

**NORTH CASTLE PLANNING BOARD MEETING
15 BEDFORD ROAD – COURT ROOM
7:00 P.M.
May 23, 2016**

PLANNING BOARD MEMBERS PRESENT:

John Delano, Chairman
Steve Sauro
Michael Pollack
Jim Jensen

Absent:

Christopher Carthy

ALSO PRESENT:

Adam R. Kaufman, AICP
Director of Planning

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

Joseph Cermele, PE
Consulting Town Engineer
Kellard Sessions PC

Valerie B. Desimone
Planning Board Secretary
Recording Secretary

Conservation Board Representative:
John Tiernan

:

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

Mr. Delano welcomed John Tiernan, Conservation Board Representative.

APPROVAL OF MINUTES:

Mr. Delano asked for a motion to approve the April 25, 2016 as amended. Mr. Sauro made a motion to approve, it was second by Mr. Pollack and approved with three Ayes. Mr. Jensen abstained and Mr. Carthy was not present for the vote.

Mr. Delano asked for a motion to approve the November 23, 2015 as amended. Mr.

Sauro made a motion to approve, it was second by Mr. Pollack and approved with three Ayes. Mr. Jensen abstained and Mr. Carthy was not present for the vote.

There was not a quorum present to vote on the May 9, 2016 Planning Board minutes.

PUBLIC HEARING:

DEER RIDGE SUBDIVISION

7 Deer Ridge Lane

100.04-2-20

Preliminary Subdivision

Ralph Alfonzetti, PE Alfonzetti Engineering PC

Dan Merritts, Thomas C. Merritts Land Surveyors

Mark Miller, Esq. Veneziano & Associates

Discussion

Consideration of Preliminary Subdivision Resolution of approval

Present for this application was Ralph Alfonzetti, engineer for the applicant and Mark Miller, attorney for the applicant from Veneziano & Associates.

The application for a five lot subdivision of the existing 17.11 acre parcel located within the R-2A Zoning District. The site currently contains a single-family residence, which is proposed to remain, along with a guest house and greenhouse which are proposed to be demolished. The new single-family residences are proposed to be accessed via a new Town Road with all lots served by on-site wastewater treatment and wells.

Mr. Delano read the affidavit of publication for the record. Mrs. Desimone noted all paperwork was in order for this application. The following noticed neighbors were present. Len Shendell from 7 Sunrise Drive; Jordon Matusow from 8 Carpenter Way; Mr. Matusow submitted an email with his questions to board prior to the meeting. Kurt Shohner on behalf of his Uncle Tkach from 29 Sunrise Drive; Jeff Cohen – 14 Sunrise Drive.

Mr. Miller presented the project to the board and members of the public. Mr. Miller then responded and answered the questions in Mr. Matusow's email regarding the proposed well location as it relates to his well, tree removal, storm water drainage and sufficient screening.

Mr. Lendell inquired about the buffer to his lot as his lot is lower than the proposed lot and would like the basin extended as suggested in the Town Engineer's memo. He was also concerned about the water runoff and maintenance of the foliage on site. He was also concerned about the location of the septic and well on the abutting lot as it relates to his septic and well. Mr. Delano noted the septic and well locations were items the Board of Health signs off on not the Town. Mr. Lendell's concerns were addressed to his satisfaction.

Kurt Shohner inquired about the stormwater basin being in the wetland buffer; Board of Health issues regarding the horizontal separation requirement, drainage basin and easement, site grading and trees to be removed. Screening of drainage easement.

Mr. Matusow thanked Mr. Miller for answering all of his questions in his email. He asked how far his well was from the neighbors, he was informed that 200' was the minimum and 275' is the distance proposed. He expressed his concerns regarding the monitoring of tree removal and how to ensure it is done correctly. The process was explained to Mr. Matusow. Mr. Matusow also inquired about the proposed retaining wall and catch basin and earth berm proposed.

In response to Mr. Shendell's comment, Mr. Kaufman explained that new construction goes before the RPRC and when appropriate it would go before the Planning Board.

Mr. Cohen expressed his concerns regarding the school bus stop and construction start time and the safety of the children waiting to get on the bus in the morning.

In response to comments made it was noted that there is one drainage easement on site and one proposed.

No further comments or questions were made. Mr. Delano asked for a motion to close the public hearing. Mr. Sauro made a motion to approve. It was second by Mr. Pollack and approved with four Ayes. Mr. Carthy was not present for the vote.

Mr. Delano asked for a motion to approve the negative declaration. Mr. Sauro made a motion to approve. It was second by Mr. Pollack and approved with four Ayes. Mr. Carthy was not present for the vote.

Mr. Delano asked for a motion to approve the resolution. Mr. Sauro made a motion to approve. It was second by Mr. Pollack and approved with four Ayes. Mr. Carthy was not present for the vote.

MCKENNA CUSTOM HOMES

25 Thornewood Road

102.01-1-75

Sports Court

Alan Pilch, PE, RLA, Evans Associates

Discussion

Consideration of Site Plan Resolution

The application for construction of a 1,800 square foot (30 x 60) sports court on a 1.51 acre lot located within the R-1.5A Zoning District.

Present for the application was the property owner Kevin McKenna and his professional Alan Pilch.

Mr. Delano read the affidavit of publication for the record. Mrs. Desimone stated that all paperwork was in order for this application. The following noticed neighbors were present: Yvette MacLeod and her daughter Diane MacLeod - 6 Dogwood Place; Andrew Maldonado – 23 Thornewood Road; Steven Schneider – 28 Thornewood Road; Stephen Fischer – 24 Thornewood Road; Dr. Craig Fern - 27 Thornewood Road; Laura London – 26 Thornewood Road; Susan Fier – 29 Thornewood Road; Jeff Strauss – 32 Thornewood Road.

Mr. Pilch reviewed the plan for the board and noted that the house addition had gone before the RPRC and the RPRC sent the sports court to the Planning Board. The water course in the rear of the property runs to the Mianus River Watershed. The 30 x 60 foot recreational space is a softer space and will help reduce injuries during play. He noted a wetland permit and tree removal permit will be necessary, the applicant will only go 10' into the wetland buffer. Mitigation plan proposed is for 920'. He noted twelve trees were proposed to be removed and 12 trees are proposed to be planted elsewhere on site. Stormwater Management is proposed to a detention facility on site.

Dr. Fern stated that he is concerned with the impact from the street to his lot. There were a lot of trees removed up the street last year which has created flooding on his lot as a result of that. Earlier today a report was submitted on his behalf dated May 21, 2016 from Vincent Ettari, PE, PC Consulting Engineers regarding this application. Since his professional was not able to attend the meeting, Dr. Fern reviewed all of the points in the report for the board and members of the public. Dr. Fern also noted there has been flooding on the street.

In response to Dr. Fern's comments from Mr. Ettari's memo, Mr. Delano stated that items 5, 6, 7, 8 are all Building Department codes and the Building Department will address them. Item #9 has no real substance. Mr. Fern asked for this hearing to be adjourned so that his professional could be present regarding these comments. Dr. Fern stated that he and his neighbor Mr. Schneider have both experienced flooding.

Mrs. London stated that she lives across the street and the house at 25 Thornewood is not a renovation, it is a rebuild. Her road was a sheet of ice because the flooding was

so bad and the road was closed for a while. The sport court should be moved out of the wetland buffer.

Mr. Schneider presented photos to the board at this time. He noted his neighbor up the hill cut down all of his trees and as a result of that all of the water is flooding his lot, the pictures submitted reflected this condition. He would like the board to take into consideration the entire area, not just this lot. This is more than just a wetland permit. He does not want his neighbors flooded out like he is presently.

Mrs. Fier stated that she was concerned with the drainage and reiterated what Dr. Fern said.

Mr. Maldonado stated that he purchased a quiet and pristine property and this court is 30 feet from the property line and it is only another 30 feet to his house. The chain link fence will be 7 feet high. He would like more of a buffer between his lot and the applicant's lot.

Mrs. E. MacLeod stated she was concerned about the beauty and the value of the property. She was concerned about the applicant cutting into the hill to build the sports court. She does not want the character of Windmill changed. She wants to preserve the beauty of Windmill.

Mr. Fischer stated that he is concerned about the water runoff and the lighting of the sports court. He understands there is no lighting proposed but inquired what the procedure was if there was lighting proposed in the future. He was informed by Mr. Delano that the applicant would have to return to the Planning Board in order to get approval for lighting and based on comments this evening it would not be well received. Mr. Fischer noted there was screening proposed to the north and south and inquired why there was no screening to the east on the lot. He also noted he agreed with his neighbors comments previously.

Mrs. D. MacLeod stated that Windmill is like no other; it has a woodsy look and does not want it impacted by the enjoyment of the noise from the sports court. The sports court will reduce the privacy and the neighbors will lose the peace and quiet. Losing trees and replanting shrubs is not the same. If the new owner wants a sports court then he should apply for one but we should not let a developer impact the community like this. There have been no other sports court built in Windmill.

Mr. Pilch reminded everyone that what is being discussed this evening is the construction of the sports court only, not the house. He noted the rear of the site will still be wooded except for the location of the sports court. No lighting is proposed on site. He noted a tennis court is 60 x 120 (7,200) and this court is only 30 x 60 (1,800). The flooding discussed has nothing to do with this application. Mr. Ettari's report commented on the hydric soil and there are no signs on site to indicate hydric soil. This house has no water issues in the basement which would be a sign of hydric soils. He noted he has over 40 years of experience in the business and his numbers are

calculated with standard and methodology. He stated that he can pick up the drainage from the driveway to the basin as well.

Dr. Fern stated that there are obvious differences of opinions presented this evening by both engineers and he asked for the meeting to be adjourned so Mr. Ettari can respond to Mr. Pilch's comments.

Mrs. D. MacLeod inquired if there was a current buyer for the house. Mr. Delano stated that he did not know. Mrs. D. MacLeod stated that we should not allow a developer to change the look of our community. The Maldonado's moved in 4 months ago. She would like the owner to come before the board not the builder. People buy in windmill because of the woods not the urban sports court.

Mr. Pilch stated that he will meet with Mr. Maldonado and will be happy to provide more landscaping.

Mrs. London noted the existing water situation is not good and maintaining something that is not good or working is not acceptable. Mr. Cermele stated that south of this lot, a few lots down there is an underground seep and the driveway is significantly higher. He is working with the Highway Department and the property owner to resolve this matter and this has been going on since the winter and feels this is a large contributor to the water matter Mrs. London said this is the first winter this happened in the 13 years that she has been here and wants insurances that this will not happen again this winter. The amount of water we have now is not acceptable and this all took place once the construction of the house began. She wants to go back to conditions prior to construction of the house at 25 Thornewood. Mr. Pilch stated that the seep is adjacent to the road and the water runs down the road. The origin is not this property, it is a couple houses away from here.

Discussions were had regarding how the water should not increase as a result of this project and how it should be kept on site and how the water has increased after the trees were removed up the street.

Mrs. London stated that she agrees with the neighbor, the property owner should decide if they want a sports court, not the builder.

Mr. Schneider stated that all the people in the valley will hear kids bouncing a ball constantly because it is a steep valley. We should not allow this intrusion into the wetland buffer.

In response to Mr. Pollack's comment, Mr. Cermele stated that the detention system includes runoff from the sports court as well as from the driveway. With the level of disturbance they are proposing and the way that the code is written, the applicant is required to submit an erosion and sediment control plan which has been provided and stormwater is basically to the Town Engineers discretion. Mr. Delano noted Mr. Cermele's discretion has been ever increasing since he has been on the board. Mr. Cermele agreed. At a minimum the applicant is mitigating a 25 year storm which the

applicant has done and they then took it to the 100 year storm event. When comparing existing conditions peak rate of run off to proposed conditions, peak rate of run off. The proposed rates are less than the rates of the existing conditions for the entire site on the 100 year storm. Mr. Delano noted this was better than what we typically get.

Mr. Cermele stated that he did review Mr. Ettari's memo, a lot of what is in the memo is misquoting the code from the subdivision regulations which are not applicable here. Mr. Delano said he saw that as well. Mr. Cermele stated that there are some data and references in this report that he questions and does not necessarily agree with.

Mr. Cermele stated that like every other application that comes before him, he reviewed it , made comments, the applicant has addressed the comments and aside from two minor conditions in the resolution and from an engineering standpoint, he has no issues with this application.

In response to Mr. Pollack's comment, Mr. Pilch stated that the surface itself is like a rub rice surface and in a sense can mute some of the noises that occur on a hard surface. Typical uses for the small court sports are basketball, handball, volleyball - not tennis – the court is not large enough. Basketball hoops will be on both sides of the court. Mr. Delano asked that the plan be updated to show the basketball hoops on the court.

Mr. Delano noted any house could have basketball hoop above the garage, they can't regulate a pickup game.

Mr. Sauro stated that in regards to noise, he does think it is any different from how many sports courts are in Windmill to how many pools are in windmill. It is a recreational activity in your backyard. He thinks we are all getting a little too sensitive to noise, we all grew up with basketball hoops over a garage door and yes there are lights, backboards and kids playing. He opined that we are all getting a little too sensitive regarding no noise and no encumbrances to anybody. That is what kids do, they play, they play basketball and any noise generated from pools or recreational activity in the back yard, a swing set could be just as noisy as a sports court. With respect to topography, the valley and reverberations, everyone has rights to do what they would like to do on their own property within reason. He feels we are all a little too sensitive with all of that. He did not think that profit is evil, the applicant may live in the house or have his kids live in the house. Regardless of who is building this or what his intentions are we have to follow the laws that are in front of this board. Mr. Sauro asked for additional screening between the applicant and the Maldonado site. He also requested undergrowth plantings as well as suggested by Mr. Maldonado earlier this evening. Mr. Sauro also noted that there is a lot of shade on the road and that is another reason why it ices. It was also noted that the elevation of the sports court was 105' and the elevation of the road was 95'.

Mr. Pollack stated that he agrees with Mr. Sauro. He agrees with his point that we need to apply the laws, but the laws also give this board some discretion to protect and to balance the competing interests. It is incumbent to this board to exercise that discretion where there are potential deleterious effects on the surrounding community. To act and

to make that judgement is also in compliance with the laws and that is part of the duty this board has been charged with.

Mr. Pilch noted he had received Conservation Board approval regarding this application.

The board discussed whether to keep this public hearing open at this time and whether to allow the neighbors professional to attend the next meeting and discuss his points in his memo.

Mr. Pollack made a motion to adjourn the public hearing, Mr. Jensen second the motion and it was approved with four ayes. Mr. Carthy was not present for the vote.

Dr. Fern will let the board know if his professional will be able to attend the June 6, 2016 Planning Board meeting. Dr. Fern called the office the following day and said his professional would be able to attend on June 6, 2016. .

GJONAJ

7 Pine Ridge Road

102.01-02-7

Preliminary 3 lot subdivision

Paul Sysak, RLA, ASLA John Meyer Consulting, PC

Mark P. Miller, Esq. Veneziano & Associates

Discussion

Consideration of Amended Final Subdivision Resolution of Approval

Present for this application was Mark Miller and Paul Sysak.

Mr. Delano read the affidavit of publication for the record. Mrs. Desimone stated that all paperwork was in order for this application. Noticed neighbor David Zeng was present as well as his attorney George Bellantoni.

Mr. Miller stated this was a three lot subdivision and Lot #3 has an existing shared driveway easement that provides for a shared driveway between Lot 3 and the neighboring property. This hearing is in regards to the shared driveway easement. The existing driveway does not comply with the current code. The approved final subdivision resolution requires improvement of the driveway which is shared by Mr. Gjonaj and the neighboring property owner Mr. Zeng. Such work would require a temporary easement from the neighbor to perform that work and to date all efforts to work with the neighbor have been rebuffed. At the April 25, 2016 Planning Board meeting, four alternatives that did not involve Mr. Zeng's property were presented to the board and alternative #4 was chosen by the Planning Board at that time. Alternative #4 was presented.

Mr. Bellantoni stated that he was unaware of the driveway proposals and his client

would prefer a driveway not abutting his lot. He opined that if this plan were accepted it would make his client's driveway unsafe. The common driveway easement has never been utilized all these years.

Mr. Miller stated that we have a failure to communicate. The original plan would make it fully compliant; he would prefer the original plan.

Mr. Sysak stated that in regards to the comment regarding another driveway location that was looked at and researched by the Planning Board and professionals at the time it was created. The Planning Board at that time agreed this was the best and safest location for both lots. He reminded the board that the site distances for this location were reviewed again by this board and professionals and as a result of that the tiered retaining wall was created to increase the site distances from this location.

Mr. Miller asked the board to consider approval of alternate #4 at this time.

Mr. Sauro asked Mr. Bellantoni if he was aware of the original proposal. Mr. Bellantoni stated that his clients professionals reviewed the original proposal and did not agree that there would be a benefit and does not want it.

In response to Mr. Jensen's comment, Mr. Cermele said that he had no issues and he did not see any safety issues.

Mr. Delano asked for a motion to close the public hearing. Mr. Pollack made a motion to close. It was second by Mr. Sauro and approved with four Ayes. Mr. Carthy was not present for the vote.

The board briefly discussed the resolution at this time and made a minor revision regarding the County DPW.

Mr. Delano asked for a motion to approve the resolution as amended. Mr. Pollack made a motion to close. It was second by Mr. Sauro and approved with four Ayes. Mr. Carthy was not present for the vote.

CONTINUING BUSINESS:

McMANUS

19 Glendale Avenue

108.01-5-51

2-Lot Subdivision

Mark P. Miller, Esq. Veneziano & Associates

Consideration of Extension of Time Resolution

Mark Miller was present for this application.

Mr. Delano asked for a motion to grant the extension of time request for Preliminary Subdivision. Mr. Sauro made a motion to approve, it was second by Mr. Pollack and approved with four Ayes. Mr. Carthy was not present for the vote.

Mr. Delano asked for a motion to grant the extension of time request for Final Subdivision. Mr. Sauro made a motion to approve, it was second by Mr. Pollack and approved with four Ayes. Mr. Carthy was not present for the vote.

SWISS RE

175 KING STREET

113.04-1-2

Solar Panels

Gerhard M. Schwalbe, PE Divney Tung Schwalbe, LLP

Bill Null, esq. Cuddy & Feder LLP

Discussion

Referral from Town Board

John Delano recused himself from this application due to a business conflict. Mr. Sauro took over as acting chairman for this application.

The application for the installation of an approximately 9,000 panel photovoltaic (PV) array at the Swiss Re site to supply electricity to the headquarters campus. Project activities will take place within a 9.6-acre area located on the southeast portion of the site in an open meadow and wooded area adjacent to NYS Route 120. The panels will be surrounded by a chain link fence enclosure and accessible via on-site existing access roads. Town-regulated trees around the perimeter of the array will also be removed.

Present for this application were the professionals Bill Null and Jerry Schwalbe.

Mr. Null stated that the Town Board has considered an amendment to the zoning law and the new law will make this zoning conformant. The plans show considerable screening. He would like a positive referral to the Town Board regarding the zoning law as well as the special use permit.

Mr. Schwalbe presented plans to the board at this time.

Discussions were had regarding the proposed legislation and the board commented on its thoroughness. The applicant will submit paperwork regarding the FAA sign off for flight plans. It was noted that a landscaping plan was submitted but the screening will be addressed during site plan approval.

Mr. Sauro asked for a positive recommendation to the Town Board regarding the proposed legislation. Mr. Pollack made a motion to approve. It was second by Mr. Jensen and approved with three ayes. Mr. Delano recused himself from this application and Mr. Carthy was not present for the vote.

Mr. Sauro asked for a positive recommendation to the Town Board regarding the Special Use Permit. Mr. Pollack made a motion to approve. It was second by Mr. Jensen and approved with three ayes. Mr. Delano recused himself from this application and Mr. Carthy was not present for the vote.

DOONEY WOODWORKS LLC

30 Bedford Banksville Road

102.04 -2-65

Site Plan

Charles Banks, Esq. Shapiro, Gettinger & Waldinger, LLP

Discussion

The site plan application for the establishment of a new retail showroom and artisan's workshop on the 2.3-acre property. Retail uses and Artisan's Workshops are permitted in the CB-B Zoning District.

Banksville Fire Chief Walter Watson was present as well as the applicant Mr. Dooney and his associate Mr. Matthews. The applicants engineer Rob Frangione, Frangione Engineers and Landscape Architect, Abigail Adams were also present.

Mr. Frangione stated that he has reviewed the Engineers comments and most of those comments he can address on the site plan. He reviewed with the board at this time what he was doing on site, resurfacing the parking lot, renovating the existing building; he noted the parking spaces have been turned 90 degrees.

Mr. Delano welcomed Banksville Fire Chief Walter Watson.

Mr. Delano noted the board is still trying to get an understanding of what is going to go on at the site. The board needs to be clear on what the vehicle circulation will be on site and if all three curb cuts are necessary and to make sure the fire department has proper access. The board also needs to understand what size and class of vehicles are coming on site and how they are going to maneuver safely onto and in an around the site and get back on their way. The board has not seen all of that information compiled

on one plan yet. Mr. Frangione noted there has been a lot of back and forth regarding this application and he would like to move forward.

Mr. Frangione stated that his client would like to keep the three curb cuts as they exist today; they have been there a long time and are not bothering anyone and they are helpful for the turning movements of vehicles going in and out of the site. Previously there was a gas station on site. The Northern entrance should remain for fire department access to the pond and dry hydrant. The middle entrance is best for the trucks to enter with a three point turn while on site and to exit the site through the southern entrance.

Mr. Delano noted the applicant has explained why he needs three curb cuts to accommodate the vehicles and types of vehicles on site but that information still needs to be submitted. He also noted the landscaping on site needs to be addressed. Mr. Frangione noted that there has been some confusion regarding the location of the landscaping vs. the County Right of Way. Lighting on site also needs to be addressed.

Mr. Kaufman asked the board what their thoughts were on keeping all three curb cuts or not.

Mr. Delano reminded everyone that there are no sewers in Banksville and the only way that water is brought to a fire is with a tanker truck. He thanked Mr. Watson for coming to the meeting this evening.

In response to Mr. Delano's comment, Chief Watson stated that the Fire Department needs access to water on a paved surface and currently they back down on the grass as far as they can go and then run the hoses from there on the grass to the pond. He noted the Northern and Middle curb cut entrances are best for the Fire Department entrance. The Dry Hydrant does not work now and having a working dry hydrant would be a big bonus. Mr. Dooney agreed to provide a working Dry Hydrant on site, Mr. Kaufman stated that he needs the details of the Dry Hydrant.

The applicant requested a public hearing on June 6, 2016 but due to timing constraints with publication in the newspaper it could not take place until June 20, 2016. The board will consider a resolution at that time providing the outstanding information requested is submitted.

The board reminded the applicant that it needs the turning radius information and it should be shown for the biggest truck that would access the site. The applicant also needs to submit the Dry Hydrant information and show its location and where it extends to. The applicant should also prove why keeping the third curb cut is necessary for the site. Once this information is provided it would be reviewed by the Fire Chief to make sure he approves of the dry hydrant location. After a brief discussion it was agreed that an administrative wetland permit would be issued for this applicant and the applicant should reach out to the Town Engineer directly to verify what is needed.

A public hearing was scheduled for June 20, 2016.

1 BYRAM BROOK PLACE

1 Byram Brook Place

108.03- 3- 76

Amended site plan approval – Parking Expansion

Bob Roth, PE, CPESC, Principal John Meyer Consulting

Paul Sysak, RLA, ASLA Project Manager John Meyer Consulting

Discussion

The application for “after the fact” site plan approval to convert the office building to office and medical office, to expand the existing parking lot by 17 spaces, to construct a retaining wall, install landscaping, lighting and drainage improvements as well as conduct parking lot restriping (with 28 of the off-street parking spaces proposed as compact car parking). In addition, a wetlands permit for the disturbance of 3,600 square feet of Town-regulated wetland and 9,400 square feet of Town-regulated wetland buffer is requested. The property is located within the PBO Zoning District.

Present for this application was Paul Sysak.

Mr. Sysak stated that this application was before the board last year and was referred to the Conservation Board and has received approval pending mitigation. We are seeking a change of use since the dentist office has occupied the building and has a commercial septic system. The septic system capacity has been approved with this new use and the water uses was approved by the board of health. The parking lot expansion also needs to comply with the uses in the building. There are 67 existing parking spaces on site and 84 are required. In order to accommodate all of parking spaces necessary, he would like the board to enact the 33% compact car parking space option for lots in excess of 50 parking spaces on site. He has reviewed the professionals memos and agreed there was a typo on the plan and the pole heights on the plan were 30’ and will be corrected to reflect 15’. He can address the comments in the memos. The Conservation Board has reviewed the application and recommended approval.

A public hearing was scheduled for June 20, 2016. The board will consider a resolution at the time.

78 LAFAYETTE AVENUE

78 Lafayette Avenue

122.12- 1- 29

Site Plan

Timothy Nani, AIA Construct Architecture Studio

Pete Gregory, PE Keane Coppelman Greggory Engineers

Discussion

Present for this application was Tim Nani and Pete Gregory, Keane Coppelman, Gregory.

The application for the construction of a new 10,253 square foot warehouse and office building within the IND-A Zoning District.

Mr. Nani stated that this lot has been vacant since the 1940's. They are working on an easement agreement with 78 Lafayette Avenue regarding the loading dock. He noted this lot was very steep and pointed out four catch basins on site. He is basically removing all trees from the site for this application. This is a two story building with a basement. Thirteen exterior spaces are proposed and 21 spaces are proposed on the interior.

He noted that he would like a variance for lot coverage because he is proposing in excess of 50% coverage and 40% is permitted. He reviewed the lighting plans, cut and fill plan, interior parking plan and all the plans in the submission. He noted there would be access to the roof by vehicle and a green roof is proposed, the roof will capture the stormwater and store it in a cistern for use of irrigation and toilets on site. Mr. Kaufman inquired about the basement and mechanical area and how that area was calculated towards the parking count.

In response to Mr. Kaufman's comment, Mr. Nani did not review the memos posted for this submission. It was also noted that a variance would be needed for trucks backing out onto the road as well. Discussions were had regarding the less than 10' buffer of the wall to the rear of the site. Mr. Kaufman noted if it was less than 10' and then the applicant can request that variance as well from the ZBA as well or to move the wall on the next set of plans to make it compliant.

A site walk was scheduled for Thursday, May 26, 2016 at 8:00 a.m.

KOTOR/MIANUS RIVER GORGE

35 & 45 Mianus River Road

95.04-2-9.1 & 9.2

Lot Line Change

Alexandra Kotor

Rod Christie, Executive Director Mianus River Gorge

Discussion

Consideration of extension of time resolution of approval

The application for a land exchange between the Mianus River Gorge and the Kotor property. No new building lots will be created with the proposed land exchange. Both properties are located within the R-4A Zoning District.

Mr. Delano asked for a motion to grant the extension of time request for the Preliminary Subdivision. Mr. Sauro made a motion to approve, it was second by Mr. Pollack and approved with four Ayes. Mr. Carthy was not present for the vote.

Mr. Delano asked for a motion to grant the extension of time request for the Final Subdivision. Mr. Sauro made a motion to approve, it was second by Mr. Pollack and approved with four Ayes. Mr. Carthy was not present for the vote.

Mr. Delano asked for a motion to adjourn the meeting. Mr. Sauro made a motion to approve. It was second by Mr. Pollack and approved with four Ayes. Mr. Carthy was not present for the vote. Meeting was adjourned at 10:33 p.m.