13 Lots 7A & 10A

Site development plan for various amendments to the site and the establishment of a 17,389 square foot pharmacy and 2,497 square foot retail space.

Present for this application is Al DelBello, Esq. AJ Barbado from DB Northeast II (CVS) and the property owner, Martin Werber. Also present was the Paul Vitaliano, PE from VHB; Kevin Patcher, AIA from BKA Architects and Gary McCoy, McCoy Signs.

Approximately 30 – 40 people were present for this application.

Mr. DelBello stated that he has received the comments from F.P. Clark and noted that one of the residents called this a box store. A box store is over 50,000 square feet and the proposed CVS is only 17,300 which is smaller than the previous A&P. Approximately 2,500 square feet will be rented out to someone else. There will be one or two small vans or box trucks with daily deliveries and one tractor trailer (WB-50) delivery per week which can be scheduled at any time or day. The code requires two loading docks; the applicant only wants one loading dock and would like the Planning Board to waive the other loading dock. Handouts were given at this time. In response to Mr. Greene's comment, Mr. DelBello stated that the selling area will be 13,300 square feet.

Mr. Vitaliano oriented the board with the site in its present condition. He noted a drive up window is proposed for the pharmacy at the rear of the site. The wetlands on site go into the Wampus River and no encroachment into the buffer proposed. The following changes are proposed for the site. Repave the entire parking lot; re-stripe parking spaces to conform to code. The applicant will maintain the existing 160 parking spaces; the applicant will improve the handicapped parking spaces in front of the CVS as well as the next to the pizzeria; the sidewalk and guardrail will be redone to Main Street; the applicant would like to have the site sprinklered with a six inch line and he will work that out with the Water Department. Nine new lights, 25' in

height are proposed and will all be consistent and a light gray color; there will be five wall packs (four out of five are in the loading area) lighting on the building. At the rear of the site there will be a compactor with enclosures, the property abutting the rear of the building will be cleaned up; a short retaining wall and stockade fence will be installed at the rear of the site; the landscaping shows all existing trees to remain and the applicant is proposing a few more trees around the site and in the center islands; an alternate plan was submitted reducing the parking count to 156 which would eliminate four parking spaces and help trees to grow and blend in better, this would also reduce the pavement by a couple hundreds square feet, the alternate plan would reduce the paving by 800 square feet.

Mr. DelBello stated that land banking the four parking spaces would allow more landscaping and on the busiest shopping day last year all of the parking spaces were not taken. It will be a convenience for the people to have a drive through; a mother with a sick child will not have to take their sick child into the store.

In response to Mr. Greene's comment, Mr. Vitaliano stated that if the board were to allow the elimination of the second loading dock, it would be used for a second means of egress. Mr. Green also noted that he did not feel a six inch pipe to sprinkler the building would be sufficient and suggested an 8 inch pipe. Mr. Vitaliano agreed and said he would work that out with the Water Department.

Mr. Patent stated that he also noted that the sub tenant as well as CVS was proposed for sprinklers. The same entrance would be used for CVS that was used for the A&P. He reviewed the architectural features and noted the matching store fronts and unified signs on top of the building. Proposed at the rear of the site will be two dumpsters for refuse and recyclables as well as a compactor.

Mr. Adelman inquired where the cart corrals would be located. Mr. Patent stated they would be located in the vestibule.

Mr. Gary McKoy stated that the CVS sign will be in red on the front and side of the building. There will be two monument signs with a 10 foot base located at each curb cut off of Maple Avenue and Main Street. There will be four tenant signs as well as the CVS sign. The existing 25 foot sign off of Main Street will be removed.

Mr. Greene noted that he is happy that the applicant will sprinkler the building and asked if the other tenants will be sprinklered as well or would it just be CVS. Mr. Patent stated that it will be CVS and extended to the store that is subleasing from CVS and to the other tenants when there is a tenant change.

Mr. Greene inquired what else is there to do for the sprinklers. Mr. Patent stated that they are waiting for sign off from the Water Department. He felt the 6 inch line would be sufficient. Mr. Vitaliano will finalize the details with Sal from the Water Department.

Mr. Greene stated that he would like to schedule an informal meeting with the two members from the ARB and two members from the Planning Board with the applicant.

Mr. Adelman noted that the Bedford Hills CVS has a stone front which makes it more attractive than it would otherwise be. He noted that the applicant was proposing the same brick face that we have seen for so long and is not that attractive. He thought that the applicant should consider offering an alternative that is more stone work rather than plain old brick. Mr. DelBello

noted that brick is presently there today. Mr. Adelman stated that he was aware of that and noted the applicant can change the facade. Mr. DelBello stated that he will take that into consideration. Mr. Adelman said please do.

Mr. Greene inquired what the hours of operation would be. Mr. Barbado stated from 7:00 a.m. to 12:00 p.m. – 7 days a week. This store was not planned to be open 24 hours. The store may close earlier like 10:00 p.m. depending on the customers needs. Mr. Greene asked that neighboring store hours be submitted to the board.

Mr. Greene asked Mr. Kaufman if the proposed lighting was acceptable. Mr. Kaufman stated that 25' poles were acceptable, the applicant originally proposed 40' which was not acceptable. The applicant should formerly submit the lighting detail handed out this evening with their next submission. Mr. Greene was concerned about the lighting spillage. Mr. Kaufman noted the applicant will submit that information.

Mr. Greene stated that the former A&P had 120 trucks a week going in and out of the site and CVS is proposing one tractor trailer trucks a week and two small trucks a day.

Discussions of grades and ramp to the drive up window were had at this time. Mr. Greene asked for a cross section. Mr. Vitaliano stated that the car will drive up a ramp two or three feet to get to the drive through and will drive down two or three feet to exit the drive through, a four foot retaining wall is proposed. Mr. Greene expressed his concern regarding the parallel parking spaces near the drive-thru.

In response to Mr. Greene's comment Mr. Vitaliano noted that the breakdown of all of the parking spaces was provided in the handout this evening. It was noted that this information should be formerly submitted to the Planning Board for a review.

It was confirmed by the applicant; that there were no proposed improvements to the Maple Avenue entrance/exit. Mr. Mezzancello noted there was a telephone pole in the way at that entrance. Mr. Kaufman stated that there was a meeting with Con Ed at the site and they are likely to move the pole.

Mr. Sauro stated that the applicant has done a lot of work streamlining and cleaning up the whole facade. In keeping up with the proposed Armonk Square motive of a New England scape, did you give any consideration to changing some roof lines around and giving it more of a new England look, considering the extensive work already being done on this site, how much more would that entail to exaggerate that a bit into a shopping center that would fit into the area.

Mr. Patent stated that he was not intending to add any other rooflines over the A&P. He has worked with many A&P's over the last 15 years and in their opinion, to add a gable is a mistake. Quite often they are under structured. He worked a lot with the owner and reviewed what can and can't be done. There are existing tenants on site and they want to stay away from additional load on the roof. They need to stay away from additional roof features and simplify and enhance the front features.

Mr. Sauro stated that even if you have a false façade or wrap the corner a little bit and go with five foot sections with all of the bearing on the front wall of the structure where the brick is laying against, you don't think that the walls could support some false gables across the entire site.

Mr. Patent stated that he can't work over the existing tenants and the roof will not support anything more than what it supports today. It is possible while working with this board and the ARB that if something needs to happen to the Roof where there is not a tenant presently and we need to reinforce, to put in an architectural feature, he would be happy to explore it.

Mr. Sauro noted that Made in Asia has the gable roof over it and if the applicant could pick up on that and add on some slightly larger or slightly smaller gables with some different textures, architectural shingles, stone façade and or stone veneers to break it up a little bit. He asked if that was a truss system in the CVS. Mr. Patent stated that it was a field generated system, not an off site prefabricated one. Continued discussion was had regarding the different types of supports for the building. Mr. Patent stated that there are some bearings and it would impact the current rod and trusses.

Mr. DelBello stated that they would discuss this matter with the ARB. Mr. Sauro stated that he would appreciate that because there are a lot of people that would prefer an aesthetically pleasing façade. He appreciated how much the applicant has worked to clean up the site but you could look at this strip mall and it could be located in Florida or Armonk, NY and he is trying to differentiate this building. In response to Mr. DelBello's comment, Mr. Sauro stated that he was aware this was a very old building. Mr. DelBello stated that he will take it up with the ARB. Mr. Sauro stated that any effort would be great.

Mr. Greene stated that we need to address the Maple Avenue entry and are 80% toward a plan that will be acceptable and making the entrance safer and wider will be to everyone's benefit. He noted the abutting property owner has been working with Mr. Kaufman to improve the entrance. Mr. Greene stated that he would like comments from the ARB regarding the signs and architecture. He has no issues with the loading dock as proposed and is pleased the applicant will install a sprinkler system in CVS and the space they will be subleasing.

Mr. DelBello offered to meet anytime regarding the Maple Avenue entrance. He noted a referral was made by the Town Board to the Planning Board at its March 28, 2012 meeting.

Mr. Greene asked for a motion to declare lead agency intent. Mr. Delano made a motion, it was second by Mr. Mezzancello and approved with five Ayes.

Mr. Greene stated that he would like another member of the Planning Board to join him for a meeting with two members of the ARB regarding the architecture and signage.

Jeff Baker, Esq. – representing the concerned citizens of Armonk. Mr. Baker stated that under the Town Code if the Planning Board does not get back to the Town Board within 30 days, the Town Board may move forward with the Public Hearing.

Mr. DelBello agreed to extend it an additional 30 days.

Site walks were scheduled at this time.

8:25 p.m. – Mr. Greene made a motion to go to executive session. Mr. Adelman second the motion and it was approved with five Ayes.

8:55 p.m. – The Planning Board came out of executive session. Mr. Greene made a motion to adjourn the Planning Board meeting, it was second by Mr. Adelman and approved with five Ayes.